THE STATE CAPITAL.

Last Day's Session of the Legislature of 1870.

Gubernatorial Veto of All the Bills Granting State Aid to Railroads.

Passage of the Arcade Railway Bill in the Assembly.

Report of the Committee on the Weehawken Ferry Nuisance.

The Eight Hour Law Signed and Its Enforcement Ordered.

ALBANY, April 26, 1870.

Mark Antony said, "I come to bury Cæsar; not to praise him." We come to-day to bury the Legislature of 1870, but we can hardly say that we have not something also to praise. Out of the turmoil and confusion of four months' labor, the jostle and tumble of all kinds of bills which have been tossing about in the whirlpool of political agitation, we have got a good programme of government for our city, for which the people ought to be thankful; and this, if it stood alone, is one good thing for which the memory of the deceased Legislature deserve some praise. For this we lay an *immortelle* upon its coffin, made up in an elaborate design, comprising the arms of the city of New York, with the motto, "Redeemed from the dangers of youth and indiscretion!" surrounding the wreath.

LIKE THE SWAN,

the House was musical to-day in its dying moments. The music of eloquence and wit was called out by the vetoes of the Governor on the seven State Aid Railroad bills, commencing with the Adirondack and finishing up in the Pine Hill tunnel. Littlejohn rolled out a thirty minutes' denunciation of the vetoes on behalf of the Midland and Oswego road. Jacobs made one of his really fine speeches, which are always ready in an emergency. He defended the courage and manhood of the Governor in the course he had taken, while he admired also the boldness of the gentleman on the floor, who had stood by the interests of the Midland road. Fields and Husted had a very pleasant piece of

BADINAGE.

Husted was solemn in the opening of his speech and poetical at the close. Fields twitted him for his poetry and told a humorous story of a bald eagle whom he found dying on the avenue to the Capitol, and upon inquiring into the reason of his sudden demise the royal bird assured him in faint accents that the poetry of the other bald eagle from Westchester had done for him, but that, although he was leaving the world, he left behind him a numerous progeny that would haunt the Westchester bird as long as he lived. Dry old Selkreg was reminded by this discussion of a passage in the story of Don Quixote, but he was puzzled to tell in this case which was the windmill and which Don Quixote. Fields, in his good-humored way, remarked that any one who studied the illustrations of the book could not hesitate upon deciding who was not the Sancho Panza of the story. This rap hit Selkreg up to the blushing point. He is remarkably thin and bony, as unlike Sancho as he is like Selkreg.

WIT AND HUMOR

flew about for awhile like butterflies on a summer's day, until the vote was taken on the question whether the bill should pass notwithstanding the objection of the Governor. The result was that the Governor's vetoes were sustained, one after the other, by affirmative votes of 89 and 85 to 27.

THE QUARANTINE GROUNDS.

The investigating committee report that the Legislature should not have sold all these grounds; that there is no point lower down fit for a boarding station. They recommend that authority should be given to the Quarantine officers next session to buy or lease for a term of years a portion of the old ground for a boarding station in the upper bay.

THE AMENITIES

of the House was exchanged in the usual form by a series of resolutions commendatory of the officers of the House. Husted, of Westchester, who was the republican candidate for Speaker, offered a vote of thanks to Speaker Hitchman, in words of great elegance and earnestness. Nothing could be more warm than the encomium he passed upon Mr. Hitchman for his kindness, courtesy and fairness during the session. Personally he had acquired for the Speaker a close affection. Personally, then, he thanked him for his conduct in the chair, and in behalf of his party he thanked him sincerely also. Alvord and Littlejohn gracefully seconded the resolution, each paying the highest compliment to Speaker Hitchman for his sincerity and impartiality. Littlejohn said that in all his experience he had never known a Speaker more courteous, fair and honorable than Mr. Hitchman, though, of course, he often differed from his decisions. Graham, of St. Lawrence, who was in the chair, put the motion to the House, and every member rose to his feet, thus carrying the resolution unanimously. Similar resolutions were introduced by Mr. Alvord and Mr. Selkreg thanking the Clerk, Mr. Armstrong, and all the deputy clerks, and adopted. It is fair to say that all these gentlemen truly deserve the compliment. These little pleasantries indicated that the

LAST DAY

had come, but not the Day of Judgment. That is to come when the people pronounce by and by upon the action of the honorable members.

THE BILLS LEFT OVER—REQUEST FROM THE GOVERNOR.

There will be a large number of bills left over after the adjournment of the Legislature unsigned by the Governor; but he intends to sign them all within ten days, and he desires any one who wishes to be heard in protest against any bill to telegraph him at once and to be here at the earliest day possible.

THE WEEHAWKEN FERRY NUISANCE—REPORT OF THE COMMITTEE.

The following report of the Committee on Commerce and Navigation of the House was presented and adopted:—

The Committee on Commerce and Navigation, in obedience to the instructions of the Assembly, made an inquiry into the condition and management of the Weehawken ferry, running from Forty-second street, in the city of New York, to Weehawken, in the State of New Jersey, and beg leave to submit the result of their investigations. The committee made a careful examination of the boat, the approaches and surrounding premises, and the testimony of twenty-three witnesses. By personal observation they found the accommodations for the travelling public wholly inadequate and unsatisfactory. The dock on the New York side is in a state of decay, and the boat house is not only in a filthy condition but is also in a very dilapidated state.

No care seems to be exercised towards providing for the convenience and comfort of the people who are necessitated to use this ferry as a means of travel. There is only one boat used, and that is run at such irregular hours as to render the ferry of little value to the public.

The committee, from the inquiry, were led to the belief that the ferry is run entirely for the benefit of the ferry company, without any regard to the interests or convenience of the people; that its general management is imperfect and improper in a corporation holding a franchise, from which the people, as well as the company, are entitled to enjoy some benefit. The committee further report that the lease under which the ferry company hold their title to run said ferry was granted by the corporation of the city of New York on the 10th day of July, 1868, such lease to be for a term of ten years, and that said lease has therefore expired nearly four years since, and that said company are now running their ferry only by sufferance of the corporation authorities of New York city.

In view of these circumstances and in obedience to the demands of the great majority of the people living in the immediate neighborhood of the ferry on both sides of the river, and to satisfy what appears to be a great popular necessity

The committee present the following resolution:—

Resolved, That in the opinion of the committee and for the sake of the public interest the Comptroller of the city and county of New York should advertise for sale the lease of the corporation known as the Weehawken Ferry Company, said lease having been sold to Francis Price, of Weehawken, Hudson county, N. J., on the 19th day of August, 1858, by the Comptroller; and that the Comptroller shall offer the same for public competition.

THE EIGHT HOUR LAW SIGNED AND A PROCLAMATION ISSUED FOR ITS ENFORCEMENT.

The Governor has signed the Eight Hour Labor bill and has issued a proclamation for its enforcement and observance. After citing the law the Governor enjoins upon all, especially upon all officers and agents of the State and municipal corporations, the necessity of full and entire compliance with the provisions of the act, in order that the rights of all persons affected by it may be protected, and that a full and fair opportunity may be afforded of testing its practical working. The district attorneys, and other public officers charged with enforcing the laws, will be diligent in executing the provisions of this act.

The Passage of the Arcade Railroad Bill in the Assembly—Sharp Debate over it—Adjournment of the Legislature "Sine Die"—Report of the Railroad Committee on the Purloining of Papers by Mr. Burt.

ALBANY, April 26, 1870.

On motion of Mr. Jacobs at the forenoon session it was resolved that when the House met at half-past seven it should sit until the business was finished, and the Legislature was prepared to adjourn *sine die* at the evening session. A delightful scene occurred when Bergen attempted to bring up the Arcade Railroad bill, and for that purpose moved that the order of business be suspended. He said that the people of New York were in favor of this improvement. Upon this James Irving sprung to his feet and denied that the people of New York were in favor of the railroad unless Mr. Bergen was the people; but he thought that the gentleman was speaking for himself and not for the citizens of the city. Irving fought against the bill through all the skirmishes and filibustering that followed—and there was plenty of both for an hour or two.

The Speaker took the floor, having put Jacobs in the chair, who had frequently to use the gavel like a sledge hammer and to call gentlemen to their seats. Hitchman wanted to add the name of A. T. Stewart to the incorporators because he had a large interest in Broadway, and he would also add the name of James Gordon Bennett, for he thought they were both entitled to the highest respect from all the community.

Kiernan wanted to know if these two gents desired to have their names in the bill.

Hitchman said that he did not know of any name except those of Melville, Smith and Mr. Vanderbury who desired their names in the bill particularly.

Fields asserted that the men who were in favor of the arcade road were interested in it, and made several allusions to scrip, and so forth. This brought a sudden flash of lightning from Littlejohn and another from Kiernan. They denied the soft impeachment, but not softly by any means. They roared at it, and with effect, too. Kiernan hit Fields pretty hard when he quoted the passage from Hamlet's address to the players:—"It grieves me to the soul to hear a robustrous periwig-pated fellow tear a passion to tatters, to split the ears of the groundling. I pray you avoid." Fields winced vividly at this, and said that he was speaking for the groundling. Any amount of gasconade followed, the object being to kill the bill by smothering it in a vat of rose water or stupifying it with a seductive opiate decocted from humor, wit and other light herbs and flowers of that character.

The result proves that neither rose water nor opiates could accomplish much. During the debate feeling ran so high that some gentlemen lost their balance for a moment. Field's allusions to the interest of members in the bill touched Mr. Kiernan so keenly that he rose and said, evidently under the influence of an honest feeling, that he had not interest, either present or prospective, directly or indirectly in the bill. He would, therefore, say now that Mr. Fields had made a mistake; outside of the House he would characterize it by another name.

Fields, not liking the suggestion of cold pistols and hot coffee, made a humorous explanation, saying that he did not apply the language to Mr. Littlejoin or Mr. Kiernan, but he must apply the language of Shakspeare referring to the "galed jade" to the sensitiveness of the gentleman in this case. He hoped his colleague from New York would not use any harsh term to him outside the House, as he threatened, because, being very round he certainly would take a swift locomotive and run away from him like a trout before a polywog.

Mosely, of Brooklyn, urged the propriety of Mr. Stewart and Mr. Bennett being added to the list of incorporators. After a good deal of idle talk, because the passage of the bill was evidently fixed upon. The Arcade Railroad went through by a vote of 94 to 26.

PUSHING BUSINESS THROUGH.

As the night advanced, when the winding up arrived there came a rush of bills in the House, which were passed through like a whirlwind. The house was even as a surging tide, all order being at intervals carefully abandoned, by reason of members floating around, the Clerk at the same time calling the roll with as much energy as if members were voting, which they were not.

THE MOCK SESSION.

The business of the session having been concluded and a recess taken, the mock session began by moving Denny Burns to the chair, who kept the house in excellent humor by his quick repartee, drawing out the fun that was in them from Fields, Nelson and other jokers.

ADJOURNMENT.

The hour for recess having expired Senators Creamer and Kennedy appeared and announced that the Senate were ready to adjourn. The Speaker nominated Walker, of Genesse, and Fields, of New York, to make a similar communication to the Senate, and Jacobs and Merchant a committee to wait on the Governor, who soon announced that they had performed their duty, as the committee to the Senate did likewise.

The Speaker, in a very feeling speech, referring to his association with the members during the session and expressing the hope that the future of each should be bright, cheerful and full of prosperity, declared the assemblage of 1870 adjourned *sine die*. The members then parted with many handshakes and expressions of goodwill. The Senate had adjourned a few moments before in similar kindly feeling, and so the Legislature of 1870 went out of existence, not without accomplishing some good for the State.

BURT AND THE ERIE RAILROAD PAPERS.

In the case of Mr. Burt and the alleged purloined papers the Assembly Railroad Committee have made the following report:—

Whereas they have seen in the New York *Tribune* a statement by Mr. Charles Burt denying the position taken by the chairman of this committee in regard to the purloining of certain papers belonging to and in the custody of the committee by Mr. Burt. They desire most respectfully to report that on the 30th day of March several parties interested in procuring certain legislation attended before this committee, and among others Messrs. Charles Burt and George Crouch, representing certain interests of the Erie; that at the time of the adjournment of the committee, about eight o'clock P. M., an important paper, which had been placed in the hands of the chairman of the committee and by him committed to the custody of the clerk, was found to be missing, and on inquiry it was discovered that Mr. Burt had taken the same, and was about leaving the room with it when called back by the chairman, and although at first denying that he was in possession of any document which did not belong to him, on request Mr. Burt produced the missing document from his coat pocket, at the same time acknowledging that he had taken the same without any permission or authority whatever.

EDWARD L. PATRICK.
JOHN J. BLAIR.
DENNIS O'KEEFE.
JAMES IRVING.
W. W. SNOW.
F. D. BALDWIN.
PETER MITCHELL.
M. P. BEMUSS.
D. C. LITTLEJOHN.

H. EUGENE DUMIN, Clerk.

THE GOVERNOR'S VETO MESSAGE.

Constitutional Objections to Granting State Aid to Railroads—The People Cannot Afford any Heavy Addition to Their Taxes—The Question Should be Submitted to the People at Large.

The following is the message of Governor Hoffman to the State Assembly vetoing the bills granting State aid to the Midland and other railroads:—

STATE OF NEW YORK, EXECUTIVE CHAMBER,
ALBANY, April 25, 1870.

TO THE ASSEMBLY:—

I return, without my approval, Assembly bill No. 600, entitled "An act to facilitate the construction of the railroad of the Adirondack Company and its extension to the waters of the St. Lawrence river at the city of Ogdensburg."

The bill proposes to grant out of the State treasury about one million seven hundred thousand dollars in aid of the construction of the railroad of the Adirondack Company—a road which, when completed, will extend from Saratoga Springs to Ogdensburg—the sum so granted to be levied by tax upon the people of the State at large.

The projected road would pass through a part of the State which is very sparsely inhabited, and which is, in fact, almost in the condition of the primitive wilderness. It cannot hope, therefore, to receive from towns and other municipalities pecuniary aid, in the manner provided by the general town bonding act, under which many enterprises of this kind have been and are being materially assisted. The road would render accessible a section of the State known to be rich in mineral wealth and to abound in valuable timber. For want of ability to reach our great markets this region fails to contribute to the general wealth in proportion to its abundant though undeveloped resources. The advocates of the enterprise can well urge that the people of the State at large are interested in and would be benefited by any public work which would induce the settlement of an industrious population in this now unproductive region. The same reason was adduced last year, and will be again adduced now, in favor of granting aid to the Whitehall and Plattsburg road from the State treasury. In fact, this argument may be made, with varying force, in favor of all the roads which are applying for grants of money from the treasury.

There are seven bills of this nature now in my hands, to wit:—This one, in which the whole sum appropriated is not definitely stated, being at the rate of $10,000 per mile, but in which the tax authorized for the purposes of the road amounts to about $1,700,000; one granting $1,500,000 to the New York and Oswego Midland Railroad; one granting $500,000 for tunnelling Pine Hill; one granting $300,000 to the Whitehall and Plattsburg Railroad; one granting $200,000 to the Buffalo and Washington Railway; one granting $150,000 to the Carthage, Watertown and Sackett's Harbor Railroad Company, and one granting $5,000 per mile to the Cattaraugus Railway, which, on twenty-five miles length of road, at which it is reported to me, will amount to $125,000.

It will be seen that these direct gifts from the Treasury would amount in the aggregate to about $4,600,000—nearly half as much as the entire tax levied last year for the purposes of the State government, including our schools, charities, &c.

These several bills have passed the Legislature, with about the same proportion of votes in favor of each one. It will not be denied that they have not been passed, each exclusively upon its own merits, but that the friends of the several projects combined their influence and their votes towards obtaining for all of them the sanction of the two houses of the Legislature, and that, without this coalition of interests, no one of them would, probably, have passed. They are, each and every one of them, private and local bills; so that if their proposed enactments were all to be found in one bill the act would be void under the provisions of the constitution. I think I am justified, however, in regarding them, passed as they have been almost simultaneously by a combined effort of their several friends, as being practically one measure. This scheme of linked legislation does not embrace quite all the measures of this kind presented to the Legislature. One other, at the least, is still pending.

It must be regretted that such combined action of the friends of many separate projects, of various degrees of merit, should be deemed necessary to their sanction by the Legislature, or should have been taken to secure that sanction; for it conflicts with the spirit of the constitution.

It is true that the friends of each of these projects, in advocating it before me, invariably insist that their enterprise is entitled to favor, above all the others, because of its superior and peculiar merits. None of the friends of any one of the bills have been urgent to have me approve of the others. Expecting that I could not consent to this great draft on the public treasury, in the aggregate, they separately urge that it is my duty to discriminate in favor of one among the several claims, that one being, of course, in each case their own; and thus the practical application of their arguments for discrimination would seem to lead to the rejection of all.

The reasons that can be adduced in favor of the road for which this bill provides I have already mentioned; the friends of the New York and Oswego Midland bill can urge that their road passes through a well settled and cultivated region, which has hitherto been shut out from direct connection with the great markets, the residents in which have already contributed largely, by taxing themselves, through their town governments, towards the completion of the work, and that, notwithstanding these contributions and those of capitalists, there is danger that the progress of the work will be checked, unless further aid is afforded; those who support the bill for the Buffalo and Washington road can claim that, as the road will afford means of transportation from extensive coal regions, it will contribute, in a large degree, to increased commerce upon our canals; the advocates of the Whitehall and Plattsburg bill have heretofore urged and do now urge that their road will connect with the State property and works, and that the facilities for travel in and through the important region which the road will traverse are so meagre that in winter one of our public institutions cannot be reached except by way of Vermont; those who ask for the appropriation for the Pine Hill tunnel point to the fact that they were led by a resolution, on the part of one House, at least, of the Legislature, passed some years ago, to expect the aid they now ask, when they should reach that point in the construction of their work at which they have now arrived. The Cattaraugus Railway Company argue that they will make an important connection with the Buffalo and Washington road, so that their claim and that of the latter road rest upon precisely the same grounds. The friends of the remaining bill of the seven now before me urge like considerations.

The Legislature have made no discrimination among these several measures. The votes given in favor of them severally have been about the same in number. They pronounce them all alike meritorious.

Under these circumstances I am asked, when urged to discriminate among them, to legislate, by my own action, a certain sum of money out of the treasury for some one of these enterprises; to decide in favor of one and against others, not upon any constitutional grounds or general principle, but simply according to my views of the relative merits and needs of each. I am not willing to take upon myself this task of selection, from which the Legislature has shrunk, and I could not justify myself for undertaking it.

The Legislature having presented these bills to me, practically, as one entire measure, so far as constitutional restrictions would permit them to do so, I respectfully decline to give them my approval.

It is no time to deal carelessly or lightly with the question of adding to the burdens of the people by new taxes. Prices of agricultural products are shrinking, business is generally inactive, and many whose industry, last year and the year before, yielded them a surplus, now find that, after paying the cost of subsisting their families, the heavy taxes of the times, which have not diminished and are not diminishing, exhaust all that is left. Whatever may be the merits of any of the projects proposed to be aided by these bills, however, it may be argued that the enterprises, when completed, will contribute more to the general prosperity of the people of the State than the amount the Legislature proposes to give to them now out of the public treasury, it is necessary for us first to consider whether the present condition of things is such that the people can, with comfort, endure any further draft upon their resources. In my own judgment our people cannot afford and will not sanction any heavy addition to their taxes, which can be avoided or postponed.

If this be so, that the present outlay of public money proposed by these bills would operate oppressively upon the people, it is not wise for us to listen only to the promises held out of great future returns to be enjoyed when these various works shall be completed. In public affairs as well as in private business there are times when it is above all things a matter of primary duty to be cautious about either spending money or incurring debt. In the present condition of the business of the country, and especially of its agricultural industry, on which all other branches of industry depend, it is the duty of those who have charge of the public purse to be careful how they make new drafts upon it.

I have not entered into the question of the propriety of granting aid from the State treasury, without express consent of the people, to any enterprise whatever, which, although it may be of great service to the general good, is still a private undertaking, no part of the profits from which, when realized, are to go into the treasury of the State. Whether it is right to do so in any case, whether it is not in opposition to the spirit of the constitution, are questions about which a wide difference of opinion may be found to exist. It is not necessary to enter into this discussion now. The experience of the friends of the several enterprises of this kind now on foot, taken for several years past, has shown very clearly that no one of them can secure a legislative appropriation except in combination with others, and that, with the progress of time, the necessity for and the magnitude of these combinations greatly increase. No railroad can secure a legislative donation of State aid of a million of dollars or less except on condition of the donation of many millions to others.

The most practical and just way to secure contributions from the State treasury in aid of an enterprise like this, upon its own merits, and the way which is in harmony with the constitution and with the rights of the people at large, is to submit the question to the people for their decision. In a message to the Senate last year, accompanying a bill returned, without approval, which was like this one, and which proposed to grant aid to the Whitehall and Plattsburg Railroad, I called attention to this point and said, in substance, that if it were desirable for the State to extend aid to undertakings of the nature of those now under consideration, it would be much fairer to the people, and probably much more for the benefit of the enterprises themselves, that the proposition should be submitted to a vote of the whole people of the State, whether they would incur a debt for the purpose.

The constitution forbids the lending of the credit of the State to or in aid of any association or incorporation; but it also provides that a debt may be authorized by law for any work or object to be specified therein, the principal thereof to be paid within eighteen years, such law to be submitted to and approved of by the people. If this course should be pursued the taxes for the amount contributed by the State could then be spread over a long period, instead of being levied, as these bills propose, almost immediately.

In all cases where towns are authorized by law to contribute money or to lend their credit to railroad companies, the consent of a majority of the taxpayers of the town is required to be first obtained. Is it not proper that, when money is to be given from the State Treasury for similar purposes, a like consent should be obtained from a majority of the people of the State?

I cannot approve of these bills as a whole, and I decline, for the reasons given, to discriminate among them.

It has been suggested to me to retain these bills until after the adjournment of the Legislature, but I feel it to be my duty, in view of the principles involved and of the magnitude of the enterprises, to return them with my objections.

I therefore return this bill, as I shall all the others, with my objections. JOHN T. HOFFMAN.

NEW YORK LEGISLATURE.

SENATE.

ALBANY, April 26, 1870.

CONCURRENT RESOLUTIONS.

Mr. CAULDWELL called up the concurrent resolution authorizing the Governor to appoint three commissioners to investigate the subject of convict labor in the State prisons, and report to the next Legislature. Adopted.

Mr. HUBBARD called up the Assembly concurrent resolution empowering the Governor to appoint three commissioners to revise the tax laws and report to the next Legislature. Adopted.

GUBERNATORIAL VETOES.

The Governor's vetoes of the following bills, for the same reason that influenced his veto of the Adirondack Railroad Aid bill were received and read:—

To facilitate the construction of the Cattaraugus Railway; to facilitate the construction of the Carthage, Watertown and Sackett's Harbor Railroad.

The messages were laid on the table.

BILLS PASSED.

Amending the Charter of the Rutger Fire Insurance Company.

Incorporating the Manhattan Dispensary of New York.

For the payment of certificates issued to the soldiers of the war of 1812.

The State Charity bill was considered in Committee of the Whole and passed.

Incorporating the Corn Exchange Warehouse Company.

Authorizing the construction of gas works and the manufacture of gas for lighting certain streets in New York.

For the relief of the Grand Street Railroad Company.

Authorizing the Judges of Common Pleas in New York to hold terms of General Session in the absence of the Recorder.

Authorizing the city of Buffalo to lay out public grounds for the protection of the city against the encroachments of Lake Erie.

Discontinuing certain proposed streets in New York.

For the relief of the Cannon street Baptist church, Brooklyn.

To lay a double track in Brooklyn to Newtown.

Incorporating the Polytechnic Association in New York.

Relative to a Free School of Design in Brooklyn creating a department of education.

Amending the act authorizing additional justices of the peace in Brooklyn.

To complete Fourth avenue, Brooklyn.

Recess until half-past three o'clock P. M.

Afternoon Session.

BILLS PASSED.

To incorporate the House of the Evangelists in New York.

The annual State tax levy for the support of the government.

Amending the charter of the German Loan and Trust Company of Brooklyn.

Amending the charter of the Abingdon Savings Bank of New York.

Relative to attendants and messengers of courts in Brooklyn.

To open Herkimer place, Brooklyn.

Amending the act authorizing the construction of sewers in Central and other avenues in Brooklyn.

Incorporating the Richmond County Storage Company.

For the improvement of William and other streets in Brooklyn.

Relative to the Tompkins square Methodist Episcopal church of Brooklyn.

Incorporating the Farmers and Mechanics' Savings Bank of Lockport.

Incorporating the Farmers and Mechanics' Savings Bank of Schenectady.

Providing for the construction of roadways to Bushwick bridge in Brooklyn.

To improve Greenpoint avenue in Brooklyn.

To discontinue part of Truxton street in Brooklyn.

Amending the act extending the powers of Supervisors, except in New York and Kings.

For the relief of the survivors of the First regiment New York Volunteers who served in the Mexican war.

Extending and improving Fourth street in Brooklyn.

RESOLUTION TO ADJOURN.

On motion of Mr. TWEED a concurrent resolution that the Legislature adjourn *sine die* at nine o'clock P. M. was adopted.

THE PNEUMATIC RAILWAY BILL.

Mr. TWEED moved to reconsider the vote by which the Pneumatic Tube Company's bill was lost. The motion was lost and the bill finally lost.

Evening Session.

The Senate met again at half-past seven o'clock this evening.

BILLS PASSED.

Relative to Walkill Valley Railroad.

Amending the charter of the Hope Fire Insurance Company of New York.

Incorporating the Long Island Camp Meeting Association.

Authorizing Boards of Supervisors to fix the salary of district attorneys.

Extending the Mechanics' Lien law to railroad and bridge work.

Providing for the introduction of an improved system of steam towage on the canals.

THE CHARITY BILL.

The report of the conference committee on the State Charity bill was agreed to and the bill finally passed.

RESOLUTIONS OF THANKS TO THE SENATE OFFICERS.

Mr. BOWEN offered a resolution of thanks for the ability and impartiality with which Lieutenant Governor Beach had presided over the deliberations of the body.

Messrs. PARKER and WOODIN endorsed the resolutions, declaring them to be no matter of mere form, but a heartfelt testimony of the impartiality of the presiding officer.

Mr. CREAMER also endorsed the resolutions, which were unanimously adopted.

Mr. PARKER offered resolutions of thanks to the Clerk of the Senate (Hiram Calkins), which were unanimously adopted.

Mr. KENNEDY offered resolutions complimentary to Mr. Henry Murphy, President *pro tem.*, which were unanimously adopted.

Resolutions of thanks to Charles R. Dayton, Journal Clerk, offered by Mr. TWEED, were unanimously adopted.

GUBERNATORIAL VETOES SUSTAINED.

The veto messages of the Governor were taken from the table.

The veto of the Carthage, Watertown and Sackett's Harbor Railroad Aid bill was sustained. Yeas, 23; nays, none.

The veto of the Cattaraugus Railway Aid bill was sustained. Ayes, 22; noes, 2—Messrs. Scott and Wood.

ADJOURNMENT SINE DIE.

A concurrent resolution from the Assembly to adjourn *sine die* at forty minutes past nine o'clock was received and concurred in.

After a brief, but appropriate address from the Lieutenant Governor the Senate adjourned *sine die*.

ASSEMBLY.

ALBANY, April 26, 1870.

THE BROOKLYN FIRE LAW.

Mr. MOSELY introduced a bill to amend the Brooklyn Fire law passed at this session so as to provide for the salaries of employés, which had by mistake been omitted. The bill was subsequently passed.

BILLS PASSED.

To establish a stock exchange in the city of New York. (Mr. Littlejohn felt constrained to vote against this bill for the reason that since the bill was introduced an entire new list of corporators had been inserted in it. Others voted against it for the same reason).

Extending the time for the incorporation of the American Trust Company of New York.

Authorizing the laying of railroad tracks in the town of Saratoga Springs.

At the request of the Speaker the bill for the better protection of persons travelling on Fourth avenue, New York, which requires the Harlem Railroad to share equally with the city the expense of constructing an arch, was read and passed.

Amending the act providing for street and park improvements in New York.

Authorizing the Court of Common Pleas in the city of New York to hold special sessions.

Incorporating the Troy Safe Deposit Company.

Prohibiting foreign insurance companies from issuing policies for a greater amount or longer time than the State companies.

THANKS TO THE SPEAKER AND OFFICERS OF THE ASSEMBLY.

Mr. HUSTED moved a vote of thanks to Speaker Hitchman for the able and impartial manner in which he had presided over the proceedings of the House. After remarks the resolution was unanimously adopted.

Similar resolutions of thanks to the Clerk, his deputies and to the Sergeant-at-Arms were adopted.

SENATE AMENDMENTS CONCURRED IN AND NON-CONCURRED IN.

The Senate resolution authorizing the Governor to appoint three commissioners to visit the State prisons and report upon their management was received and concurred in.

The Senate amendments to the Troy charter were concurred in.

The Senate amendments to the Capital Police bill were sent to a conference committee.

On motion of Mr. FLAGG the Senate amendments to the bill providing for extraordinary repairs on the canals were concurred in with one exception, which sends the bill back to the Senate.

The Supply bill as amended by the Senate was announced, when a conference committee was ordered.

REPORT ON A CONTESTED ELECTION.

Mr. NELSON, from the Committee on Elections, reported in the case of Goodrich vs. Jones in favor of Jones, the sitting member for the Fifth district, Kings county. The report was agreed to.

VETOES OF THE BILLS GRANTING STATE AID TO RAILROADS.

The Governor, through the hands of his private secretary, returned the following bills without his approval:—First, the bill to facilitate the construction of the Adirondack Railroad. He refers to all the railroad bills and regards them as one measure. He therefore cannot approve them, as they are in a body a clear violation of the constitution. He recommends a submission of the question to the people. He cannot approve of these bills as a whole, and he cannot discriminate among them. He states he will return the others.

Mr. LITTLEJOHN moved to lay the message on the table, and that it be made the special order at twelve o'clock. Carried.

Mr. JACOBS moved that a vote be taken at half-past twelve o'clock. Carried.

The other bills being on the same subject were laid aside.

On the hour resolved upon arriving the vetoes and bills were taken up, the question being, Shall the bill pass notwithstanding the veto of the Governor?

Mr. LITTLEJOHN took the floor in opposition to the veto, and spoke at length. He denied that there had been any improper combination on these bills. It was a combination in the interests of the entire State, and he turned to the constitution to show that such a combination was justified. It would be found that all the canals combined their interests and drew their appropriations from the same source, and when it was proposed to enlarge the Erie, the other canals had to be looked to also. So also with other appropriations to other interests. Will the Governor veto your charity bill because the interests of all the institutions provided for are embodied? So much, he said, for the charge of logrolling or combination. But there was a higher consideration. The people of the various sections of the State which have been damaged by State aid improvements in other sections ask as a matter of justice for this aid. They have contentedly paid the taxes laid upon them until they now demand, as an act of justice, a return. The Governor says he cannot discriminate; but (contended Mr. Littlejohn) he ought to discriminate. Some of these measures had a higher claim than others, and this was shown in the votes given them by the Legislature. Notwithstanding the Governor says they all passed by about the same vote, the votes were not alike. He contended that it was the duty of the Governor to discriminate. He referred to the liberality and enterprise of Massachusetts in its work on the Hoosac tunnel. He also claimed that at least a portion of the money it was proposed to lock up in the new Capitol building here might better be given to these great enterprises—these valuable improvements. As to the measure he had urged (the Midland road), it was a measure calculated to build up your great metropolis and enhance its commerce. It was sustained by the best men in the State; the petitions are here. They are signed by the leading men of the great city. They are signed by the sturdy workingmen of the rural districts to the number of twenty-five thousand. He closed with an appeal to the members to sustain their manhood by voting as they had already voted. We had here but the opinion of a man—a man like themselves—and what was his opinion against theirs.

Mr. JACOBS said the gentleman from Oswego (Mr. Littlejohn) was deserving of great credit for the courage and ability with which he had advocated this Midland Railroad, and when it was built it would stand as a monument to his courage and ability; that when great corporations came here combined for the purpose of drawing money from the State treasury—when, he said, these corporations came here thus combined—a man who dare stand against the combination in defence of the treasury is deserving of greater credit.

Mr. LITTLEJOHN called upon the members not to forget that these measures are in the public interest, and he spoke some time to elucidate his views.

Mr. FIELDS then moved the previous question, which was ordered.

The question was then put—Shall this bill become a law, notwithstanding the objections of the Governor? and it was decided in the negative, as follows:—

YEAS—Messrs. Ainsworth, Blossom, Bolt, Bradford, S. L. Brown, Butterfield, J. T. Davis, Delano, Franklin, Gleason, Husted, Hyatt, Kilham, Littlejohn, Merchant, Minor, W. D. Murphy, Northup, Oatman, Palmer, Parker, Pierce, Selkreg, Snow, West, White and Winans—27.

NAYS—Messrs. Allaben, Alvord, Baker, Baldwin, Bamler, Ranker, Barnes, Bemus, Bergen, Berry, Blair, J. Brown, V. P. Brown, Burns, Campbell, Carey, Cavanagh, Clark, Coon, Cullen, Decker, Deming, Droll, Eaker, Ely, Empie, Fields, Flagg, C. N. Fleneglin, R. Flanagan, Flynn, Frear, Fuller, Graham, Green, Hasbrouck, Hathaway, Haver, Hennessy, Hewitt, Horton, Hull, Jacobs, Johnson, Jones, Krack, La Abree, Lanahan, Lawrence, Lowry, Lyon, Maddox, Martine, Mitchell, Mooney, Mosely, O. Murphy, Nachtman, O'Keefe, Payne, Pearsall, Pease, Plunkitt, Remer, Ronan, Sanborn, Seward, Shanahan, Sleight, Sniper, Speaker, Stevenson, Sweet, Teft, Tighe, Van Steenburgh, Walker, Wilson, Wood, Wright and Young—82.

The New York and Oswego Midland Railroad bill was rejected by 32 to 74; the Whitehall and Plattsburg by 16 to 74; the Buffalo and Washington by 13 to 86; the Pine Hill Tunnel by 3 to 89.

ADJOURNMENT SINE DIE.

Mr. JACOBS stated that as it was understood the Legislature would adjourn some time to-night, he hoped the House would agree to sit until the adjournment, after taking the usual recess till half-past three o'clock P. M. This was agreed to.

MISCELLANEOUS.

The bill to change the time of electing directors for the Rutgers Fire Insurance Company was passed. The conference committee on the Capitol Police bill reported that the Senate had receded from its amendment, which was to strike out the city of Troy and village of Lansingburg. The report was agreed to.

Recess until half-past three o'clock P. M.

Afternoon Session.

AUTHORIZING INVESTIGATION OF CHARGES AGAINST LAWYERS.

Mr. FIELD offereds the following:—

Whereas during the past two years charges have been made through the public press and in the proceedings before the courts of this State affecting the professional fidelity and integrity of prominent members of the bar of this State, suggesting the necessity of inquiry into the truth of such charges, with the view of adopting effective legislation to protect suitors and clients and to punish professional dishonesty and treachery, and there have also been grave charges against the fairness and integrity of members of the judiciary; now, therefore,

Resolved, That the Committee on the Judiciary be authorized and required to investigate the following matters:—First, whether members of the legal profession have been guilty of unprofessional and dishonest practices, rendering it necessary to enact additional legal protection and restrictions as regards the relation of counsel and client and the practice of the law; second, also to inquire into the conduct of the members of the judiciary, with a view to such exercise of the constitutional power of the Assembly as the facts may require. And said committee shall have power to sit during the recess of the Legislature at such times and places as said committee shall deem proper, and shall have full power to send for persons and papers. The said investigation shall be commenced forthwith and conducted with all convenient speed until closed, and opportunity shall be given to all persons interested to be fully heard, and that such investigation be confined to the First judicial district of the State.

After a spirited debate the resolutions were adopted—yeas 53, nays 52.

BILLS PASSED.

Authorizing the Atlantic Savings Bank to change its location.

Incorporating the New York Loan Improvement Company.

Providing the manner of electing town officers in Richmond county.

Incorporating the Richmond Hotel Company.

MISCELLANEOUS.

A committee of conference was appointed on the Charter bill.

The amendments by the Senate to the Supply bill were concurred in.

RESOLUTION FOR ADJOURNMENT.

A resolution was received from the Senate fixing upon nine o'clock this evening as the hour for final adjournment, and, giving rise to debate, it was laid on the table.

THE ARCADE RAILWAY BILL PASSED.

Mr. BERGEN moved to lay the present order of business on the table, in order to take up the Arcade Railway bill. Carried.

After considerable filibustering in the way of moving recesses and adjournments, on which the yeas and nays were called, Mr. FIELDS moved that the Committee of the Whole be discharged from the further consideration of the bill, which was a purely local one, and that it be referred to the New York delegation.

After further filibustering and much excitement Mr. FIELDS moved that the House go into committee on the Arcade Railroad bill. Carried.

The House then went into committee on the bill. The Speaker moved to insert the names of A. T. Stewart and James Gordon Bennett among the corporators. Lost.

The committee then rose and reported progress.

In the House Mr. FIELDS renewed the motion to insert the names of A. T. Stewart and James G. Bennett. Lost.

Mr. KIERNAN then moved that the bill be ordered to a third reading. Carried, and the bill was put on its passage, when it passed by the following vote:—

YEAS.—Messrs. Alleban, Baker, Baldwin, Bamler, Barnes, Bennett, Bergen, Berry, Blair, Blossom, Bolt, Bradford, J. Brown, S. L. Brown, V. P. Brown, Butterfield, Carey, Cook, Coon, J. Davis, J. T. Davis, Decker, Delano, Deming, Dimmick, Dodge, Droll, Eaker, Ely, Empie, C. N. Flanagan, Flynn, Foster, Franklin, Gleason, Green, Hall, Hasbrouck, Hathaway, Hennessy, Hewitt, Horton, Howe, Hull, Husted, Hyatt, Jerrod, Johnson, Jones, Kiernan, Kilham, Krack, Lawrence, Lowery, Lyon, Maddox, Martine, Merchant, Miner, Mooney, Mulford, O. Murphy, W. D. Murphy, Northrup, Oatman, Palmer, Parker, Patrick, Payne, Pierce, Ransom, Roy, Remer, Roberts, Ronan, Sanborn, Selkreg, Seward, Sniper, Snow, Steel, Stevenson, Sturges, Sweet, Teft, Tighe, Van Steenburgh, Walker, West, Wilson, Wood, Wright and Young—83.

NAYS—Messrs. Ains