THE COUNCIL OF FIFTEEN.

The Hon. T. H. Benton on the Law Retiring Naval Officers.

C STREET, WASHINGTON, Jan. 31, 1856.

SIR—I have received a printed copy of your memorial to Congress, appealing from the late proceedings of the President and the Board of Naval officers, under the act of Congress for the elimination of the navy, and also copies of the appeals from many other officers; and I answer the whole through you, as the head of the navy, and publicly, as your appeals are all made.

The act under which you and the rest have been eliminated is a bad one, passed in a bad way, and made worse in its execution.

First. It is a bad act. Officers of the navy have a profession, and that profession is the business of their lives, and when they entered it there were laws in force for the government of the navy which specified the offences for which they might lose their places, and gave them a right to a trial before they could be dismissed. Under these laws the naval officer felt that an honorable and patriotic discharge of his duties was the tenure by which he held his place, and that it was a proud and honorable tenure, stimulating him to meritorious exertion, and securing him from the caprice of government, or the malice of delators or the underminings of subordinates. The act has changed all this, and placed the commissions of the whole navy—except those selected for the work—at the discretion of a board of brother officers, acting under the appointment and with the approbation of the President, thereby destroying the high and honorable tenure by which navy commissions were held, denationalizing the navy, and making it a Presidential instrument instead of a national arm; for it is not to be supposed that the business will stop with this elimination; there will be periodical use for it, as I will show, just as long as our great manufactory of young officers continues.

Secondly. It was passed in a bad way, being slammed and gagged through the House under the previous question, cutting off debate after the government orators had been heard, (for it was a government bill,) and leaving to the others the privilege of a yea or nay. I was myself in this category, and had the honor to place my name at the head of the fifty-six members who voted against it, for which I indemnified myself a little by speaking a piece of my mind on a like bill for the elimination of the army; whereof I add an extract as a supplement of this letter, and to show that I did not wait for the bad execution of the act to condemn it.

Thirdly. It was made worse in its execution. And here I leave out all that yourself and others have so well said against the odious and trackless secrecy of the proceeding—a hidden inquisition without a record—and come to the great and flagrant point of malversation in the execution of the act. There was a clause added to it, by construction, by which the board got hold of a class of officers which the law, bad as it was, did not subject to their inquisition; it was the class of those to whom moral delinquences or crimes were imputed. The act did not include this class, but only those to whom inefficiency applied—those who were unable to do their duties ashore and afloat. Of this latter class the board had jurisdiction under the act: of the former they had none. In acting upon this class (moral delinquents and imputed criminals) they violated two laws—first, the end under which they acted; and next, the law which secures to every officer the whom immorality or crime is imputed a full and fair trial. Besides this clause, added by construction to get hold of offences and offenders, there was another added to enable the board to turn out anybody they pleased, although neither inefficient nor criminally charged; and in this class you, Commodore, would seem to have been eliminated; for the letter of Mr. Secretary Dobbin, which apprises you of your fate, compliments you upon the "very satisfactory" manner in which you were then performing your duties.

This is my opinion of the law, and my judgment upon the action of the board is that their whole proceeding is null and void, so far as they took cognizance of any case beyond inability to do duty by land water. This inability, in my view, was to be bodily or mental; and to ascertain that point there was to be a "careful examination" into the efficiency of the man, like the inspection of a record. The word examine in this city, and in every other case in which the state of a thing is to be ascertained, requires personal inspection. Would any ship carpenter, directed to examine a ship to ascertain whether she was seaworthy, think of reporting upon her without actual inspection? Would any surgeon, directed to examine a cripple, think of reporting upon his case without looking at the man and talking with him? Was any examination of students, candidates for promotion or appointments in army or navy, ever made without personal inspection and personal inquiry? And so in civil life. To examine witnesses is to look in their faces and ask them questions. To examine one's self is to look inwardly upon the soul, and to see one's own actions and their causes. The primary meaning of examine is to look into a thing; when ordered by authority it signifies a searching inspection and inquiry; and this would have been the meaning in the act without the word "careful," which gives the strongest meaning of inspection to it. My opinion upon this class of cases (the inefficient) is that the Board had jurisdiction under the act, but that they were bound to act like other examiners in all other cases; see the man, interrogate him, hear his answers, and call for the certificate of a surgeon in all doubtful cases. The law, as it concerns the officers to be eliminated is a harsh one, in derogation of the general laws of the land, and should be liberally constructed in favor of those to be affected; whereas all constructions have been against them.

So much for the text of the law itself; for the rest it is a fraud upon legislation and a violation of the existing policy of the country. It is a fraud in using the word "reserved," when the word "retired" was intended, and that fraud was carried out in the flagrant enactment that these "reserved" officers were to be called back to duty at some future time—as if inefficiency arising from old age or disease, is a thing to be mended instead of being made worse by time. The word and the enactment are frauds upon their face, and to cheat the law and the country by establishing the British "retired" list of officers, who are to be paid for doing nothing during the remainder of their lives, under the false substitution of the word "reserved" and the false pretext of being called back into service.

The Romans had a reserve of veterans which they called *evocati*—that is, evoked, or called out again; but they were veterans in the vigor of life, licensed from present service on account of their prowess, and liable to be called out again on a great emergency. The last time these Roman *evocati* were called out was by Antony and Octavius, to avenge the death of Cæsar; and they fought at their head. Does any Secretary of the Navy contemplate a time when his "reserved" list is to be called into action, either to save or subvert an empire? Congress had often refused to adopt the British system of retiring officers upon pensions—had often refused to have a retired list. This act gives one, and just as it is in England—a list of officers able to do service, doing none, and drawing annual salaries.

You mention, Commodore, that promotion was one of the objects of the act. I said so at the time it was passed, i. e. when I spoke upon it on the army bill; but did not prove it then, but do it now. Thus: The whole number of the eliminated officers is two hundred; and the whole number of the passed midshipmen (including those called masters in the line of promotion) was two hundred and four. These were mostly graduates from the Naval Academy, well connected, and long waiting for lieutenants' commissions, for which there seemed but little chance before these graduates should be forty, or fifty, or sixty years of age. To throw two hundred overboard out of those who were ahead of them was the only way to clear the road for promotion; and it was done. And this will soon have to be done again, and periodically thereafter; for there are now just two hundred more unpassed midshipman (to be precise, one hundred and ninety-four) who will soon want commissions, and must have an equal number shoved out of their way. And so on so long as that Naval Academy (like the Military Academy) has two hundred and fifty baby officers constantly on the stocks, (all powerfully connected,) and who must have commissions as soon as they are on their legs.

The machinery of a board to do this work is an old contrivance to do what the government wishes to do, and leave nobody responsible. The President shelters himself behind the recommendation of the Board; the Board shelters itself behind the approval of the President. In the meantime the Board is a machine in the hands of the President. He appoints the members; he approves or rejects what they do; they receive promotion from him, and, upon all the principles of human action, are careful not to disoblige him. More than that: he issues regulations—instructions for carrying an act into effect—and often makes law under the name of regulation, adding to or narrowing down the meaning of a statute. These regulations or instructions are usually accepted by all boards for the law itself; and so it seems it was in the case of this Naval Board, where the instructions are manifestly an amplification of the law, and were followed in preference to the law.

You speak a word, Commodore, which must be news to this generation—that of such a thing as a naval peace establishment. You were retained upon that establishment under Mr. Jefferson, fifty years ago; but the idea of a naval peace establishment is long since dead in our country. It is all war now, and keeping up continually to the war point; and for this purpose we have not wars, but "rumors of wars" incontinently. Every session of Congress they come, and, though each one turns out to be false, it does not interrupt the regular succession of these alarms; "another and another still succeeds, and the last rumor is welcome as the former." In the meanwhile every one succeeds in its object, which is to get more ships for the two hundred and fifty young officers which we have constantly at school, and which must have ships when they leave the school house, and which has converted our Navy Department into a department of ship carpentry, which gives us four times as many navy yards as Great Britain has, and which carries on the business of building and rotting ships at great speed and frightful cost.

The fate of the officers was hard who were called upon to constitute this Board. To refuse to serve might have subjected them to personal damage; to serve was only to be a machine in the hands of the administration; to judge brother officers without trial was invidious; to spare any one which the government wished removed was to subject themselves to future danger; to eliminate those above them was to provide for their own promotion and to expose themselves to severe censure. Few could afford to resign in order to avoid such invidious duty, but all honorable men must have felt as if they were called upon to draw the bowstring upon a brother in the dark.

This business, Commodore, has struck a severe blow at the navy. It has denationalized it. It is no longer the navy of the country, holding commissions by the proud tenure of good behaviour, but a Presidential navy, holding by the tenure of executive favor.

In my opinion, Congress—either house, or both—ought to call the members of the Board before a committee, examine into their mode of executing the act, declare all their proceedings null and void under it, in which they eliminated any officer for imputed moral offences, or without offence or disability, as in your case; in fact, null and void in every case, except for mental or bodily inability to do duty ashore and afloat, and that upon examination by personal inspection; then repeal the law. Respectfully, yours truly,

THOMAS H. BENTON.

To Commodore STEWART, U. S. Navy.

The Worcester (Mass.) *Transcript* says that the Methodist church at Cherry Valley, about four miles from Worcester, was destroyed by fire on Sunday morning. The fire broke out during divine service, and owing to the high wind which prevailed the building was entirely destroyed.

The Accident on the Columbia Railroad—List of the Injured.

[From the Philadelphia Ledger, Feb. 6.]

A serious accident occurred about half past eleven o'clock on Monday night, to the express train for the West, on the Columbia Railroad, about half a mile above Hestonville, in the Twenty-fourth ward. The train consisted of a locomotive, baggage car and two passenger cars, and was going up the grade at the rate of about fifteen miles an hour, when a rail broke into three pieces and threw the front wheel of the forward passenger car from the track. The momentum of the train caused this car to regain its position on the track; but the rear car was thrown off and the axle breaking, it was precipitated down an embankment of about twenty feet. In the descent the car struck a large tree, which split the car open and enabled the passengers to crawl out of the wreck. This was a fortunate circumstance, as the fire in the stove being scattered about by the descent of the car, set the wood work on fire almost immediately, and but for the facility afforded for their escape some of the wounded would have perished in the flames before relief could have been afforded them. The uninjured passengers and the attachés of the road did all in their power to rescue the wounded from the wreck, and as rapidly as possible they were removed to the forward car and made as comfortable as the facilities at hand would allow. When all were rescued and the track repaired, the train returned to the city, reaching the depot about half past three o'clock A. M.

There were upwards of forty persons in the car. One of the passengers—Mr. Abraham B. Hart, of Cincinnati, Ohio—was killed. He was found with a portion of the car on his neck and breast. When taken from that position he was insensible, and remained so until he died, about half an hour afterwards. Everything that could be done for him under the peculiar circumstances was done; but up to the time he died he did not appear to recognize any one, nor complain of his situation. Upon reaching the depot at Eleventh and Market streets, the deceased was taken to the residence of Robert R. Bringhurst, No. 20 North Eleventh street, where the Coroner held an inquest yesterday morning. The body was then placed in ice, to await instructions from his friends in Cincinnati, who were advised of the sad calamity by a telegraphic despatch from Mr. Moore, the agent of the Pennsylvania Railroad Company. Yesterday afternoon an answer was received from the father of the deceased, who directed that the remains should be forwarded to Cincinnati as soon as possible. In accordance with those instructions, the body will be sent on by Adams' Express this morning. The deceased was a member of the firm of William B. Hart & Son, merchants, of that city, and in his possession were found the evidences of his having purchased largely of goods in this city and New York, and among other papers a ticket for a through passage from New York to Cincinnati. He was about 22 years of age, and is spoken of by Philadelphians who knew him well to be a young man of very exemplary character. Mr. Cain was with the deceased on Monday evening, until a short time before the train started, and advised him to wait for the morning train, but he was anxious to get home as soon as possible, and preferred going in the train which caused his death.

Mr. Thomas S. Watson, merchant, of St. Louis, Mo., received a severe injury of the thigh, and was bruised in different parts of the body. He was taken to the Girard House, where his injuries were attended to. This gentleman was one of the persons hurt at the accident on the line of the Pacific Railroad, by the falling of the bridge over the Gasconade river, and had barely recovered from his wounds.

Mr. D. A. Finney, member of the State Senate, from Erie district, received several bad bruises, and one of his eyes appeared to be injured. Both were much swollen, but yesterday afternoon were better. He was taken to the Girard House.

Mr. E. G. Fahnescock, of Gettysburg, was cut under the right eye and down the cheek to the neck. He was taken to the residence of his brother-in law, Dr. John Cox, in Arch street, where he is doing well.

Nicholas Sheeran, of Paoli, was slightly cut in two places on one arm, and burned about the head and hands. He was taken to the Pennsylvania Hospital.

John Hoffman, of Washington county, Pa., was slightly bruised about the neck. Taken to the Bull's Head Hotel, in Market street.

Thomas Craig, of Carbon county, and Gen. Wm. Little, of the same county, were burned about the head and hands, and latter gentleman received a cut in the head. Taken to the Merchants' Hotel.

Mr. Flint, of this city, and Mr. Sterling, of Pittsburg, were also slightly cut and bruised. Mr. S. was taken to his father's residence, in Arch street, west of Broad.

Rev. Anson Rood, of this city, was cut in the head, and considerably bruised. He was taken to the St. Lawrence Hotel, in Chesnut street.

Mr. Cummings, of Logansport, Inn., was but slightly bruised. He took the morning train for the West.

Mr. R. B. Gigely, of Johnstown, Pa., Mr. Francis, one of the employés on the Columbia Railroad, and Messrs. Dunning, Anderson, Jones, Worthington, Roberts, Moore, Kelly, Patterson, Chambers, Bull, Search, Johnson and Washington, were also in the car, and received cuts and bruises of a very slight character. The most of these gentlemen started for their homes yesterday morning.

Theatres and Exhibitions.

BROADWAY THEATRE.—The performances for this evening are of a sufficiently novel and varied character to warrant the expectation of a crowded house. Those magnificent and highly successful spectacles, "King Charming" and "The Sea of Ice," are to be produced in all their original splendor, and in addition, Mr. Lenton, the great antipodean, will perform the wonderful feat of walking head downwards on a polished surface. "Herne, the Hunter," is shortly to be produced in gorgeous style at this house.

NIBLO'S GARDEN.—The mirthful pantomime entitled "The Schoolmaster" will be performed by the Ravels this evening. Francois, as the tall school boy, invariably keeps his audience in good humor. The allegorical divertisement called "Terpsichore" will bring forth the charming dancer, Mlle Rosert, and other popular members of the ballet corps, in a series of new and beautiful dances. The entertainments close with the popular pantomime of "Jocko." Niblo's is to be closed to-morrow and Saturday nights, in order to allow time for rehearsing a new and grand comic pantomime.

LAURA KEENE'S VARIETIES.—The warm encouragement bestowed upon the performers and performances by the large and unusually fashionable audience last evening, warrants the lady manager in announcing the same bill for repetition to-night. Goldsmith's comedy, entitled "She Stoops to Conquer," is the opening piece—Miss Keene in her favorite part of Miss Hardcastle, supported by Messrs. G. Jordan, Bass, Johnston and Chandler, Misses Reignolds and Wells, &c. To conclude with "The School for Tigers"—Misses Keene, Reignolds and Durand, and Mr. Johnston, all in comical characters.

WALLACK'S THEATRE.—The indefatigable manager of this pleasant little place of resort is determined to keep step with his compeers in all that appertains to gratifying the tastes of pleasure-seekers. He offers three pieces, all capitally cast, for to-night. The first is the old and always popular comedy of "Simpson & Co."—Mr. H. Placide in his favorite part of the senior partner; followed by the amusing affair, called "Duke Humphrey's Dinner"—Messrs. Lester and Norton, and Mrs. Hoey in the characters. To close with the comedy entitled "A Curious Case," in which Mr. and Mrs. Walcot appear.

BOWERY THEATRE.—"Herne, the Hunter," still pursues his extraordinary career, mounted on his fire-exhaling steed, amid the enthusiastic plaudits of the thousands who are sufficiently lucky to press themselves into the house. With, perhaps, the exception of "Putnam," which had a wonderful run some years ago, it is evident that "Herne" has created a greater sensation than any other of the many successful dramatic spectacles produced at the Bowery; and it is now believed that it will retain its place on the stage longer than ever "Putnam" did.

BURTON'S THEATRE.—Three pieces are again tendered at this establishment this evening, all cast to the entire strength of Mr. Burton's talented and versatile company. The amusements commence with the eccentric comedy called "Take that Girl Away"—Mr. Poddle, Mr. Burton; Charles Rocket, Mr. H. A. Perry. "The Barber's Plot" will follow—Mr. Burton as the hero. The whole will conclude with the late Mr. Field's comedy of "Family Ties"—Mr. J. H. McVicker as Josh Sims, being his last appearance but two.

BROADWAY VARIETIES.—It is pleasing to notice that the Wood and Marsh troupe of juvenile comedians have been nightly greeted by full houses since their opening on Monday, and, what is still better, every one has left their little dramatic house delighted with the performance of the "Naiad Queen," by these wonderfully, precocious children. The machinery, the stiffness of which somewhat marred the play on the first night, now works smoothly, and the children, having become accustomed to the routine of their business, feel at home in their parts, consequently all proceeds satisfactorily.

WOOD'S MINSTRELS.—The beautiful Hall at 444 Broadway continues to be well filled every night by the admirers of negro songs, jokes and dances. This evening there will be a variety of singing and dancing, after which George will perform his laughable part of the facetious Doorkeeper, in the burlesque called "The Masquerade Ball."

BUCKLEY'S SERENADERS.—The hall of this celebrated band of minstrels is still thronged every night by the lovers of sweet music. As a trio, the brothers—Frederick, the leader of the orchestra and principal composer, R. Bishop the low comedian, and G. Swaine, the light comedian—have no superiors. To-night they present a number of their choicest songs and the opera of "Somnambula."

CHINA AND JAPAN.—The panoramic paintings of views, manners, &c., in these countries, are still on exhibition at Academy Hall. They are eulogised by those personally acquainted with the scenes represented, as being remarkably correct delineations.

CONCERT.—Messrs. Paul Julien and Auguste Gockel will give a grand concert of vocal and instrumental music, at Niblo's Saloon, on Friday evening. They are to be assisted by several distinguished artists.

Police Intelligence.

CHARGE OF FELONIOUS ASSAULT.

Joseph Fabiano, an Italian, was taken into custody by officer Mount, of the Sixth ward police, on charge of felonious assault and battery upon the person of Antonio Fravega, of No. 148 Worth street. The complainant states he was assaited by the accused, and stabbed in the arm with a dirk knife. The prisoner was brought before Justice Connolly, at the Lower Police Court, where he was held for examination.

ALLEGED THEFT OF TIN.

James Masterson was taken into custody on Tuesday morning by officer Tracy, of the Second ward police, on chargeof stealing three pigs of block tin, valued at $73, the property of Messrs. Corbett & Johnson, of No. 25 Cliff street. The officer says he saw Masterson and another gentle youth stealing the property, and going up to them they ran off, dropping the tin in their hurry. The policeman managed, after a short but exciting chase, to capture Masterson, who on being brought before Justice Connolly was committed for trial in default of $500 bail.

ARREST ON SUSPICION.

A genteel looking person, named Benjamin F. Jones, was arrested by officer Brown, of the Reserved Corps, on suspicion of grand larceny. The complainant, Mrs. R. Wright, of No. 80 Forsyth street, alleges that after Jones left her house, (where he had been boarding), she missed a gold watch, chain and other articles of jewelry, valued at $190, and that from the conduct of the accused before and after she missed the property, she strongly suspects him of being implicated in the theft. Jones was held for examination.

COMMISSIONERS OF EMIGRATION.

The Annual Report of the Board for the Year 1855.

The Board met at 4 o'clock P. M. Present—Messrs. Verplanck (in the chair), Kelly, Cummings, Kennedy, Morgan, Purdy and Garrigue.

ALLEGED CRUELTY AT SEA.

Mr. KENNEDY called the attention of the Board to a case of alleged cruelty on board the ship James Foster, Jr., by Capt. Porter, who, it was charged, never went below during a voyage of seven weeks; also that the passengers were sick, six had died, and sixteen were put ashore on Staten Island. Testimony was adduced for and against Capt. Porter, when quite an animated discussion sprung up.

Messrs. PURDY and KELLY were of opinion that the Board had nothing to do with the case, and the matter did not come within their province.

Mr. KENNEDY strongly contended that it was their duty as men to redress the grievances of the unfortunate passengers, who had no one else to look to. A civil suit would never do any good, and the Board could at least give the information to the representatives of the press who were present, so that the facts could be made known to the public. Mr. Kennedy particularized the case at great length, and called for an investigation, so that justice might be done. He announced his intention of not leaving this matter smothered. He would follow it up even if he had to do so alone.

The matter was at length referred to the Castle Garden Committee.

ABOLITION OF THE BOARD OF COMMISSIONERS OF EMIGRATION.

Mr. KENNEDY called the attention of the Board to the proposed fusion of the commission with the Board of Governors. He wished to know if the Chairman had received any communication in reference to that subject.

Mr. VERPLANCK replied that he had not, when the subject was dropped.

WEEKLY STATEMENT.

Emigrants arrived to Feb. 6	2,350
To same date, 1855	8,385
Decrease this year	6,035
Overdraft in bank Jan. 1	$63,051 07
Receipt to Feb. 6	8,011 54
Deficit	$54,989 53
Disbursements	23 178 65
Overdraft in bank	$78,168 18

ANNUAL REPORT FOR THE YEAR ENDING DECEMBER 31, 1855.

The following is the more material portion of the annual report for the year 1855 to the Legislature of the State:—

The year 1855, being the ninth of the operation of this commission, is remarkable in its history for the sudden and very great falling off of the number of alien emigrants arriving at the port of New York. It has also been remarkable, during the latter part of the year, for a nearly corresponding diminution of the number of the diseased and destitute claiming and receiving relief from the funds of the commission.

The number of alien emigrants who landed at the port of New York in 1854 had exceeded that of any preceding year, and an unusually large proportion of these arrived in the last quarter of the year. Various circumstances, as stated in the last annual report, conspired to throw upon this commission an unusual amount of responsibility and expenditure at the close of the year 1854, which extended through the whole of the last winter until April last. Amongst the unfavorable circumstances specially operative were (as then stated,) the prevalence of epidemic or other contagious diseases in the parts of Europe which these emigrants had recently left, and which frequently broke out on shipboard, or soon after their arrival at this port, the unusual number of shipwrecks, or other accidents at sea or on our coast casting the passengers in a state of destitution upon our shores; the failing of the customary demand for labor from the derangement of business, and the excessively high price of provisions from the short crops of the year, and the immense demand for foreign consumption. To these causes were added the unusually early and severe commencement of the winter of 1854–1855, and its long continuance. The very great emigration of the immediately preceding years, though the far greater part had found occupation and self-support, had yet left a large and gradually accumulated remainder of the helpless and diseased of their number in the establishment at Ward's Island, and elsewhere throughout the State, to be provided for from the means of the commission. Thus, although comparatively few alien emigrants arrived during the winter and early spring, the Hospital and Refuge at Ward's Island were crowded to their full extent of accommodation, and the impossibility of procuring immediate employment for the number of recently arrived persons in this city compelled a resort to the bestowing temporary or out door relief to an extent very far beyond the ordinary former practice of the Commissioners, always subject to more or less misuse and imposition, and to be justified only, in the view of the Commissioners, by the extreme urgency of the case.

To secure an efficient and economical application of the assistance offered in the city, it was found necessary to appoint salaried visiters, conversant with the languages and habits of the emigrants, who were employed until April 1. The cost of meeting these unusual demands, both for out-of-door relief and hospital support, was increased by the rise in the price of the necessaries of life, which were all much dearer than in the preceding year, and averaged from a third to a half more than in the earlier years of the Commission. This state of things continued until the end of March, when the need of external and temporary aid diminished, and that system of relief was discontinued. The number of the hospital patients at Ward's Island gradually lessened, and many of the persons received into the refuge department were discharged, as means of useful occupation were obtained for them. But for more than the first eight months of the year, the number remaining chargeable to the Commission was larger than ordinary.

The number of alien emigrants who arrived during the winter, was, as already stated, smaller than common, but not enough so to lead to the expectation of the great diminution of the usual summer and autumnal arrivals that actually occurred. The total number of alien passengers who arrived in this port during 1855, and for whom commutation money was paid, or special bonds demanded, was 136,233, being less than half the average of the five preceding years, and little more than two-fifths of the numbers in 1854, which were 319,213.

This decrease of emigration from Europe was not confined to arrivals at the port of New York, but was general throughout the ports of the United States, and it extended to those of British America. Various causes have been assigned or suggested for this change, some of them general and others relating to particular countries or classes.

It is the effect of the recently enacted laws, on both sides of the Atlantic, regulating the transportation of passengers, securing them against many abuses, but diminishing the number of persons who can be carried in any one vessel, and adding to the cost of transportation. The influence of this cause, and probably of others, has been already, and will continue to be felt chiefly in lessening the number of the most indigent and helpless class of emigrants.

Those who arrived during the last summer and autumn, appeared generally to be of the class and character most able to take care of themselves, and to add to the productive means and industry of the country.

The number taken care of under the immediate charge of the Commission is now little more than half the usual average, and the current expenses have been about met by the current receipts; but the affairs of the Commission are severely embarrassed by the remains of former debt, partly contracted for lands and buildings and other causes set forth in former reports, and still more by the late necessary heavy expenditures during the last winter, which were not reimbursed, as has been the case for the last six years, by the surplus income of the summer.

The number of patients received at the Marine Hospital, at Quarantine, either directly from shipboard, or sent from the city during 1855, was less than half the number received either for 1853 or 1854, thus corresponding with the reduced number of foreigners arriving at this port during the year. This class of persons has always constituted by far the greater part of the patients at the Quarantine Hospitals, although they are not expressly devoted to them, but receive all persons affected with contagious or infectious diseases, sent there by the Health Officer of the port, or under the authority of the Board of Health, from the city.

[Here follow statistics of no special interest, except the following:—]

Number of vessels employed in conveying citizens and alien passengers, was	1,626
Number conveying citizens only	607
Total passenger vessels	2,233
Number of passengers landed	182,930
Of these 46,706 were citizens and 136,233 aliens, viz:—natives of Ireland	48,043
" Germany	52,892
" other countries	40,298
Total aliens	136,233

THE MARINE HOSPITAL AND QUARANTINE AT STATEN ISLAND.

The Marine Hospitals on the Quarantine grounds at Staten Island were, in 1849, devoted expressly (instead of partially as before that date) to the protection of the city and State from the introduction of pestilential diseases, by being set apart for the reception of infectious cases, either directly from shipboard, sent by the Health Officer of the port, or from the city under the authority of the Board of Health. A very large proportion of all those received and treated at the Marine Hospital are alien emigrants, under the charge of the Commissioners, and sent down from the city, in consequence of infectious diseases, either brought with them from abroad or contracted on shipboard, but which were not manifested until some time after landing. This has been observed to occur for some years, and has been repeatedly mentioned in the report of former Health Officers and physicians of the Marine Hospital.

From the returns of the Marine Hospital for some years, it appears that not more than a fourth of the patients received at the Quarantine Hospital are directly from shipboard; the others are chiefly of the class just mentioned, and attacked on shore by ship fever, Asiatic cholera, smallpox, or other contagious diseases. During the year 1855, this city and neighborhood have enjoyed a happy exemption from the assault and even from the alarm of any species of pestilence, which is the more remarkable considering the prevalence of yellow fever in the Southern cities, and of cholera and other malignant diseases elsewhere.

The number of patients in the Marine Hospital, at the beginning of 1855, was 293, and 814 were received during the next three months; but the number of patients was gradually reduced, until only 93 were left at the end of the year. The whole number of cases treated during the year 1855 was 2 402, being about half the number of patients in 1853 (4,798), and in 1854 (4,762), and generally far below the average of former years. The various forms of typhus fever constituted the largest class of cases, being 907.

The following summary of the monthly reports of the Marine Hospital shows the aggregate results of the year. The details as to diseases, numbers received in each month, &c., will be found in the report of the physician of the Marine Hospital and the accompanying tables in the appendix.

Number remaining 1st Jan., 1855	295
Received during the year	2,107
Whole number under treatment	2,402
Of whom were discharged	1,998
" died	312
	2,310
Remaining 1st Jan., 1856	92

The proportion of deaths in an establishment of this nature must be always greater than in any general hospital for non-contagious diseases and surgical cases. It was for the first six months of 1855 13.83 per cent, for the last six 10.33 per cent, or for the whole year, upon all the discharges, 13.05, and on the whole number under treatment during the year, 12.98. This may be regarded as a very favorable result for an institution of this character, where many are received in a dying state, and nearly all the cases are of serious diseases.

EMIGRANT REFUGE AND HOSPITAL ON WARD'S ISLAND.

The Commissioners of Emigration hold in fee, in trust for the State about one hundred acres of land on Wardle Island, together with water rights, including shore and marsh partly under water. Some part of these last is in process of filling up to low water mark, by the labor of the inmates, and more is susceptible of advantageous improvement of the same kind at small expense. The whole of the land has been purchased by the Commission from its funds or money borrowed on mortgage. The buildings (forty two in number), required for hospitals, houses for the reception of the aged and helpless, for pregnant and lying-in women, nurseries for children, residences for officers and others, with spacious accommodations for washing, bathing, &c., are scattered in proper and convenient situations about the grounds—an arrangement which gives great advantages to all of them in air, light, security against the spreading of contagion and of fire.

The buildings erected in the first years of the occupation of Ward's Island were of wood. All erected within the last six years are substantially built of brick. The hospitals are arranged in long single buildings, of from 24 to 54 feet in breadth, but of different elevations. Several of the wooden hospital wards are still in use; others are at present closed.

During the winter of 1854–'55 the whole establishment was crowded to excess, in consequence of the arrival of numbers at a late period of the year, the early severity of the winter and the prevalence of disease. On the 1st of January, 1855, there were in the hospitals and refuge 3,198 inmates, a larger number than ever before reported; and 3,164 were admitted during the months of January, February and March.

During the spring and summer the institution was gradually thinned out, and in the autumn the number of inmates was greatly reduced, so that at the close of 1855 there were but 1,865.

That number is now again somewhat increasing, but it is not likely to at all approach that of the preceding year. The number in the last week of January, 1856, is 1,878.

The following summary gives the aggregate results of the whole Ward's Island establishment for the year 1855, including both the Refuge and Hospital departments:—

Number of inmates on 1st January, 1855	3,168	
" admitted during 1855	9,092	
" of births " "	641	
Total number under care during the year		12,901
Discharged during 1855	9,158	
Deaths in both Refuge and Hospital	1,278	
		11,036
Remaining 1st December, 1855		1,865
Number of days spent in Hospital	419,830	
" " Refuge	521,768	
Total in both		941,598

In the latter half of the year the diminished number of inmates has enabled the Commissioners to carry into effect a large reduction in the number of persons salaried or on wages in their employment on Ward's Island. These on the 1st of January, 1855, were 218; on the 1st January, 1856, there were 85.

HOSPITALS AT WARD'S ISLAND—THEIR MEDICAL ADMINISTRATION AND, STATISTICS FOR THE YEAR.

The Hospital Department at Ward's Island has been for several years administered by a board of physicians and surgeons, residing in or near the city, and visiting in rotation, assisted by a number of young graduates in medicine resident on the island. This system was analagous to that adopted by several other sanitary institutions, and its details will appear more fully in the annual reports of the Board since 1851. In July, 1855, the system was abrogated, and another plan was substituted. The Medical Department proper was placed under the charge of a salaried physician-in-chief, wholly resident on the island, with as many salaried assistant physicians, also residing there, as might be required. Dr. H. B. Fay was appointed physician-in-chief, and Drs. George Ford and F. Simrock were appointed his assistants. They entered on their duties on the 15th August, 1855, and are now in office.

The Surgical department was continued under the charge of John Murray Carnochan, M. D., as surgeon-in-chief, in regard to whose office actual residence was not considered essential. He is assisted by two surgeons, Drs. Darling and Nelken, who reside continually on the island.

The following summary gives the gross aggregate details of the practice of the year in both departments:—

There were cared for in the Hospital during the year	11,532
Of whom there died	
Were discharged, cured or relieved	10,756
Remaining at the end of the year	776
Total	11,532

During the preceding years, 1851, 1852, 1853, 1854, there were in the Hospitals 51,314 patients, so that in consequence of the numbers received in the winter of 1855, the whole number in the year exceeds the average of these years one-tenth. Those left at the end of the year are fewer than in any of the preceding years.

The number of cases treated in the Refuge in 1855 was 10,582, of whom 235 died.

The per centage of deaths in 1855, including both medical and surgical cases in the hospitals, was, during the first seven and a half months, 9 7-10 per cent on all treated. For the remaining four and a half months, under the present organization, 4 4-5 per cent.

On the discharges, the rates of mortality was, during the former period, 10 4-5, and for the latter 6½.

It is, however, due to those who administered the department in the former period to add, as observed by the present physician in-chief in his report, "that this diminished mortality may have been the result of circumstances other than the change of system;" as the statistics of the city and its institutions show a better state of the general health at one of these periods than at the other. The wards which were filled during the winter, with an average of from 1,300 to 1,500 patients, had in the latter months of 1855 from 700 to 800, and there was no prevalence of any fatal epidemic. This proportionate decrease was least in the surgical wards, which contained 406 in the beginning of the year, and gradually fell off to 333 at the end.

The surgical practice has been extensive and successful, including many of the most difficult and important operations in surgery. Some of the details are set forth in the reports appended hereto. During the year there were under treatment 3,517 surgical cases, of which 64 died, and 3,120 were discharged cured or relieved—thus showing a proportion of deaths on all cases treated of 1 4-5 per cent, and on all discharged or who died of 2 per cent.

The Commissioners had hoped that their means would have enabled them, during the last or present year, to erect an Insane Asylum on their lands on Ward's Island, where there is more than one excellent location for such an establishment. Their insane, to the average number of 220, have been received and taken care of in the Asylum on Blackwell's Island, and the several county or town poor houses.

ESTABLISHMENT AT CASTLE GARDEN FOR THE LANDING PLACE OF EMIGRANT PASSENGERS.

The act of April 18, 1855, "for the protection of emigrants," having conferred additional powers on the Commissioners to enable them to designate a single landing place in the city of New York, "for the landing of emigrant passengers," has been successfully carried into effect. The Corporation of the city of New York having granted a lease of the premises known as Castle Garden, for five years, from the first day of May, 1854, at an annual rent, to a private party, the Commissioners succeeded in obtaining an assignment of the lease, on favorable terms, and possession was given on the fifth of May last, when the fitting up of the premises, in a manner suitable for the purpose designed, was immediately proceeded with. Owing, however, to the extensive repairs required, and the obstructions thrown in the way by those who, on different grounds, apprehended injury to their private interests, the place was not in readiness for use until the first of August, when it was formally opened as the Emigrant Landing Depot. It is not deemed necessary to allude to the efforts made to obstruct the execution of the law in this instance, further than to state that where that effort was resorted to with the design of rendering nugatory the power conferred, and for the ejectment of the Commissioners from the occupancy of Castle Garden, the courts have sustained the law in its beneficent objects, and the Commissioners in the possession of the premises for the purpose of carrying the law into effect; and that where violence threatened with a strong hand to lay waste and destroy, the police authority of the city, by prudent and decisive action, effectually checked the thoughtless and lawless in their course, and preserved a valuable property from destruction or damage, and the reputation of the State from disgrace.

Two hundred and fifty vessels have landed their passengers at the depot in the five months it has been in operation—bringing in the aggregate fifty-one thousand one hundred and fourteen persons, during which period no accident of any kind has occurred. All have been landed safely, without damage to themselves or property. When landed, proper means have been used to secure their comfort and protection. They have been screened from the intrusion of that class of persons who have heretofore abused the confidence of the emigrants, and despoiled them of the means they had provided to convey them to their ultimate destination, and to sustain them after they had reached it—who have long been in the practice of taking possession of the person and property of the confiding emigrant, and seldom permitting him to pass out of their hands without damage: in many cases reducing them from comparative affluence to destitution, and making them subjects for relief by the funds of the Commission; but in a larger proportion crippling their means to an extent which has affected their after life.

Every facility is provided at the depot for those whose destination is to the interior, to proceed without unnecessary delay; and without need or pretext for intercourse with the class of persons in the city before alluded to. By this arrangement, much for the benefit of the emigrant, the shipper, the Commission and the community at large, has been accomplished. Among these benefits may be mentioned:—

First—To the emigrants. In a more safe and speedy landing of their persons and effects; in the greater safety of their effects after having been put on shore, depredators being limited to fellow passengers, and but slight opportunity existing for successful pillage by them. In relief from the importunities and deceptions of runners and bookers. In being enabled to continue their journey without delay from the same wharf where they had just landed. In relief from all charges and exactions from landing, "baggage smashing" and porterage; and where they are proceeding to the interior, from cartages. In being enabled to obtain passage tickets at the lowest rates directly from the various transporting companies. In having their baggage accurately weighed; and in being relieved from excessive charges for that which is extra. In obtaining reliable information relative to the various routes of travel throughout the country. In being relieved from the necessity of transporting their baggage to boarding houses when exigencies require a temporary sojourn in the city of New York, and thus in being enabled to depart for their future homes without having their means impaired, their morals corrupted, and probably their persons diseased.

Second—To the shipper. In the greater readiness with which passengers are discharged where freight and merchandise do not interrupt the process. In the ship being relieved of its passengers at once, and immediately on arrival. In the consignee being relieved from the supervision of the landing of the passengers.

Third—To the funds of the Commission. In the increased facility afforded for the discovery of cases liable to special bond. In the opportunity for ascertaining the means of passengers for support. In the reduction of sickness and distress among emigrants. In the diminished proportional number that will become a charge to the Commissioners; and in the means to readily discover paupers and criminals transported hither.

Fourth—To the statician. In furnishing reliable data of the fiscal means of emigrants on arrival. In developing the points of individual destination