THE FENIANS.

The Canadian Military Leaders Sharply Criticised.

Condition and Treatment of the Prisoners in Toronto.

THE FENIAN SITUATION IN THIS CITY.

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Treachery Charged Against Parties in Washington.

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RENEWED PREPARATIONS.

&c. &c. &c.

Our Toronto Correspondence.

TORONTO, C. W., June 27, 1866.

Bold Criticism on the Action of Military Leaders in Canada—The Prison Life of the Fenian Prisoners—Full Description of the Old Jail at Toronto—The Prisoners Described—The Protestant and Catholic Fenian Priests, &c., &c., &c.

Public attention is occupied here at the present time with the discussion as to the comparative merits of the various officers in command during the recent Fenian raid. In the press the operations and blunderings of the commanders are criticised with a refreshing boldness. Colonel Peacock, of the Sixteenth regiment regular infantry, has to bear the burden of the blame. To this officer's not coming to the assistance of Colonel Booker until four and a half hours after the appointed time, is attributed the defeat of the British and their failure in not killing or capturing the entire Fenian force. Colonel Booker has demanded a court of inquiry, when some rich developments touching the incapacity of Colonel Peacock, and even General Napier himself, will in all probability be made.

THE FENIAN PRISONERS.

The ninety-six Fenians at present imprisoned in the old Toronto jail have been handed over to the civil authorities. Visitors are not allowed to see the prisoners without a special pass from the Sheriff, and this is not granted excepting to those persons who can convince this official that they visit the prison incited by other motives than mere impertinent curiosity. On making known my desire to the Sheriff the other day, and stating to him that I believed many of the friends of the imprisoned in the United States would like to know how they are treated and the way in which they bear themselves while in durance vile, he cheerfully granted me and a friend the necessary pass.

THE OLD JAIL,

is situated in the eastern end of the city, on Front street, near the side of the bay. It is a gloomy looking pile of stone, and for some time had been unoccupied, another and better appointed prison, more recently erected in another portion of the city, having been sufficient to accommodate all the criminals. The building consists of a central tower, from which branch off two wings, one west and the other south. The central portion is four stories high, the wings are three stories. The jail yard is an irregular parallelogram, two of its sides formed by the wings, and the west by a stone wall, fifteen feet high; the southern boundary is a board fence of about the same height. The entrance to the building is from Front street. The jail sets back about thirty yards from the road. The visitor is obliged before he reaches the massive oak portal, studded with iron, to pass two soldiers on guard. In obedience to our summons the key of the warder grated in the old lock and the massive door slowly grating on its hinges stood partially open and we caught a view of

THE INTERIOR.

A very mild, benevolent looking old person is the turnkey. He quickly sent a boy to the Governor with our pass, and in the meantime we had an opportunity of looking at the lobby and its occupants. A clumsy wood en grating with uprights separates the lobby from the main hall. A fierce looking soldier, dressed in red and armed to the teeth was walking up and down his confined beat, while many other red coats employed in various ways could be seen on the other side of the grating. Twenty-four men of the Forty-seventh regulars keep guard here day and night, and the officer in command sleeps in the building. On being admitted through the grating door we turned to the right, and descending two or three steps a few paces brought us to the door of the room in which one body of the Fenians is confined. They are about fifty in number. What strikes a person as most remarkable on first seeing these prisoners is the extreme youth of nearly all of them. Many of them are certainly too young to undergo the fatigues of a lengthened campaign. They are, however, taken all in all, a pretty hard looking crowd, and I should judge compose the very best fighting material. They are ordered to fall in to the right when anybody comes in either to identify them or from mere curiosity; the latter however are few, as strict orders have been given to exclude them. The majority of this batch were dressed in shirt and pants, very few sported a coat. It is noteworthy that so far as hands and faces are concerned there is every appearance that they are not at all restricted in the supply of soap and water, and their heads also exhibited traces of the comb and brush.

On leaving this room, in the hall, immediately on the left going towards the yard, are the cooking utensils, principally consisting of large coppers for the manufacture of soups. In the yard and in a room of the south wing we found the other main body of the Fenians. They present much the same appearance as the others with whom they share alternately the pleasures of the open air.

THEIR APPEARANCE, ETC.

They seem not in the slightest degree to realize their position; only when persons come in to identify, some then shrink nervously, but nearly all assume a look of stoical indifference. When out they congregate in groups; some pitch quoits or pennies, others talk, joke and laugh as if they had not a care in the world. A solitary sentry paraded along the southern wall. His rifle is loaded and his bayonet fixed. There are other soldiers with side arms walking about among them. When the officer of the guard comes in they are obliged to fall in and undergo inspection, an order which they perform with all the ease and alacrity of well drilled veterans.

THEIR ACCOUNT OF THEMSELVES.

One and all deny that they are Fenians except two little boys, thirteen and fourteen years of age, in room No. 2, who boldly and openly state they are, and wouldn't deny it. The boys came from Indiana. One of them, the younger, on being asked if he was a drummer, smiled, and said he was. Very few have any trappings to distinguish them from civilians; some of them when taken had portions of the United States uniform and had the look of regulars. The majority, beyond doubt, are from the States of Indiana and Kentucky, and it is thought, with good reason, served in the armies of the South during the rebellion. There are quotas from New York and other cities of the Middle States.

THEIR FOOD

consists of bread, soup and cold water. The bread and soup are very good, and much superior to the general prison kind.

THE OFFICERS OF THE PRISON.

The Sheriff of Toronto has the supervision and care of the prisoners. Mr. F. Severs, bailiff of the Division Court of the city, is the governor of the jail. He is a gentleman over middle age, of a quiet and dignified demeanor, and, I should judge—though determined to carry out his orders to the letter—inclined to be kind and gentle towards the unfortunates in his charge. Dugald G. Macnab, a convict whose term of service has not yet expired, is acting as the clerk. Three prisoners from the new jail cut the wood, draw the water, and do the cooking for the prison. About twelve Sheriff's officers and the military compose the staff in charge.

TWO FENIAN CLERGYMEN.

In the corridor of the south wing, on the second flat, are ten or twelve cells. In the first cell on the right we found, seated at a table covered with books and writing material, a tall, clerical looking person, dressed in black and exceedingly neat in appearance, who we were told was the Rev. Mr. Lumsden, an ordained priest of the Protestant Episcopal church of America, now confined as being an active participant in the Fenian raid. He has been recognised by many as being the person whom he pretends to be, and has preached in St. James' Cathedral church of this city. He was, so he informed me, up to the time of his arrest, incumbent of the parish of Nunda, about sixty miles from Buffalo, and in the diocese of Western New York. He states that at the time of the raid he was in Buffalo on business, and crossed over to Fort Erie to render what assistance he could during the hostilities to a dear friend of his there; that while engaged in this labor of love he was arrested. He accounts for Bishop Coxe, of Buffalo, disowning him by the fact that his right name had not been handed in to that prelate, and feels quite sanguine of his release. He affirms that by birth he is a Scotchman, and was ordained by the late Bishop Brownell, at Hartford, some twenty years ago. He takes his confinement quite philosophically, and says that if it were not for the anxiety which his imprisonment must cause to his wife and family he should be happy and satisfied under his unlooked-for misfortune. The reverend gentleman, since his capture, has amused himself by keeping a journal. The governor would not allow me to look at it, but no doubt it will be given to the world upon the release of its author. In the next cell to the left the Rev. Mr. McManus, a Roman Catholic priest is lodged. He states that he is from Indiana, and the incumbent of the four following parishes in that State, viz.:—Anderson, Nancy, Winchester and Union City. He is an Irishman by birth, having first seen the light of day in Monaghan, North of Ireland. He says that he was on his way to Montreal, C. E., to receive a legacy, when he went over from Buffalo to minister to the wounded at Fort Erie, and when taken prisoner was performing this duty. There were five or six more prisoners in the remaining cells claiming to be American citizens, and who enjoyed the favor of a separate cell each on that account. The cells are about eight or ten feet square, airy and well ventilated. Each is supplied with a casemate grated window, affording an excellent view of the city.

PRISON DISCIPLINE.

The men are roused at six A. M. They then wash themselves, and about seven have breakfast, at twelve dinner, at six P. M. tea, and are then locked up for the night. They are furnished with military rugs and blankets to sleep upon.

THEIR TRIAL.

It is not yet decided when the trial of the prisoners shall take place; but it is [illegible] Fenian mined that the majority are [illegible] to be tried [illegible] well determined, under one of [illegible] the Upper Canada military court the Foreign Aggression act, which [illegible] statutes called that no of[illegible] [illegible]ion act, which specially stipulates [illegible] of the regular army [illegible] full pay shall sit [illegible] the court martial under this act. The commission will therefore be composed of militia officers, and, as I before stated by telegram, the [illegible]ion. J. Hillyard Cameron will probably act as chairman.

FENIANISM IN THIS CITY.

The following are the material portions of an address recently issued from the headquarters of the Senate branch of the Fenian Brotherhood of this city:—

Since the men of 1848 raised the standard of freedom in an abortive attempt to rescue their native land from the thraldom under which it groaned, nearly twenty years had passed away without witnessing any effort of our people to redeem their lost independence by an armed effort—the only means by which enslaved nationalities ever regain the rights of which by superior power or cunning they may have been deprived. Distracted by internal feuds, their strength wasted by periodical famines, the result of alien oppression and misrule; their confidence in their own power shattered by the treason and failure of leaders who, by specious promises and noisy agitation, lured them on only to betray and sell them, it is not to be wondered at that the mass of the Irish people lost heart and faith in every thing save the justice of their cause, or that there should come on them in matters political an apathy so deep that their ancient foes should mistake it for the torpor of approaching dissolution, and, hugging themselves in the belief that the hated Celts were, indeed, "gone with a vengeance," and that they should never again have to dread the battle shock which had so often made their empire tremble, should repeat against us the sneer of the infidel philosopher that the Irish, however prompt to fight in the quarrels of other nations, were lacking either in courage or patriotism when the question was of battling for their own.

To that reproach our people are no longer amenable. The soldiers of Ireland have once more met their English foes in battle, at Fort Erie and Ridgeway; their valor has again wrested victory from vastly superior force; and in the only encounters permitted under the circumstances the green flag of Erin waved triumphantly over the blood-stained ensign that has too long symbolized the enslavement and degradation of our race.

The prospects of our cause are more cheering at the present hour than they have been at any period since the remnant of the Irish army under Sarsfield gazed for the last time on the land whose hopeless destiny their devotion could not alter.

As represented to-day by this, the only really national Irish organization, our people stand higher than ever in the estimation of the true friends of human freedom. Our worst enemies must admit that in the energy and zeal with which they have pursued the work of liberation, in the steadiness with which they have resisted every effort to chain them down to the narrow and obsolete tenets of feudalism, and in their firm and orderly conduct in the face of opposition as irritating as it was unexpected, our people have eminently proved their fitness for the enjoyment of rational liberty and self-government, even as they have shown by their courage in the field their capacity to conquer those indispensable adjuncts to national greatness and prosperity.

Brothers, before you is a great work. It has united all that is good and honest of the Irish element in one solid phalanx, while behind you are the sympathies of the great American people, who have seen your sincerity proved by the promptitude with which the men of the organization responded to the call to arms, their eagerness to reach the scene of action, at whatever sacrifice or expense to themselves, and, above all, their admirable conduct and perfect discipline under the most trying circumstances.

On all hands the justice of our cause is acknowledged, and it is admitted that, with such a vast power as our organization has developed, with competent minds directing the tried and faithful military element we possess, success must have crowned our efforts, and British rule have been forever annihilated on this continent, but for the inter ference of the administration at Washington.

To that interference and to the measures, as arbitrary as they were unexpected, taken by the Executive and head of the State Department to defeat our movement, we refer with reluctance. Our just anger at the treachery practised against us is tempered by sorrow that the name of American republicanism should be sullied by such truckling to the necessities of foreign despotism on the part of men invested with the highest trust in the commonwealth. But we approach the subject with confidence, knowing that the verdict of the American people has already been pronounced in our favor, and that the representatives of the nation in Congress have already expressed their condemnation of the anomalous code of laws under pretence of which a few officials have lent themselves to act as the protective police of a power which in the hour of our recent trial proved itself the deadliest foe of the republic. Already the legislation of the American Congress on the subject of the miscalled "neutrality" law is taking definite shape, and in the repeal of the obnoxious features of this statute, we shall find at once the removal of an obstacle in our path, and a sure test of the sincerity of the professions of friendship and sympathy with our cause which have been so profusely tendered of late.

The address, after repelling as unfounded the charge that the Fenian Brotherhood was being used as a means for disposing of the votes of Irish citizens to one or other of the parties into which sectional differences have divided the American people, goes on to say:—

Ingratitude has never been imputed to us as a people; and while we must remember with affection and respect those noble representative men who, without distinction of party, in the councils of this nation have spoken out in behalf of our cause, we must also recollect that to the great republic we owe the duty of faithful children in return for the citizenship bestowed upon us—the highest boon within the compass of human legislation. The interests of liberty are everywhere identical, and those who would prevent the extension of its blessings to Ireland cannot be its friends in America. From the men or the party who, holding in abeyance the just claims of the United States to compensation for injuries as outrageous as they were unprovoked, shape their action so as to subserve the necessities and prop up the tottering fabric of monarchy there, we can expect neither sympathy nor assistance in our endeavors to establish a republic in our fatherland. In Europe the political horizon is darkened with clouds which must ere long emit the lurid fires that may wrap the whole continent in a blaze of war.

Whether England, the oppressor and hereditary foe of our race, shall be drawn into the struggle, or whether by the exercise of the cringing policy which has of late alone marked her actions she may contrive to keep aloof from the contest, her loss of *prestige* and influence in the council of nations is equally certain. Her destiny is within the control of the people whom she robbed and tortured while she possessed the power. By their attitude alone they have paralyzed her strength and defeated her diplomacy; and to-day, without honor or power before the world, she stands sentinelling, as with the last effort of the brute force in which she trusted, the tomb where she had declared the rights and liberties of the Irish race interred forever, and, like the pagan soldier at the Holy Sepulchre, cowering before the resurrection she is powerless to prevent.

We are, to-day, an essentially military people. Two hundred years of constant warfare, in the service of almost every nation, have proved us, as soldiers, inferior to none others in valor or capacity. With the power to produce five hundred thousand fighting men, sustained by ten millions in whose veins our blood courses on both sides of the Atlantic, with "freedom and equal rights for all" as our motto, and the active sympathy of the free people of this country, fairly earned, to back our efforts, we should be able to bid defiance to our foes, and to reconquer the lost liberties of which we have been unjustly deprived.

Brothers, we can accomplish this great and holy work if we set about it earnestly and hopefully. With you the decision rests. The task before you is the same that was presented to the patriots of the American Revolution.

You will find that in the administration of your financial affairs the greatest possible economy has been practised; in all matters within the control of your Senate and Executive; that every expenditure has been made subservient to the expected military exigencies; and that even after the losses inseparable from the result of our late movement we still possess such an amount of valuable *material* as to obviate most of the difficulties which beset the initiatory steps of our programme after the Congress of Pittsburg. Let the Circles, then, continue their labors with vigor and perseverance. Our countrymen who have hitherto held aloof can no longer justly withhold their assistance through doubt of our sincerity. Let them now unite with us, and the future will crown our efforts with that success which is the desire of every true Irish heart.

Signed on behalf of the Senate of the Fenian Brotherhood.

The address is signed by James Gibbons, President of the Senate, and John Carlton, Secretary.

Honors to Visiting Firemen.

NORWICH, Conn., July 1, 1866.

The William Penn Hose Company of Philadelphia, arrived here at half-past seven A. M. on Saturday, from New York, and were received by the Wauregan Hook and Ladder Company of this city, and given breakfast at the Wauregan Hotel, where an address of welcome was made by Mayor Blackstone. They afterwards paraded the streets, escorted by the hook and ladder company, and, after partaking of a collation at their house, left at half past eleven A. M. for Boston, much pleased with the warmth of their reception.

BOSTON, July 1, 1866.

The William Penn Fire Company of Philadelphia, which arrived here about eight o'clock last night, was received at the depot by the Boston Fire Department and escorted through several of the principal streets to the United States Hotel, where a collation was partaken of. They were subsequently escorted to their quarters at the Hancock House. The reception was quite an ovation, thousands of people turning out to welcome the Philadelphians, and cheers and fireworks, and other pleasing demonstrations greeted them on the march. The festivities closed about midnight. To-day the William Penn Company attended Divine service at Grace church. To-morrow forenoon they visit Charlestown, and in the afternoon proceed to Salem, where a splendid reception awaits them.

EXCISE.

History of the Liquor Laws of New York.

EFFECT OF THE INJUNCTIONS.

OLD FASHIONED SUNDAY IN THE CITY.

Pretty Waiter Girls at a Premium, and Striped Pigs at a Discount.

Lemonade and Vanilla Eclipsed by Lager and Bourbon.

Arrests in New York, New Jersey and Brooklyn.

&c. &c. &c.

It appears to be generally supposed by the public that the present Excise law, passed April 14, 1866, is in its provisions and penalties peculiarly rigid and stringent. It will appear, however, upon a cursory examination of its predecessors that this is not the case.

From the earliest colonial period excise laws of various characters and objects have been enacted, and many in the older period, and some since the State organization, have contained provisions, restrictions, penalties and remedies in most respects more rigorous and severe than the present law. So far from the act now in force being original, either in its directions, requirements or penalties, it is in nearly all essentials similar to and probably drafted from the law of 1857, immediately anterior to it in effect, and the law of 1855, repealed as unconstitutional, and the laws of 1845, 1843 and 1820.

A brief historical analysis of the several statutes will trace the progress of the developments of the public will in relation to this subject of municipal regulation, as well as exhibit the various attempted encroachments upon private rights and property; besides manifesting the reaction from the counter influences of public disapproval and judicial restraint. Without seeking for blue-law precedents or Puritanic authorities our ancestors early discovered that the public traffic in intoxicating beverages was a proper subject of governmental management, both for purposes of regulating public morals as well as to provide a source of revenue. The latter mercenary object is conspicuous in the present law.

The earliest complete statute in the colony was under the governorship of Robert Hunter, passed October 23, 1713, entitled "An act for laying an excise on all strong liquors retailed in this colony," enacted by the Governor, Council and General Assembly. A specific excise or duty was laid on all liquors, specifically prescribed as "a quarter of an ounce of Sevil, Pillar or Mexico plate" for every gallon of liquors retailed, and three-quarters of an ounce for "every barrel of beer or cyder."

The excise tax was farmed out to the highest bidder, who was to give a bond, and pay over quarterly all the taxes to the Treasurer of the Colony, with his accounts.

When the excise was not farmed out the Mayor and Justices could compel the sellers themselves to give security for their excises and take licenses, at a price equal to their highest annual excise dues. When liquor was received by the dealers they had to report at once to the farmers of the excise and pay the tax, or they were liable to have their goods confiscated, and, in addition, to forfeit three times the value of their liquor. Selling without license was subject to fine of £5 and imprisonment if not paid. Selling to negroes was finable forty shillings. The borough of Westchester was raised to equal character with the corporation of New York. Peculiar charter privileges were allowed to both. Moneys received for excise, licenses and fines were applied to the colony debts.

The next statute was passed October 29, 1730, and was chiefly intended as a regulation of the negro population to prevent conspiracies and to preserve order and temperance among them. Selling liquor to them was finable forty shillings for each offence, and enforced by imprisonment for non-payment.

There was a statute to regulate gauging passed March 8, 1773.

The act of March 2, 1779, was a very complete law to raise excise duties and dispose of them, and regulate inns and taverns. Licenses for one year were granted on payment of the excise duty, and a commissioner's fee of sixteen shillings. Two freeholders certified to the character of the applicant and petitioned for him, assuring his "good fame and loyalty to an independence," &c., and that he had taken the oath of allegiance, and that a license was necessary for the convenience of travellers, &c.

The fine for selling without license was £10 and costs. Sutlers in the army were excepted, and the chartered rights of New York city and Westchester borough respected. All former licenses were declared void, and the act limited to one year.

The act of February 21, A. D. 1780, regulated inns and taverns. A bond in £500 was required to recur against the party keeping a disorderly house. Selling without license was finable in £100—half to the prosecutor and half to the poor. The chartered rights of New York and Westchester were secured, and the act to run one year.

The act of March 14, 1781, was substantially like the last. The excise duty was, for license £2 to £8, and sixteen shillings fee; £10 fine for selling without license. Bond of £50 to keep orderly house, and the applicant was required to take the oath of allegiance to the State; the chartered rights of New York and Westchester respected. The first State law after the adoption of the federal constitution was passed March, 1788, chapter 48, entitled "An act to lay a duty of excise on strong liquors, and for the better regulation of inns and taverns."

Commissioners were appointed by the Governor. Licenses were granted for one year to those who should apply for them.

In New York city the Commissioners fixed the fee at not less than forty shillings nor more than £20.

Account was to be kept of the persons licenced and the fees paid. The surplus fund was paid to the hospital fund of New York city. Licenses were not to be granted unless the place was required and the applicant of good character; and a bond of £50 was required, to secure against keeping a disorderly house, and the license was to be forfeited in such event. Selling without license finable £10. No rambling allowed in the places of sale, and all offences punishable by fine and imprisonment. Innkeepers were required to keep two spare beds, provender, pasturage, &c., for travellers and their horses or cattle. Sales to any apprentice, servant or slave were unlawful and void. Nothing was recoverable, therefore, without the consent of master or mistress, and a forfeiture was imposed of forty shillings. The license could be annulled and the licenser disqualified from receiving another for three years. Receiving goods and property for liquor or otherwise from servants, besides the penalties, was subject to a forfeiture of treble the value of such goods, and the costs of suit. Giving credit to any persons other than travellers for more than ten shillings was followed by loss of the debt; and any note or written promise to pay any sum over ten shillings for sale of liquors, &c., pretending to be for victuals, pipes or tobacco, &c., to evade the law, could be barred and defeated by plea that it was for liquors, and the seller forfeited double the amount of the note or promise, besides costs, &c., except in case the debtor was a lodger or traveller. All the Colony laws were repealed.

By chapter 135 of the laws of 1822, a fine of $10 for each offence was imposed for selling liquors to a habitual drunkard.

Chapter 208 of the laws of 1829, entitled "An Act to create a Fund in aid of the Society for the Reformation of Juvenile Delinquents in the City of New York," &c., section three provides that the Excise Commissioners may charge on licenses $1 50 over the fees, for the benefit of the above named society.

Chapter 110 of the laws of 1835, prohibits sales of liquor to the St. Regis Indians. It is declared a misdemeanor, punishable by $25 fine and imprisonment not exceeding thirty days, besides a forfeiture of $5.

Chapter 272 of the laws of 1835 prohibits sales to paupers, either for cash or by taking clothing or property from them. Punished with $5 fine, besides the value of the art cles taken, and costs, &c.

By section three of chapter 157 of the laws of 1842, all sales, assignments or pledges of property exempt from execution for liquors, are declared void.

Chapter 97, of the laws of 1842, authorizes licenses to keep taverns, without including licenses to sell spirits. No fee was required, but a bond to be executed. The Commissioners were allowed $1 25 a day and no fees.

Chapter 300 of the Laws of 1845 did not apply to the city of New York. The electors of the several towns were to vote in May, 1846, whether they would have any licenses at all for the sale of liquor. If the vote was adverse no licenses could be issued. When one-quarter as many voters as the entire poll at such election should in writing request a new vote, it could be had. It was penal to sell liquor if the vote was against licenses. No charge was made for licenses if allowed.

Chapter 14 of the Laws of 1846 amends the foregoing as to the day for holding elections from year to year, and excepts the city of New York.

Chapter 274 of the Laws of 1847 repeals both the latter.

Chapter 99 of the Laws of 1849 provides that all moneys received for excise duties should be applied to the *relief* of the poor.

Chapter 285 of the Laws of 1854 provides that if the Overseers of the Poor fail to sue for the penalties under the excise law, any resident of the county may sue on giving security for costs in case he fails to obtain judgment, &c.

Chapter 231 of the Laws of 1855 entitled "An Act for the Prevention of Intemperance, Pauperism and Crime." This is the prohibitory confiscating law. It is very voluminous and stringent, and was repealed by the law of 1857, having been decided to be unconstitutional in the case of Wynehamer vs. The People, &c., in the 13th N. Y. Reports, page 378. This law prohibits the sale of liquors, or the keeping for sale, or the giving away, except for medicine or under the regulation of the act. Citizens of good moral character, and pedlers, or keepers of boarding or victualing houses, groceries, fruit stores or public places of amusement or entertainment, on filing a bond with two sufficient sureties, in $500 each to obey the law and pay all costs, damages or penalties awarded against them, could apply for license for certain purposes only. He must swear that he was an elector, and state [illegible] where he proposed to carry on his business, and [illegible] that he did not himself use intoxicating liquor as a beverage; that he was not one of the prohibited classes. The sureties could not carry on like business or become interested in any such. Even the licensed parties could not sell impure or adulterated liquor, knowing it to be so, nor allow any whatever to be drank on the premises. Sales were only lawful to persons over twenty-one years of age of good character for sobriety, and the liquor not to be drank on the premises or used for any but lawful purposes, viz.: mechanical, chemical or medicinal. Regular records of sales were required, to be kept open for inspection, and filed with the town clerk semi-monthly. All violations, except failure to file accounts, were declared misdemeanors. All the liquor was forfeited and punishments inflicted in the shape of fine and imprisonment, increasing with the number of offences and their nature. The seller, if the fines and costs were not paid, was liable to an average of one day's imprisonment for every dollar so unpaid. Any purchaser who stated falsely the object for which he purchased liquor was fined ten dollars and costs, and imprisonment in the same manner if not paid. On any person's complaint that he believed that liquor was kept in any unauthorized place a search warrant could be issued and a warrant for the arrest of the offender, if any were so found. The liquor was seized, the owner notified, and claims of third persons heard and passed upon. Regular proceedings could be resorted to, with right of appeal, &c., to determine whether the liquor was or was not the offender's property; and if in the original package in which it was imported, &c. If declared forfeited a warrant issued for the destruction of the liquors and the sale of the vessels in which it was contained, &c. Any informer could cause the subpoenaing and examination of witnesses or persons whom he supposed might have knowledge of offences suspected.

Intoxicated person making disturbances unwarranted committed until sober enough for examination, when he was asked where he got his liquor. Ten dollars fine for being intoxicated in public.

Persons who had disobeyed the law, or who were liquor sellers were disqualified as jurors in all cases under this act. No action lay for liquor sold or injured unless proved to have been sold or kept under the protection of the law. It was penal to carry on freight from place to place liquor, unless marked "intoxicating liquor," and the name and residence of the consignee, except in cases of five gallons or less, or within the same or the adjoining county. Punishment by penalty and imprisonment was inflicted upon public officers who failed to fulfil and enforce the law. There was a saving clause in favor of order not to be used on the premises, and the manufacture of alcohol and pure grape wine. Sales by importers in original packages were not affected. "Liquor" was defined to be alcohol, distilled or malt liquors, and all liquors that can intoxicate, and all drugged liquors, and mixed liquors, part of which was alcohol, distilled or malt liquor. All liquors kept in disobedience to the law were declared a public nuisance. It is difficult to conceive a law containing more oppressive, tyrannical and unnatural provisions than this. It seems to violate every principle of personal property and liberty. Declares an extensive and respectable branch of commerce a nuisance; confiscates property; makes informers of anybody by coercive process; prohibits sales for the legitimate and natural uses of the article sold; prevents a drinker from selling at all; allows no sales to a drinker; punishes severely all violations, and punishes officers for not enforcing its severe and unjust measures. This statute was repealed.

Grand jurors were to indict for offences, and also for any adulteration or drugging of liquors, which were declared misdemeanors, subject to three months' imprisonment and $100 fine. If any proper prosecuting officer failed to discharge his duty any citizen could prosecute.

All railroad companies or carriers, or parties conveying passengers on roads or boats or ferries were prohibited from employing persons either intoxicated or addicted to intoxication, in any position of trust or care, on penalty of $50 to $100.

The debtor was denied the jail liberties on arrest for non-payment of fines and penalties.

The statute of 1855 was repealed by the last section. This is the existing law should the law of 1866 be finally decided unconstitutional and void.

SUNDAY IN THE CITY.

It was doubtless arranged for the benefit of the liquor dealers and to the utter discomfiture of Commissioner Acton and the Board of Excise, that yesterday should be a fine day, and that those who had procured injunctions should have what is popularly known as "a fair show." In accordance with this arrangement the sun shone out brightly over the city, and was soon followed by the daughters, who also shone brightly about the city, accompanied, for the most part, by other people's brothers. Yesterday, in fact, was the day selected by hundreds for pleasant walks about town. Heretofore, since the operation of the Excise law, they were compelled to go out to Westchester, to brave the terrors of the briny deep between New York and New Jersey, or to carry home with much stealth on the Saturday night "Bourbon prayer-books" for Sunday's use. But yesterday all was peace. Two hundred and eighty injunctions had been served, and more than three hundred liquor stores were open for the sale of liquor. Once more the good old institution of a drunken man rolling up Chatham street gladdened the eyes of the pedestrians, and corner loafers, spitting reflectively the while, opined that they would take a smile.

"Where's your injunction?" says officer A., No. 1, entering a liquor store filled with customers in Centre street.

"Here it is," says the sarcastic bartender, pointing to a glass; "how will you take it?"

"A little Bourbon," murmurs the yielding constable, striving to look grave, even with the prospect of an occult "nip" before him.

And a little Bourbon it was, the officer winking over the edge of the glass at the bartender with exquisite significance.

It cannot fairly be said that New York was any the less peaceable yesterday than it has been for several Sundays past, and its inhabitants assuredly were not as "dry."

AMONG THE WAITER GIRLS AND CONCERT SALOONS.

On certain sections of Broadway and the environing districts there exist "gardens," wherein is nothing horticultural, and concert halls, wherein ravishing strains are not generally heard. Last evening new life seemed infused into these places. The gas flashed out more brilliantly, and pretty waiter girls threw themselves into their duties more vigorously. Here and there a timid "garden" or "concert hall" proprietor stood like a melancholy statue behind his dimly-lighted bar, and disgusted the thirsty customer with a feeble tender of mineral water. These persons have a wholesome dread of the law; the ghost of a martial-looking policeman ever confronts them; they have not asked Judge Cardozo for an injunction, so they wait contemplatively behind a platoon of mineral water bottles, and simper out in faint accents, "No lager beer," to your inquiry after that beverage.

The first floor establishments especially did a lively business last evening under cover of an injunction. Hosts of thirsty people poured in to pay their court to the goddesses and drink beer, and having paid their court and their liquor poured out again to give room for others—on the "fire and fall back" principle, and the goddesses smiled and cajoled as of old, as if no excise law had ever existed. So the law was for a while paralyzed. So beer abounded and Sunday drinks were again to be had for the money.

ANOTHER GENERAL ORDER FROM THE POLICE AUTHORITIES—A CLOSE WATCH TO BE KEPT ON LIQUOR DEALERS HOLDING INJUNCTIONS.

The following order will be issued to-day from Superintendent Kennedy's office on the different police captains. From the tenor of the document it will be seen that the Excise Board are putting "a rod in pickle" for the benefit of those dealers who brave its wrath behind the shield of an injunction:—

GENERAL ORDER—NO. 461.

OFFICE SUPERINTENDENT METROPOLITAN POLICE, 300 MULBERRY STREET, N. Y., July 2, 1866.

During the period indicated in an order of injunction, issued by a competent court, it is our duty to comply with its requirements. Therefore, injunctions served on you to restrain you as to action under the provisions of Chapter 378 of the Laws of 1866, commonly called the Excise law, will be observed until you are legally released therefrom.

You are not, however, to regard the person in whose favor the injunction has been issued, as entitled to immunity from arrest for offences against other laws of the State, on account of any lack of clearness in the language used in the judicial order. Hence, you will not fail to arrest such person for any crime he may commit, other than those specifically referred to in the injunction.

You will take care to keep yourself correctly informed in regard to the manner in which each person, within your precinct, who has obtained an injunction to restrain your action, conducts his business. And for that purpose, you will instruct the members of your command, whether on patrol duty or otherwise, to make memorandum of every violation of the Excise law, committed by persons under the protection of injunction, that may occur within their view or knowledge. Instruct them to note carefully the time, place and circumstances attending each violation. And once in each twenty-four hours you will have these memoranda carefully copied, with the names of the witnesses in each case, specially noting whether or not the offender had received a license from the Metropolitan Board of Excise, and transmit the same to this office with your morning returns. JOHN A. KENNEDY, Superintendent.

GEO. W. DILKES, Inspector.

THE ARRESTS YESTERDAY.

The following schedule will show the number of arrests under the new law up to a late hour last night:—

Precinct.	*Violations.*	*Incorrect.*	*Disorderly Conduct.*
First	0	0	0
Second	0	2	0
Third	0	4	0
Fifth	0	2	4
Sixth	5	4	4
Seventh	0	1	2
Eighth	0	1	5
Ninth	0	0	0
Tenth	4	3	0
Eleventh	0	1	5
Twelfth	1	1	1
Thirteenth	0	0	0
Fourteenth	1	1	2
Fifteenth	2	2	0
Sixteenth	1	1	0
Seventeenth	0	1	1
Eighteenth	1	2	0
Nineteenth	1	2	0
Twentieth	0	1	0
Twenty-first	1	4	0
Twenty-second	4	1	1
Twenty-third	0	0	0
Twenty-fourth	0	0	0
Twenty-fifth	0	0	0
Twenty-sixth	0	0	0
Twenty-seventh	0	1	0
Twenty-eighth	0	0	0
Twenty-ninth	0	0	0
Thirtieth	1	0	0
Thirty first	0	0	0
Thirty second	0	0	0
Totals	31	35	32
Grand total			98

VIOLATIONS OF THE LAW IN THE CITY.

Yesterday morning Justice Hogan held the following named persons to bail in the sum of $100 each, who had been brought before him on the charge of violating the excise law:—Nicholas Rodman, 38 Baxter street; Curran Johnson, 136½ Washington street.

The following liquor cases were disposed of by Justice Shandley yesterday morning, each held in $100:—

Patrick Reynolds, No. 15 Monroe street.
Frederick Hogemeyer, No. 79 Jackson street.
Otto Falck, No. 167 Eldridge street.
Abraham Speight, No. 71 avenue A.
Julia Benden, No. 194 East Eleventh street.

Justice Kelly held the following in $300:—

John Ruger, 129th street, between Tenth avenue and Broadway, Manhattanville.
Henry Johns, corner of Broadway and Fifteenth street.
Henry Ahlen, Second avenue, between Forty-sixth and Forty-seventh streets.

The following arrests were made after twelve o'clock and the parties held to await the opening of the courts this morning:—

Matthias Grosseweiler, No. 350 First avenue.
Henry Harmar, No. 637 Second avenue.
Thomas Thornton, No. 1,176 Broadway.
Edward Muller, bartender for James McCabe, No. 176 Tenth avenue.
Joseph Hill, West Forty-third street, below Eleventh avenue.
Marshall Roth, No. 434 Fifty-second street.
Martin Geiderick, No. 40 West Fifty-second street.

THE LAW IN BROOKLYN.

The Sunday Excise law in Brooklyn and elsewhere is beginning to assume new features. For a few Sundays since the law went into operation it was enforced to the letter, but Judge Cardozo's decision put a hole in the law which has grown to be a great rent and the law will soon be torn to atoms if it has to carry many more of those legal evasions known as injunctions. The injunction contagion has seized the liquor dealers of Brooklyn and numerous injunctions were served out last week by New York judges. The number of these documents were few and the parties named in them carried on their trade unmolested by the police. At one of these places, the lager beer saloon No. 62 Dean street, sold out its supply of beer by twelve o'clock and the proprietor was obliged to get a fresh supply. The counsel for the Brooklyn Liquor Dealers' Association rode around the city from station house to station house and among the police courts attending to the interests of their clients. Justices Cornwall, Welsh and Mansfield held court from the middle of the forenoon to try the cases of violation of the Excise law, and nearly all the arrests enumerated below were taken before them and the parties held to bail until the constitutionality of the law is tested before the Court of Appeals.

It is now reported by legal gentlemen that Judges Barnard and Gilbert, of the Supreme Court, have signified their intention to receive appl cations for injunctions in excise cases this week, so that the public may expect to see the next Sunday assuming its usual appearance as under the old excise system. The liquor dealers are now marshalling their forces; they have numbers, plenty of money and a good deal of energy, and they may yet turn the partial victory which they have obtained into a substantial one against the framers, advocates and supporters of the new law. The day, with the exceptions named in the following statement, was otherwise well observed:—

FORTY-FIRST PRECINCT—CAPTAIN SMITH.

The arrests for violating the law in this precinct were:—Alexander R. Simmons, City Oyster Saloon, No. 373 Fulton street, and John Gantz, No. 48 Myrtle avenue.

FORTY-SECOND PRECINCT—CAPTAIN JACOBY.

The only arrest in this precinct consisted of Daniel Hines, liquor store No. 186 Sands street, charged with selling liquor without a license; also for selling liquor on Sunday.

FORTY-THIRD PRECINCT—CAPTAIN RHODES.

The following arrests for keeping open house yesterday were reported:—William Schwindis, lager beer saloon keeper, No. 406 Atlantic street, by officer Herbert.

Henry Kraft, No. 58 Columbia street, liquor store, by officer Quick. Subsequently the same officer took Mary Kraft into custody for continuing the business after the apprehension of Henry.

Gunther Mendoiph, lager beer seller, No. 62 Union street.

FORTY-FOURTH PRECINCT—CAPTAIN WADDY.

Philip Shubert, of 904 Fulton avenue, and Geo. Dugan, of No 92 Navy street, were the only violators of the law arrested by the police of this precinct.

FORTY-FIFTH PRECINCT—CAPTAIN