THE TEST OATH.

Supreme Court of the District of Columbia.

Decision of Justice Cartter in the Case of Allen B. Magruder and Others.

&c. &c. &c.

WASHINGTON, Feb. 12, 1867.

The following is the opinion rendered to-day by Chief Justice Cartter, for himself and associates Olin, Wiley and Fisher, in the case of a motion by Allen B. Magruder and others to rescind a rule of the Supreme Court of the District of Columbia requiring applicants for admission to practice in the Court to take and subscribe the test oath:—

This is a motion on the application of Mr. Allen B. Magruder and others for admission to the bar, connected with a motion to rescind the rule which provides that each applicant for admission to the bar shall, before being admitted, take and subscribe the following oath:—

I, ——— ———, do solemnly ——— that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States hostile or inimical thereto. And I do further ——— that, to the best of my knowledge and ability, I will support and defend the constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

The consideration of the subject in the order of the application suggests the inquiry whether the applicant is eligible to admission, irrespective of the oath. His history in this connection as rendered by himself, makes him a citizen of the District of Columbia, immediately antecedent to the outbreak of the rebellion, and a member of the bar of the former circuit court; and as such attorney under the obligation of the following oath, which he took and subscribed on the 12th of December, 1857:—

I do solemnly swear that I will support the constitution of the United States; that I do not hold myself in allegiance to the King or Queen of Great Britain, and that I will well and truly behave and demean myself in the office of attorney of this court in all things appertaining to the duties thereof to the best of my skill and judgment. So help me God. And I declare that I believe in the Christian religion.

It also appears from his own statement that about the time of the inauguration of the rebellion, and before the secession of Virginia, he transferred himself from this jurisdiction to that State, where he became an officer in the rebel army, doubtless as such binding himself under oath to do all in his power to destroy this government. The reason he assigns for the violation of his oath to support the constitution of the United States as an attorney of the former Circuit Court, as I understand him, is, that he was a native of Virginia, and owed to Virginia a paramount fealty. The mere statement of his case, as given by himself, would seem to make it impossible for any federal court to incorporate him among its officers. The assumption of State sovereignty and the paramount duty of the citizen to the State is old as a pretence in justification for resistance to federal authority, having been chiefly used as a means to that end; but as an honest conviction of intelligent judgment it has been entertained by but few. The proposition that a part is greater than the whole, and that the government of the United States only existed at the will of one of one of its members, is incapable of belief, and simply argues that the government of the United States never existed; or, if it had existence, had not vitality for self-preservation. The disqualification of the applicant for admission is made more significant, if possible, by his disinclination and failure to say that in taking the oath to support the constitution of the United States in contemplation of admission to the bar of this court, he would regard it as binding him and his conscience in paramount duty to this government. The essential absurdity of the position that a State in conflict with the federal power is greater than the nation, and duty to the State greater than duty to the nation, which was put forth prior to the rebellion chiefly as a speculative means to the destruction of the federal government, seems still to afflict him, notwithstanding it has been persuaded and whipped out of nearly every body else of similar hallucination by five years of bloody war, and by the sacrifice of about a million of men. It will be perceived from this view of his case that if the oath in question did not exist, it would be impossible for the Court to give the applicant admission to the bar. This leads us to the consideration of the motion to rescind the first rule of this court, adopted March 23, 1863, in order that the several parties named in the motion may be admitted as members of the bar without first taking the oath prescribed by that rule. I understand the motion to be based substantially upon the assumption that the oath is unconstitutional; that its unconstitutionality has been determined by the Supreme Court, and that that determination is mandatory upon the judgment of this Court. That it is unconstitutional because it is *ex post facto*, and in the nature of a penalty. It is a fundamental rule that to authorize a court to pronounce a law unconstitutional, the fault of the law should be clear, and its violation of the constitution unembarrassed by doubt. Deference to the deliberations and judgment of the lawmaking and co-ordinate branch of the government not only recommends this rule, but makes it imperative. Up to the time of the publication of the recent opinion of the majority of the Supreme Court, this court, from the time of the adoption of the rule, has entertained no doubt of its constitutionality, or of its propriety and necessity. The only doubt now existing in this regard has been raised by the expression of the opinion of the majority of that court. It is said to be *ex post facto*, and in the nature of a penalty. Let us inquire. The penalty for what act? A law after what act? Does it propose to inflict an additional penalty for the treason committed, or simply to leave the traitor where the treason left him—in the enjoyment of all the ordinary and natural estates of the citizen? The *ex post facto* penalty contemplated by law is a new penalty prescribed for previous crime; a new punishment for an old transgression. Does this rule do that? If it does, it is by withholding a privilege that the party never had, and that does not pertain to the estate of ordinary citizenship. The fact in the premises, which it is objected is *ex post facto*, is the office of attorney with its privileges and immunities as a member of this bar—a fact which the party never had and is now for the first time seeking. The condition to the enjoyment of the office complained of here, instead of being after the fact, precedes it, and is really complained of as an obstacle to it. The oath, instead of being a penalty, is simply among the evidences of fitness for the enjoyment of the estate in prospect, which, among other tests, this court has seen fit to impose for the protection of the morals of the bar and the integrity of the government. This view of the nature and constitutional character of this rule is sufficiently satisfactory to our mind without the aid even of the acknowledged constitutional power of Congress to make retroactive laws. It is unnecessary to discuss, in the light of this argument, the effect of the pardon, inasmuch as it is not part of the office of a pardon to create, in a criminal, new rights disconnected with his crime, and that he did not before possess. But it is insisted that the unconstitutionality of this rule has been determined by the Supreme Court, which determination is mandatory upon this court. In ascertaining what the Supreme Court has determined, the first guide to judgment is the consideration of the case that the Supreme Court had before them. If the case before them defines the limits of their opinion that court has not decided the case before us. The case decided by the Supreme Court was the case of an existing member of their bar. The case before us is the case of the application of the parties for admission to the bar. The case in the Supreme Court was a privilege in possession. The case before us is a privilege in prospect. The decision in the Supreme Court involved a dismemberment from the bar, the decision here involves admission to the bar. It may be said of the case in the Supreme Court that the pardon of the President, so far as the legal liabilities of Garland were concerned, removed them. It cannot be said that a similar pardon in the case before us would create the privilege. If the law expounded by the majority of the Supreme Court, is simply an exposition of the case they had before them it is not analogous with the cases at bar, and it may be well questioned whether it would be authority beyond the limits of the legislative issue presented. Outside of the issue at most it could only be considered as the expression of opinion by eminent judges. The question remains to be considered in this connection, conceding the decision of the Supreme Court to be in point, whether it is mandatory upon the judgment of this court. This question is to be determined by the legal relation of this tribunal to that, to make their decision mandatory upon the judgment of this court. In the strict definition of their authority, they must have the power to execute it upon the deliberations of this court. The only power they possess in this behalf is given by act of Congress, and regulated by the right of appeal, and confessedly does not extend to the subject under consideration. If there was any doubt upon this point, that doubt has been removed by the repeated decisions of that eminent tribunal. In *ex parte* Burr, 9th Wheaton, 529, Chief Justice Marshall, delivering the opinion of the court, said:—

On one hand the profession of an attorney is of great importance to an individual, and the prosperity of his whole life may depend on its exercise. The right to exercise it ought not to be lightly or capriciously taken from him. On the other hand it is extremely desirable that the respectability of the bar should be maintained, and that its harmony with the bench should be preserved. For these objects some controlling power, some discretion ought to reside in the court. This discretion ought to be exercised with great moderation and judgment, but it must be exercised; and no other tribunal can decide in a case of removal from the bar with the same means of information as the court itself. If there be a revising tribunal which possesses controlling authority that tribunal will always feel the delicacy of interposing its authority, and would do so only in a plain case.

In *ex parte* John L. Tillinghast (4th Peters, 108) the Court said:—

When, on a former occasion, a mandamus was applied for to restore Mr. Tillinghast to the roll of counsellors to the District Court, this court refused to interfere with the matter, not considering the same within their cognizance.

And in *ex parte* Secumb (19th Howard, p. 13) Chief Justice Taney said:—

In the case of Tillinghast vs. Conkling, which came before this court in January term, 1829, a similar motion was overruled by the court. The case is not reported to the court, but a brief written opinion remains on the files of the court, in which the court says that the motion is overruled upon the ground that it had not jurisdiction in the case. The removal of the attorney and counsellor in that case took place in a District Court of the United States, exercising the powers of a Circuit Court in that character, and the relation between the court and the attorneys and counsellors who practise in it, and their respective rights and duties, are regulated by the common law; and it has been well settled by the rules and practice of the common law courts that it rests exclusively with the court to determine who is qualified to become one of its officers as an attorney and counsellor, and for what cause he ought to be removed.

After these repeated decisions this question may be said to be *res judicata*. The inherent right of each court to regulate its rules of practice, including the terms of admission of attorneys to and dismission from the bar, has come down to us unquestioned through the long life of the common law. With regard to this court and its inherent power of making its rules of admission to and dismission from the bar, Congress, the law maker of the court, has not only confirmed the common law power of the court, hitherto deemed almost necessary to the existence of the court, but made it the duty of the court in the organic act of its creation to exercise that power, leaving the court in its discretion the sole tribunal to pass upon the question, subject only to the penalty of impeachment for the abuse of the power. These considerations are conclusive of the assumption that the opinion referred to is authority with this court. While we deny to this decision of the Supreme Court the office of such authority we acknowledge the potency of that tribunal as the instructor of judgment, and if it had united its great wisdom in the pronounciation of opinion invalidating the rule in controversy we should feel disposed to bow to it. But it comes to us advisory, and we must receive it upon the conditions upon which it is sent. These conditions in the way of advice are that a majority of one of that court counsels the condemnation of the rule, while a minority of one less than the majority counsels its support, leaving this court to form its own opinion without any substantial aid from the decision. If we were to adopt the conclusion of the majority it would be at the expense of condemning a law of Congress in defiance of the rule of judgment already referred to, and substantially upon the opinion of a single Justice of the Supreme Court; for the judgment, after all, weighed in the balance, is reduced to the opinion of one justice—a result, however binding, not very impressive of wisdom when applied to the condemnation of a law. In January term, 1835, the Supreme Court, through Chief Justice Marshall, refused to take up the cases of the Mayor, &c., of New York vs. George Miln and George Briser vs. the Commonwealth Bank of Kentucky (9 Peters 85), because the court was "not full," in consequence of the resignation of Justice Duvall. This controversy of judicial opinion, largely attributable to political excitement, demonstrates to our judgment that the question in controversy is so involved with political considerations as to render it eminently proper that it should be referred back to the political power of the nation, and the law-making power which created it be consulted in its modification or repeal. Without suggesting what would be our judgment as to the modification of the rule, or whether any, let it be sufficient to say that it is a question for legislation and not for adjudication. The motion is denied.

Justice Wiley, concurring with the majority, read his views expressed in his own language. The opinion of the Supreme Court of the United States fell, he said, far short of compelling the Circuit Court of the District to alter its rules. He referred to the fact that Colonel Magruder had sworn to support the constitution of the United States, but had violated his oath, and if he were now admitted to this bar he would be again compelled to support the constitution as the supreme law of the land. Magruder, in taking arms against the federal government, had declared he acted conscientiously and had not repented of this act nor changed his mind; that he owed allegiance first to Virginia and next to the United States—a dual fealty. To admit him would be a needless farce.

THE CONNOLLY-KENNEDY IMBROGLIO.

A Scene at the Fourth District Police Court.

The absence of Justice Kelly from the city yesterday afternoon introduced a new phase into the surprising conflict between the magistracy and the police, introduced by the order of the Superintendent of Police, published on Saturday morning last. In acknowledgment of a similar courtesy on more than one occasion extended to him, Justice Connolly, at the request of his associate, came into the Fourth District Police Court in the afternoon to preside. At the time of his reaching court there were two prisoners in the box charged with some trivial offence. One of these was in charge of an officer of the Twenty-second precinct, and he, it appears, learning that Justice Connolly was sitting, obtained permission from the sergeant of the court squad detailed for duty there to remove his prisoner, and was about doing so when Justice Connolly, to whom information of the intended proceeding had been conveyed, interfered, and peremptorily forbade such removal, at the same time demanding to know from the officer by what authority he dared attempt withdrawing a prisoner from the jurisdiction of the court. The officer stated in explanation that he had the permission of the sergeant. Inquiry was then made for the sergeant, who, appearing in answer to the summons of Justice Connolly, pleaded the order of the Superintendent as the cause of his divided allegiance. Addressing both officers, Justice Connolly said substantially as follows:—"I am aware of the promulgation of the order to which you refer, but as I recognize the right of every citizen when arrested to be immediately conveyed before the nearest magistrate, I cannot permit any infringement of this right in my presence, or with my knowledge. Aware of the peculiar position in which you are both placed, I am willing in this instance to overlook the offence of which you have been guilty, not only as against the guarded rights of the citizen, but the dignity of this court. In future, however, you will understand that no similar offence will be permitted to go unpunished. I will allow no person so offending to longer exercise any authority as an officer of this court, and much as I would regret the necessity will commit him or them."

To the prisoner, who was charged with being drunk—"I have to inform you, sir, that after this moment you are illegally detained for the offence upon which you have now been arrested. Should any further restraint be imposed upon you, you will have a right of action against all who hold you in durance, no matter where they may convey you, and can recover in damages for any loss or inconvenience you may suffer thereby." Thus the matter ended.

Meeting of Police Justices.

A meeting of the Board of Police Justices was held last night at the Astor House, to consider the late order of Superintendent Kennedy respecting the disposition of prisoners in the up town precincts. There were present Justices Connolly, president; Shandley, Kelley, Dodge, Hogan and Ledwith. At about half-past eight o'clock the meeting adjourned to the Tombs, when resolutions were submitted and adopted that the District Attorney be requested to inform the Board, as their legal adviser, whether the late order of the Superintendent be binding upon the police force, and whether the magistrates exempted from its operation are obliged to assume the extra duties imposed upon them by the practical suspension at certain times of the business of the Fourth District Police Court. The feeling of the meeting was strongly against the surprising action of the Police Superintendent.

Constructive Arrest of Superintendent Kennedy.

Justice Dowling yesterday, in answer to a complaint of Mr. Police Justice Michael Connolly, addressed a note to Superintendent Kennedy requiring his appearance at the Tombs Police Court this afternoon at two o'clock, to answer to a charge of libel. The letter places the Superintendent constructively under arrest.

MARINE DISASTERS.

The Bark Cuba Aground on East Bank—She is Expected to Go to Pieces.

The bark Cuba, of this port, left pier 17 East river early yesterday morning for Havana, with a valuable cargo on board. She was being towed out by a steam tug, a propeller, and at about eight o'clock in the morning, when near Sandy Hook, met a heavy drift of ice, which surrounded the screw of the tugboat and put it completely out of working order. The tug then became unmanageable and rendered, of course, no service whatever to the bark, which, after beating about for some time, was at last stranded on the East Bank, where, soon after, her keel was stove in, and at latest accounts it was said she was rapidly going to pieces. She was a newly built vessel belonging to J. A. Ward & Co. of Wall street, and was commanded by an old seafaring man, Captain Sundbery. No lives were lost, but it is supposed that the cargo, which was of considerable value and partly insured, will, if not completely lost, be at all events greatly damaged and will no doubt draw heavily on the already overburdened responsibility of marine insurers.

Burning of the Brig T. W. Rowland—Narrow Escape of the Crew.

The brig T. W. Rowland, of this port, under command of Captain Berry, sailed from Savannah on the 3d inst., bound for Carthagena. About eleven o'clock the same night it was discovered the vessel was on fire, when everything that might possibly tend to suppress the flames was done by the crew, who worked unceasingly the whole of the night. Subsequently it was ascertained the fire had got complete control of the ship, and then, with the greatest difficulty and the narrowest escape with their lives, the captain and crew managed to gain the small boats; and after remaining in them for about three hours they were fortunately fallen in with by the schooner Catharine Heyer, Captain Poland, from Savannah for New York, and were landed at this port yesterday morning. The T. W. Rowland was laden with timber and lumber, was registered 365 tons new measurement, and was built at Setauket, L. I., in 1855.

The Steamer Ella Knight Cut Through by Ice—The Schooner Garland Wrecked in Chesapeake Bay.

BALTIMORE, Feb. 12, 1867.

The steamer Ella Knight, which sailed yesterday for Petersburg, Va., was cut through by the ice off Fort Carroll and run ashore on Sparrow's Point to keep her from sinking. She has on board a valuable cargo, and is reported to have seven feet of water in the hold. Steam tugs have gone to her assistance. The passengers were taken off and have returned here.

The schooner Garland, from New York, Captain Keen, was wrecked in Chesapeake bay off Poplar Island during the gale of Saturday night, and sunk in three fathoms water. One of the crew, named Barton, of Philadelphia, was drowned. The captain was rescued, after being in the rigging eight hours. There was no insurance on the vessel.

FIRE AT RUTLAND, VT.

RUTLAND, Feb. 12, 1867.

Richardson's block, on Centre street, occupied by Shattuck & Campbell, boot and shoe dealers; J. P. McKibbin, millinery goods; Fay & Co., clothiers, and Fenn & Tuttle, druggists, was destroyed by fire last night. Most of the goods were removed. The loss is about $8,000; the insurance $5,000.

THE STATE CAPITAL.

SPECIAL CORRESPONDENCE OF THE HERALD.

The Quarrel Between the Young and Old Republicans—Spicy Time Over a Third Avenue Railroad Bill—Alleged Canal Frauds and Their Investigation—The Public Works Bill to be Reported in the Senate on Wednesday, &c.

ALBANY, Feb. 12, 1867.

YOUNG VERSUS OLD REPUBLICANISM.

The antagonism which has sprung up between the young republicans and the old republicans of the Assembly demonstrated itself in a very remarkable manner at the evening session last night, when the bill to enable the Third Avenue Railroad Company to lay a switch in 130th street came up for action. There was but a slim attendance of members, and the veterans preponderated in sufficient force to carry a point or two if necessary. The bill had been ratified favorably by the railroad committee, and came up in Committee of the Whole. The railroad men desired to shove the measure through quietly and expeditiously, but some members opposed the move and astonished the old members by springing to their feet and speaking against it very severely. Messrs. Haynes and Cregan declared that the measure would be a serious embarrassment to the people of the neighborhood in which the extension was to be made, and that it would, of necessity, be so constructed as to endanger life seriously. Mr. Parker, of Cayuga, said he was astonished that New York members should oppose the granting of "a little circle" to a railroad corporation. Mr. Cregan snarily answered this with the observation that it was not at all surprising that "a little circle," or "a little railroad ring," should favor "a little railroad grant" to the Third avenue line, and added that if action on the bill would only be deferred he would procure hundreds of remonstrances against it.

These objections against the bill caused a slight breeze among the veterans, who gathered together whispering and counselling on the subject. On the vote the triumph was with the veterans (although some of the young republicans went the other way), who passed the bill to that stage preceding a third reading. It is threatened, however, that when next the matter comes up it will take a different turn, as the democrats and young republicans have formed a combination to defeat it.

ALLIANCE OF YOUNG REPUBLICANS WITH DEMOCRATS.

I informed you over two weeks ago that an understanding had been come to between the democrats and many of the young republicans, and I now reiterate the statement. The antagonism in the House between young and old republicanism is quite strong, and there is an arrangement between the democrats and the former to work together against the supposed ring of the ancients. The bargain thus said to exist is that in return for the democrats voting against canal and railroad bills the young republicans are to work against the proposed commission jobs for the city of New York. This is another cause of the sudden unpopularity of commissionship.

THE ALLEGED CANAL FRAUDS

are exciting a good deal of comment in political circles, and the appointment of committees of the Senate and Assembly to make an investigation is said to have caused an unpleasant commotion among the canal officials. There is something curious in the sudden proposed ventilation of this canal corruption, which is said to have existed for years unmolested, and to have been known to some of the very men who now play the *rôle* of grand exposers and detectives. The charges made are very general, and include all the operations of the Canal Boards from the awarding of contracts for repairs to the matter of claims for damages caused by breaks. It is alleged that the Canal Board, has been in collusion with attorneys and contractors, given out jobs in a corrupt manner, and realized therefrom large sums of money. It is also stated that the claim business has been attended with the most barefaced swindling, and instances are mentioned of men whose land sustained slight damage from overflowing and accidents of that kind obtaining thousands of dollars where a few hundreds would have repaired the damage, and even sufficed to purchase the entire property. Bills of this kind were paid, it is said, through the influence of certain prominent men, who received a handsome share of the sums thus stolen from the treasury. But these "irregularities," as I have already stated, have been known to exist for a long time, and the reason they are now dragged before the public is a mystery to many people. It is proper, perhaps, to give one of the explanations which I have heard. According to this the canal investigation has been urged on by some of the friends of Judge Noah Davis as a rod of chastisement for the opposition of the canal ring to that gentleman's elevation to senatorial honors. Others assert that it is the malicious contrivance of disappointed contractors and expelled superintendents; others that it is the offspring of members of the old ring kicked out by those now in the enjoyment of the immense patronage and innumerable good things pertaining to the management of the canals. The members of the committees appointed this morning to make the investigation are Senators Stanford, Gibson and H. C. Murphy, and Assemblymen Bristol, H. Smith, Gridley, Millspaugh and W. S. Clarke. Among these are three democrats—Murphy, Millspaugh and Clarke. It is said that Senator Stanford and Assemblyman Bristol are determined to probe the whole affair to the bottom, and will not stand any whitewashing process. The venerable Benton, Canal Auditor, was in the House during its session this morning, in close consultation with De Witt C. Littlejohn, and had the pleasure of listening to a mild attack on the Canal Board made by Harry Genet, of your city.

THE LONG ISLAND RAILROAD BILL

has given rise to so much discussion and soreness that it calls for some notice at my hands. Alexander Frear, on behalf of Oliver Charlick, President of the Long Island Railroad Company, introduced the bill at an early stage of the session. It contained provisions for the increase of the capital stock of the company, with the view (as asserted by Charlick & Co.) of investing the increase—about $300,000—in new engines, cars and repairs to the road. There is an old gentleman here, named Haynes, a member from Brooklyn, who has a contract to carry the mails between Sag Harbor and Greenport, in connection with the Long Island Railroad trains. Last summer during the absence of Mr. Charlick from the country the rates of fare and freightage were raised twenty-five per cent on the road, and this change had such a damaging effect that people altered their channel of communication with Long Island, and had their freight carried by steamers from New York rather than yield to what they considered a gross imposition. The effect of this was to take away from Mr. Haynes a large and lucrative trade that he had in the conveyance of freight from Sag Harbor to Greenport. This so incensed him that he resolved to have revenge, and when the Long Island Railroad bill came up he induced all his friends to go against it. Mr. Wagstaff, of Suffolk county, also opposed the bill, on the ground that the company did not give decent accommodations to the public and was undeserving of any favor. It is said that to induce his friends to vote against the measures, Mr. Haynes represented that there was money to be made by the bill, and that it would be foolish to let the thing pass without having a finger in the pie. In justice to Mr. Haynes I should add that he indignantly denies this imputation. However, an impression got abroad that greenbacks were at the bottom of the affair, and the consequence was that when the bill came up in its order most of the democrats and many republicans voted against it. In the meantime Oliver Charlick had come up and had an explanation with Mr. Haynes, with which the latter was satisfied. Haynes was assured that the increase of rates on the railroad had been done without Charlick's sanction, and that the old rates had been resumed. On learning this, Mr. Haynes ceased his opposition, and endeavored to get his friends to do likewise. But the "friends" got the idea that Haynes had been "seen," and that they, too, would have to be "seen" before they would vote for the bill. The most solemn assurances to the contrary failed to remove this impression, and hence the vote stood against the bill. It only shows how eager some of these model legislators are after the spoils, and how keen they will be after a real "scent" whenever there is one. One of the New York members is said to have asserted that there were $25,000 floating around to promote the bill. Charlick and his friends repel these assertions, while Haynes laughs at the idea, and calls the Long Island Railroad line a "poor house concern." A republican member sums up his opinion on the subject thus:—"You might as well expect to draw water from a stone or extract blood from a turnip as get money out of Charlick."

The proceedings to-day in both houses have not been particularly interesting. In the Senate the bulkhead sub via railroad scheme was introduced by Senator Wilbor, and there was a discussion of the Pawnbrokers' bill published in your paper this morning. The Assembly was occupied almost altogether with general orders.

BOARD OF PUBLIC WORKS.

Three members of the Senate Municipal Committee met this afternoon, and, after a session lasting till eight o'clock, agreed to report the Public Works bill to-morrow. Senators Andrews and Lent favor the measure, but Senator Pierson opposes it.

LOOKING AFTER THE SPOILS.

A lot of republican politicians have arrived to-day to look after commission bills and appointments for harbor masters and other offices to be made by the Governor.

HOMŒOPATHIC SOCIETY.

The Homœopathic Society commenced its annual session here to-day. The principal feature of to-day's proceedings was the adoption of a preamble and resolution denouncing as false and wilfully slanderous the reported remarks of Dr. Willard Parker at a meeting of the Old School Medical Society, to the effect that in April last the Homœopathic Dispensary did apply to the Metropolitan Board of Health for representation, claiming they could save eighty or ninety per cent of cholera patients; that they were a large, wealthy and influential class of citizens, and desired a separate hospital, where they would be free from the surveillance of the allopathic inspectors; that it was decided to give them separate wards in each hospital; and, finally, they challenged the allopathists to trial in genuine cases of cholera, but they failed to make an appearance. The resolutions say that Dr. Parker was reported in the *Tribune* as making these allegations; that they believe he made them, and that they are without any foundation in fact.

At the session this evening the President delivered his annual address.

NEW YORK LEGISLATURE.

Senate.

ALBANY, Feb. 12, 1867.

PETITIONS, ETC.

By Mr. T. MURPHY—To require the Harlem Railroad Company to tunnel Fourth avenue wherever practicable, from Ninety-fourth street south.

By Mr. PARSONS—For a female house of refuge in Rochester; also two remonstrances against the Rochester Police bill.

By Mr. CAMPBELL—For additional piers and slips in the Canal district in New York.

By Mr. PIERSON—For the improvement of Bedford avenue, Brooklyn.

PROJECTED RAILROAD IN LEXINGTON AVENUE.

Mr. C. G. CORNELL gave notice of a bill to facilitate travel through Central Park by the construction of a railroad in Lexington avenue and other avenues in New York.

BILLS INTRODUCED.

By Mr. BENNETT—To publish the Buffalo Common Council proceedings in a German newspaper.

By Mr. WHITE—To amend the charter of the Onondaga Trust Company.

By Mr. T. MURPHY—To regulate the use of certain sailing vessels in New York harbor.

By Mr. WILBOR—Authorizing the construction of a bulkhead railway in New York.

By Mr. LE BAU—To prevent the further collection of tax for the introduction of gas in Richmond county.

BILLS PASSED.

To prohibit the employment by corporations conveying passengers, for hire of persons who use intoxicating liquors as a beverage.

Amending the charter of the Germania Life Insurance Company.

Authorizing the construction of an iron canal bridge in Waterford.

To continue the charter of the Chenango Savings Bank.

To establish the Hudson River State Hospital for Insane.

Vesting United States jurisdiction over certain lands in West Troy.

Authorizing the New York Protestant Episcopal Public Schools to sell certain gores of land.

For relief of Edward Cunard, an alien.

Authorizing the town of Jamaica to borrow $6,000 to build a Town Hall.

Authorizing the Grand Street and Newtown Railroad Company to charge the same fare as the Brooklyn City Railroad.

Incorporating the Board of Domestic Missions of the Reformed Protestant Dutch Church.

Authorizing Dutchess county to borrow money to purchase a site for the Hudson River Insane Asylum.

For the benefit of holders of mortgage bonds of the Montreal and Plattsburg Railroad.

To confirm the acts of the Father Mathew Temperance Society of Brooklyn.

To amend an act for the prevention of the spread of rinderpest.

Authorizing the Union Village and Johnsonville Railroad Company to use forty-six pound rails.

Authorizing the purchase of a steam fire engine for the village of Rome.

To consolidate the Jordan Academy and Free School district No. 4, town of Elbridge.

SYMPATHY FOR THE CRETANS.

The Assembly resolutions, expressing sympathy for the Cretans in their struggle with the Turks, were adopted unanimously.

THE PRIVILEGE OF THE FLOOR GRANTED TO HORACE GREELEY.

On motion of T. MURPHY the privileges of the Senate were voted to Horace Greeley during his stay in Albany.

HARLEM BRIDGE.

Mr. LENT moved a resolution calling upon the Harlem Bridge Commissioners for a detailed statement of the progress of the work and expenditures upon the same.

THE EXCISE LAW.

Mr. O'DONNELL introduced a bill applying the Metropolitan Excise law to the town of Yonkers.

FORFEITURE OF RAILROAD CHARTERS.

Mr. LOW introduced a bill providing that any railroad which does not expend ten per cent within seven years from the date of its charter, or complete the road within ten years, shall forfeit its charter. Adjourned.

Assembly.

ALBANY, Feb. 12—M.

COMMITTEE TO INVESTIGATE THE MANAGEMENT OF THE CANALS.

The SPEAKER announced the following committee under the joint resolution to investigate the conduct of officers and persons connected with the management of the State canals:—Messrs. Bristol, H. Smith, Gridley, Millspaugh and N. S. Clark.

BILLS PASSED.

To amend an act relative to the Chenango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal lands.

To define the objects of the State institution for the blind and to provide for its management.

To authorize the Common Council of Utica to borrow money for city purposes, and provides for the payment of the same.

To improve the Newburg City Water Works.

For a stenographer in the Fifth judicial district.

To change the name of the New York Commercial Association to New York Produce Exchange.

To extend the time for the construction of the Lebanon Springs Railroad.

THE CONSTITUTIONAL CONVENTION.

The Constitutional Convention bill was made the special order for Thursday.

Mr. MILLSPAUGH offered a concurrent resolution that when the House adjourn on Friday it be to the 25th inst., at seven o'clock P. M. Laid over. Adjourned.

BROOKLYN INTELLIGENCE.

SUNDAY SCHOOL UNION.—The monthly meeting of the Sunday School Union, which was held on Monday evening at the Hanson place Baptist church, was attended by delegates from thirty different schools. Mr. A. A. Smith presided. A general discussion took place as to the best means of securing the attention of the children at Sabbath school, and of impressing on the mind of the child the instruction imparted by the teacher. The necessity for simplicity in illustrating the lessons on the blackboard was argued by Mr. Pardee. He favored the idea that brief sentences upon a board secured attention, when talking or preaching to a child failed. Whatever might be the lesson of the day, a key note from it would be found most useful in placing upon the board so as to be in constant view of the scholar. Various propositions concurring with the views of that gentleman were made, and the meeting adjourned.

WEST POINT CADETSHIP.—The Hon. John W. Hunter, Member of Congress from the Third Congressional district, has the appointment this year of one cadet for the West Point Military Academy. This appointment will be given the youth in that district who can show on examination the highest qualifications, morally, physically and intellectually. The field is open for competition. Candidates for the cadetship should address their applications in writing to the Mayor's office. The examining committee are Major General Slocum, Rev. Dr. Storrs and Dr. J. S. Thorn.

LAYING OF A CORNER STONE.—The corner stone of a new German Protestant church was laid on Monday afternoon, with the usual ceremonies, on Middle street, between Fifth and Sixth avenues. The pastor of the congregation, Rev. J. A. Reidsebash, officiated, assisted by the Rev. Mr. Rubbie, of the Eighteenth street Methodist church. A numerous assemblage of persons was present upon the occasion.

A PLUCKY WOMAN—A PICKPOCKET DEFEATED.—Yesterday afternoon Mrs. Reilly, residing at No. 232 Court street, while riding in a car on that thoroughfare noticed two men sitting beside her who were acting in a very suspicious manner. On arriving at the corner of State street the men hurriedly left the car, and shortly thereafter Mrs. Reilly discovered that her pocket had been picked of a pocketbook containing $20. She immediately suspected the two parties referred to of having been the thieves, and, alighting from the cars, hurried after them in pursuit. She soon overtook one of them, and boldly seizing him by the wrist demanded her property. The fellow attempted to free himself from her grasp, but being unable to do so without becoming too demonstrative, finally desisted and said: "I'll give you your pocketbook—don't have me arrested." He thereupon delivered the pocketbook and contents over to Mrs. Rielly, who was compelled to release him as there was no officer or citizen in the vicinity to whom she could apply for assistance at that moment. The rascal consequently escaped arrest.

FIRE.—The alarm of fire which occurred about half-past one A. M. yesterday, was caused by the burning of a shanty in Richard street, South Brooklyn, owned by Richard O'Brien. The building, together with the furniture, was entirely consumed, involving a loss of $1,000; insured in the Liverpool Insurance Company for $500.

SKATING.—There was good skating yesterday on the Capitoline and other skating rinks, and the symbols displayed to that effect throughout the city were greeted by hundreds who flocked to the enjoyment of that favorite sport.

AN ALLEGED BURGLAR IN CUSTODY.—A young man named John Doyle was taken into custody yesterday afternoon by the police of the Forty-third precinct, on a charge of burglary. It is alleged that the prisoner was one of a gang who burglariously entered the store of Mr. Charles Main, corner of Imlay street and Hamilton avenue, South Brooklyn, on Monday night, and stole fifteen hams therefrom. Doyle, who is eighteen years old, and a driver by occupation, was locked up to await an examination before Justice Buckley. He is said to be an old offender.

CHARGED WITH GRAND LARCENY.—The police of the Forty-third precinct yesterday afternoon arrested Michael Grant, aged twenty-five years, who stands charged with grand larceny. Grant, as alleged, was implicated in the recent robbery at the Columbia stores, Columbia street, from which several barrels of flour were stolen. Two other men, named Jago and Redden, are now in custody on a charge of being concerned in the theft. All three will probably have a hearing before Justice Buckley this morning.

BROOKLYN YOUNG MEN'S CHRISTIAN ASSOCIATION.—A regular monthly meeting of this Association was held last evening at their rooms, corner of Fulton avenue and Gallatin place. The President, Mr. E. D. Barker, presided, and at eight o'clock the meeting was opened with the usual devotional exercises. The secretary read the names of two hundred new members admitted during the past month, after which the President introduced Mrs. Elihu Root, of New York, who read an essay on "Christianized America." The usual discussion of the essay followed. Rev. Mr. Buckley, the actuary, gave an account of what had been done by the Association during the month; shortly after which the meeting adjourned. There was quite a numerous attendance of lady and gentlemen members.

SHOPLIFTER CAUGHT IN THE ACT.—Yesterday afternoon two women entered the store of Mrs. Quincey, at 265 Fulton street, and under the pretence of purchasing began to examine some goods. One of the clerks in the establishment, not altogether liking their appearance, watched the two visitors, and finally detected one of them in handing a bundle of yarn over to the other, who secreted it under her shawl and walked away. An officer of the Forty-first precinct was instantly summoned and arrested the woman who remained in the store, but her companion escaped. The prisoner gave her name as Margaret Owens, her confederate's as Mary Ryan. She was held to answer.

THE KINGS COUNTY ARMY AND NAVY UNION ASSOCIATION.—A special meeting of this association was held last evening at room No. 9 County Court House, Colonel C. H. Pearson in the chair. Colonel Wooley acted as secretary. The object of the meeting was to consider the proposition to establish a "home" for the disabled veterans of the army and navy of Kings county. No definite action was taken last evening, as the meeting was too slimly attended. At the next regular meeting in March, however, it is expected that some definite steps in regard to the matter will be taken by the association.

LECTURE ON "PATRICK SARSFIELD."—This was the title of a lecture delivered last evening at the Athenæum, in Atlantic street, by Thomas Kinsella, Postmaster of Brooklyn. Mr. Kinsella's lecture was an eloquent one, and his remarks concerning this devoted patriot of Ireland were frequently interrupted by applause.

CRUELTY TO ANIMALS.

President Bergh and the Doctors.

TO THE EDITOR OF THE HERALD.

NEW YORK, Feb. 12, 1867.

In your Albany letter in to-day's edition your reporter says "that at the recent convention of doctors held at that city the subject of vivisection was debated at length, with a view to defeating the passage of the merciful bill now before the Legislature introduced by this society," and for the following reasons:—"They declare that their experiments on living animals are absolutely necessary for the education of medical students as well as the advancement of science. We have no right, they coolly say, to cut up live men, and we must rip up dumb animals in order to demonstrate theories which in no other way can be verified."

"It is a mistake, they assert, to suppose that animals suffer tortures during these experiments, for measures are always taken to deaden the senses by means of anæsthetics before the knife or deadly poison is employed."

I desire to occupy a brief space in your columns to refute these assumptions and assertions, and to protest against this organized attempt to deprive the speechless dependents of mankind of legal protection from cruelty. "Suffer me," says Rogers, an eminent English surgeon, who visited the Veterinary College at Alfort, "to give one more feeble illustration of the callousness and love of bloodshed and torture which ultimately supplant the finer feelings of pity and mercy in the minds of the students—the unfeeling mirth that folly wears at sight of the tearful eye—the compressed teeth—the pitiful expression—the frantic struggle—the groan of agony, or the scream of dread and torture, sounding like a cry to heaven for mercy and for death to be relieved of their scientific tormentors. A little bay mare," he goes on to say, on one of those occasions, "worn out in the service of mankind, having unfortunately retained life throughout the fiendish ordeal, and looking like nothing ever made by the hand of God; with loins ripped open, skin torn and ploughed by red hot irons, and riddled by setons; tendons severed; hootless, sightless and defenceless, was exultingly reared on her bleeding feet, just when gasping for breath and dying, only to show those present what dexterity had done before death took place. 'The effect,'" he adds, "of these fearful repetitions of cruelty on the minds of the students may be judged of from the *sang froid* of a student who was firing a horse's nose, as he confessed, for pastime."

These and similar deeds of revolting cruelty were performed for the purpose of illustrating theories long years ago proved or exploded, rendering further torture, according to the most distinguished physiologists of ancient and modern times, utterly useless. In support of this assertion I desire to offer a few only of the testimonies which I have at my command. Sir Charles Bell declaimed against experiments on living animals, "as not only cruel, but leading to no useful results, not as easily acquired by operating on dead subjects." "Confusion is a monster of science," he says, "and I am justified in adding that this monster is vivisection." Colin, the author of a treatise on physiology, wholly condemns vivisection. Dr. George Wilson says:—"In every department of physiological inquiry, where the mutilation of animals has been resorted to, the same unvaried round of discrepancy and error prevails." A Director of one of the imperial schools of France reviewing the long series of vivisections, exclaims, "Is there one of the experiments I have described which has produced for humanity any advantage commensurate with the suffering they have occasioned? I have no hesitation in replying in the negative." Louget, after years of slaughter, confessed "that all his inquiries tended to mislead in their application to human beings." Abernethy pronounces these dissectors as "filthy minded fellows" Sir Astley Cooper, who was at one time a great experimenter on living animals, nowhere attributes his fame or skill to this cause. Galen asserts "that nothing can be more fallacious than these experiments" And, finally, I come to that detestable monster Magendie, who, after tormenting the lives out of some 400 of heaven's creatures with his own infernal hand, shortly before his death advised his friends against vivisection, frankly avowing "that no true physician would consult any surgeon who obtained his knowledge from so uncertain a source, and one which would be so sure to mislead."

Finally, as to the measures which are always taken to prevent suffering by the use of anæsthetics here in New York. In reply to this I have to say that two agents of this society have been witnesses lately of vivisections, by the removal of the brain of the creature and then resorting to measures to continue life, in one of the colleges of this city, and that no anæsthetic was employed, and was so admitted by the operator at the time. In another instance a dog was put under the influence of chloroform, or ether, and the spleen completely removed from the body, through a great incision made therein, after which it was sewn up and the animal kept alive so long as it could survive the dreadful mutilation.

Are heaven's living creatures perpetually to be thus tormented in order to afford a bloody pastime for boys who in after life are to be entrusted with the most sacred interests of society—their sensibilities blunted almost to the degree of wild beasts; and that, too, when, as I have shown, no honest plea of necessity exists for so doing? Shall just and merciful legislation be denied these speechless and defenceless chattels of mankind simply to indulge the student with the repetition of old practical tragedy? Will legislators close their ears to the agonizing groans of those creatures to which they owe so much of their happiness and, permit a petition, however numerously signed, to supplant the merciful appeal of this society? I trust not.

I have the honor to be your most obedient servant,
HENRY BERGH.

"HIS OWN TO EACH ONE."

Lecture by the Rev. Dr. Thompson.

The Rev. Alexander Thompson, D. D., delivered an interesting and eloquent lecture last evening, at the Reformed Dutch church on Sixth avenue, opposite Amity street, upon the subject of "His Own to Each One," to a very fair sized audience. In opening his subject the speaker referred to the great lighthouse at Alexandria, Egypt, which was built by the direction of Ptolemy, one of the chieftains of Alexander the Great, into whose power Egypt fell at the partition of the Macedonian empire, and said that on it was inscribed "King Ptolemy; to the gods; to the deliverers, for the benefit of the sailors;" but that when the panel on which that inscription was placed had become worn away by time, on the hard rock behind it was found the name of the builder, Sesostris; so that after a time the sailors came to bless the name of the designer of the lighthouse, while they never thought of the king by whose order it had been erected. He spoke of that legend to illustrate the fact that Sesostris, by his acts, had made that work his own. The speaker then proceeded to answer the questions of "What does each one own? What can one own?" He wished to rescue that much abused term, "Money is the root of all evil," from contumely. It was not the root of all evil; it is the love of it. Possession was not ownership. People may possess lands, but they cannot own them. The title deed conveys to you "to have and to hold," so far as you can, so long as you can, but no longer. That vested ownership can be nothing but tenantry. Do you fancy that you own the beautiful prospect, the balmy breezes, the sunshine? The beggar enjoys them as well. You inside the gate, he outside. The balmy breath of your clover lulls his senses as well as yours. If you are full how can you take in more? Yet there is a million times more than you can enjoy. No worldly goods can be the property of any one man. Held, but not by right, is only the pretence of ownership. You do not own, in any sense, that for which you have not paid, nor that for which you have underpaid. The old proverb has it that "it is very hard to pay for a dead horse;" but that quite often appeared to be the case with a live one. Giving a promise was vastly more easy than to keep it. Wealth was power, and the endeavor to obtain the former was but an ambition for the latter, and not, as some say, mere greed. It developes a noble culture for the beautiful and the true; for the beautiful was made as the light for the eye. The next thing to being a jailor of men was to be a jailor of millions. The struggle after wealth denotes the man. Blessings on honest labor. The speaker then referred to Greece, and said that that land was not owned by the men of to-day, but was the property of such men as Pericles and Phidias. Referring to the painting of Michael Angelo and Raphael, he said that no one asked or thought who urged them to accomplish their great works, but we all recognize these works as their own. The look which the painter gave to Mary when she looked, in the dim light of the Bethlehem cavern, in the face of her first born was that which existed in his dream of the Madonna, and was emphatically his own. The speaker then referred to notable examples of public men who, by their acts, had made certain facts in history their own, among which, he said, would stand as tending to develop a nobler, truer, purer, manhood, the name of the hero and martyr Abraham Lincoln. In every direction a man's own achievements belonged to himself, either for glory or for shame. No man could be forced to act differently from what he chose. In the words of Seneca, "He that knows how to die can never be compelled."

INAUGURATION OF A BUST OF LINCOLN AT LOUISVILLE.

LOUISVILLE, Feb. 12, 1867.

Colonel A. P. Henry's marble bust of Abraham Lincoln was inaugurated to-day at the Academy of Music. The hall was densely crowded by a select audience, with a large proportion of ladies. Governor Bramlette presided, and gave an account of the life of the sculptor, a native of Kentucky. Afterwards he unveiled the bust, which elicited the approbation of the audience as a work of art. Ex-Attorney General Speed was introduced, and delivered an address which was one of the happiest efforts of his life. His eulogy of the martyred President was appropriate, impressive and at times sublime, and was received with unbounded admiration. Generals Thomas and Davis followed with a few appropriate remarks. The band played dirges at intervals. Subsequently the bust was removed to the Custom House building, and placed permanently on a pedestal at the westerly end of the Law Library, the United States escort firing eastward.

ELECTION FOR SUPERVISOR IN BINGHAMTON.

BINGHAMTON, N. Y., Feb. 12, 1867.

J. H. Rice, the democratic candidate for Supervisor, has been elected by five majority, which indicates a gain since last fall of 200.

ALONG THE HUDSON.

SPECIAL CORRESPONDENCE OF THE HERALD.

Fiendish Work of a Husband—Ice Boat Collision—Fire, &c.

POUGHKEEPSIE, Feb. 12, 1867.

Considerable excitement exists in the town of Pleasant Valley, in this county, seven miles from Poughkeepsie, in relation to the fiendish work of a man named George Lester. He is charged with horribly maltreating his wife, in such a manner that her life is now despaired of. From information received it appears that he has, in the first place, nearly starved her to death, and has wound up his infamous career with her by performing operations on her the details of which are too disgusting for publication. Dr. Divan, who attends her states that she may recover, but the utmost care will be required to reach such a desired result. Lester has left for parts unknown. The police are in search of him. Had he made his appearance at Pleasant Valley on Monday night he would have been instantly killed by the infuriated inhabitants. It is hoped that he will be brought to justice.

COLLISION OF ICE BOATS.

Two ice boats ran together near Milton on Monday, and one of them was instantly reduced to a complete wreck. No one was was hurt.

THE ICE BOAT RACE.

It would not be prudent to make any calculations on an ice boat race this season. The weather has again moderated, and the ice in the river is dangerous. The Snowflake and Flash both ran in the river yesterday afternoon, and the owner of the former had a narrow escape from drowning. Recovering from his mishap he started with his boat northward; and, when last seen, was rounding Crum Elbow, four miles north. The race will certainly not come off on Wednesday.

FIRE.

A most destructive fire occurred about one o'clock yesterday morning, in the extensive woollen cloth mills situated at Glenham, Dutchess county, involving a loss of between $50,000 and $60,000. The fire originated in the drying room, and rapidly extended to the wool and carding room. The whole establishment would have been consumed had it not been for the excellent steam arrangements for extinguishing fires which are connected with the establishment. The wool and carding rooms contained about seventy-five thousand pounds of wool ready for carding, which was entirely destroyed, as well as some very valuable new machinery lately put up. The building was insured for over $500,000.

CONVICTION OF A MURDERER.

DOYLESTOWN, Pa., Feb. 12, 1867.

Albert Teufel, the murderer of Captain Joseph Wiley, on the Delaware canal, in November last, was to-day convicted of murder in the first degree.

Died.

ROWAN.—On Tuesday, February 12, JOHN HENRY ROWAN, oldest son of Michael and Mary Ann Rowan, aged 13 years and 3 months.

The funeral will take place from his father's residence, No. 8 Rapelyea street, South Brooklyn, on Thursday afternoon, at two o'clock. The friends and acquaintances of the family are respectfully invited to attend.

[For Other Deaths See Seventh Page.]

MISCELLANEOUS.

AN EXTRACT FROM THE CINCINNATI COMMERCIAL.

The Cincinnati Commercial of the 27th ultimo contains in its New York correspondence the following allusion to HOFF'S MALT EXTRACT. BEVERAGE OF HEALTH:—

"It may interest Cincinnatians to know that a new beverage has recently been introduced here which promises to rival, if not supplant lager, double X, and any quantity of similar throat lubricators now so popular in the United States. The new drink has, moreover, quite a respectable prestige as being of sanitary value, and, in fact, brings from Europe an exalted repute which appears to justify the assumption of its name—Biere de Sante de Hoff, or Hoff's Beer of Health, or Hoff's Gesundheits Bier. Across the water it has for eighteen years been accumulating reputation, until its annual consumption, both as a beverage and remedy, has reached the handsome aggregate of from fifteen to eighteen millions of bottles. Mr. Hoff, the proprietor, has opened an American branch office in this city, at No. 542 Broadway. Another name for this beer is 'Hoff's Malt Extract,' from which it is easy to infer what the principal materials are of which it is compounded; but it is different as a beverage from all other malt preparations, as it is almost free from alcohol, and therefore neither intoxicating nor irritating; as it promotes digestion; as it contains more nutriment than porter, ale or the strongest beer; besides it is of so excellent and palatable a taste that those who once begin continue its use, and find that it really preserves the health. It is not for us to praise it as a remedy; that belongs to the profession; but every one is obliged to think highly of it, as it is known that there exists for the sick and suffering no other strengthening remedy which unites to an agreeable taste the most nourishing effects, and which, while it pleases the palate, strengthens the whole system."

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ABSOLUTE DIVORCES LEGALLY OBTAINED IN New York and other States, without publicity or fee till divorce granted. Consultation free. M. HOWES, Attorney and Counsellor, 78 Nassau street.

BARGAINS.—WATERFALLS $3, SINGLE CURLS $1, three Puffs $1, Grecian Curls $4. Everything cheap at PECKHAM'S Hair Bazaars, 251 Grand street, near Bowery, New York, and corner Fourth and South Ninth streets, Williamsburg. Hairdressing 50 cents. Cut this out.

CORNS, BUNIONS, INVERTED NAILS, &C., CURED without pain by Dr. RICE, 58 Bowery, bank building. Corn Annihilator 50 cents.

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THE OCCASION OF PAIN.
What? Impurities. Yes, wherever these settle or lodge in the body, there they occasion pain and distress.

The apparently different diseases proceed from no other source.

To get relief and a cure is an easy matter. All you have to do is to procure

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CURE OF INFLAMMATORY RHEUMATISM.
SING SING, Jan. 25, 1867.

Dr. BRANDRETH:—
For some years I have been subject to attacks of inflammatory rheumatism, which usually come on every three or four months. My physicians were of the highest reputation. By their advice I took colchicum, citric acid and other celebrated remedies, but none relieved me or shortened the attacks, which lasted for weeks at a time. In my last attack I concluded to try your famous Pills. I was lying upon my bed at the time, suffering the severest pains in my feet and ankles, which no pen can describe.

The first dose of six pills was so effective that in a few hours the pain and swelling sensibly abated, and in forty-eight hours was all gone, and I was cured and have had no return.

I send you this testimonial for the benefit of others who, suffering in a similar manner, may know how they can find certain relief.

I am respectfully yours,
J. G. DUDLEY

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