PEACEFUL GERMANY.

Return of the German Troops to Their Homes.

WELCOME THE WARRIORS.

Reception of the Emperor King in Frankfort.

HONORS TO BISMARCK AND MOLTKE.

Opening of the New German Parliament.

PEACE—GLORY—FATHERLAND.

COLOGNE, March 9, 1871.

What two words can be found more expressive of happiness than these—"Going home?" Bright smiles, bright tears and tender raptures, and all the luxury of household freedom—the release from the stiffness and strain on muscle or on mind, more or less imposed upon us by the presence of criticising or ready-to-take-advantage-of-us strangers, all lie in those words. Now we are "going home," we may put by our studied dignity, our necessary reserve, take the affable but artificial smile from our lips, cease to filter our thoughts through such a restrained medium of speech, and say with Lear, "Off! off! ye lendings." The magic touch of home rests on us like Ithuriel's spear, and we are our own natural, simple, easy, comfortable selves again. But if the picture be thus always attractive what must it be to the

WAR-WORN SOLDIER,

coming back from danger, privation and the fierce excitement of the battlefield; coming from the corpse-poisoned air of the land of strife into the sweet, pure room, where it may be his little ones are sleeping or where a tender mother's heart beats only for his return? What must the going home be to him? One of those bright, insulated bits of joy that come here and there in a man's life and seem hardly to belong to the mixed bitter and sweet of ordinary times—one of those moments which are absorbed with an abstract sense of bliss, like the little clouds that sometimes on brilliant days float near the Sun and are swallowed up in the fulness of his light.

MANY HAPPY RETURNS.

Cologne has just witnessed "many happy returns" at its railway station, the scene lately of so much varied excitement that it seems to have become quite classic ground. Certain smaller comings home had taken place already, but this was on a larger scale. For instance, quite a pretty scene was enacted in the street the other day.

THE HEROINE OF THE MILKCART

A young woman was walking along beside a dog cart—I mean really and truly a dog cart—drawn by a large canine quadruped, conveying milk about. As she was going quietly along she was suddenly aware of a landwehrman standing in front of her, looking down upon her. She looked up, their eyes met, and she sprang into his arms, while the dog, yielding to his tender feelings, greatly endangered the milk by his wild endeavors to caress the soldier. This was a strictly orthodox embrace, let me hasten to assure the reader; they were simply a husband and wife, separated for some months by the war, now happily reunited. But the morning of the 6th of March saw the return of many more

HAPPY WARRIORS

travelling by the express train home. The bright spring sun had scarcely made its appearance in the sky when there was already a great stirring at the station of Cologne. A very busy body were there—a committee for the honorable reception "of home from France returning warriors"—expecting the first instalment of the same, and with the laudable intention of giving them a good German breakfast on their arrival. It had been the intention of the reception committee that the station should itself be decorated for this auspicious event, but the decorations were not yet accomplished at the very precocious hour when the arrival was to take place. First of all, about six o'clock there came through a melancholy convoy of 200 wounded and convalescent soldiers, their carriages, however, decked out with boughs. About seven o'clock the

FESTIVE TRAIN

rushed in. The carriages were decked with green boughs and on some of them were inscribed the words "express for home" or for "mothers," as the Germans prettily say it. A few months back and the carriages that passed through that station, laden with cheerful, strong men, all hastening to the front, bore the inscription "express for Paris," and that express was certainly not a mere expression. But how much fuller of happy promise is their present address! This train contained pioneers of the landwehr of the Fourth army corps, six officers and 410 men in all. After all their suffering and toil these men looked uncommonly hearty, healthy and happy. Their shakos were adorned with green boughs, perhaps a little withered by the time they reached Cologne. But then it was understood that these branches had been plucked before Paris; so, withered or not, great was the triumph in the wearing of the green. The committee met them in the station, and greeted them heartily, and the warriors descended from their train, and filled the place with a sort of cloud of uniform and ringing arms and shining accoutrements and wreathed helmets. They were accompanied to their breakfast, to which doubtless they did ample justice, German appetites being of a most gigantic size. They stopped for some hours at Cologne, and then got into their train again to go on to Magdeburg, whence they are to be officially dismissed to their homes. Long may they stay in them!

DEMONSTRATIONS AT MULHEIM.

Mülheim, the near neighbor of Cologne, has not been, in its patriotic rejoicings, behind any of its sister cities near that much disputed stream, which is always rushing onward in such haste that it seems afraid some of the belligerents should catch it before it reaches the sea. Mülheim has come out strong in the fire line—cannons, fireworks, illuminations and torches simultaneously and with great effect. It was on the 4th that these rejoicings took place. As everybody knows who knows anything, these things never can be accomplished without that august but mysterious power—a committee. That as poets usually invoke the muse before they cast themselves upon an ocean of rhyme, so any place which wants to condole with anybody, or relieve anybody, or rejoice over anything, must invoke a committee. Herr Schmitz and Herr Schnyderz and Herr Somebody else might not be very imposing called by their own proper names, but make a sort Herr Soup of them, and two or three more Herrs, and call them by that name of might, "the committee," and "what are the wonders that they cannot do?" In Mülheim the result was effective in the extreme, and that weariesome newspaper hero, "the oldest inhabitant," is said to have declared that never was any fête celebrated with such an entire unanimity and joy as this peace fête, in his recollection of the place. The great sensation of the Mülheim festivities was a grand

TORCHLIGHT PROCESSION

of one thousand citizens who paraded the streets with their flaming torches, while cannons roared, bells pealed, and the town burnt into a brilliant illumination like flowers of fire opening on the brow of night. The torch procession was headed by the respectable and respected civic authorities, the burgomaster and the town clerk, then came the guilds and corporation with their flags, the College of Preceptors, the principal schools and the citizens. Among the flags was a veteran belonging to the Shooters' Union, which had been the

"LAND STORM" FLAG

in 1813. The procession sparkled through the streets and everybody of course was all alive and every house was lighted up, and finally the torch-bearers assembled round the steps of the "Rathhaus," whence the burgomaster (this his name is) made a speech to the vast multitude. Do not ask what he said. It is difficult to address any crowd coherently, but standing on steps with a torch in your hand, cannon thundering near you, peals of bells stunning you, fireworks going off with an impertinent whizz close by you, and a sea of torches waving, flaring, glaring round you—why Cicero himself could not have gone in for much of a speech, and Demosthenes would have found his stutter return. However, whatever the burgomaster said or did not say, you may be sure that

GLORY, PEACE AND FATHERLAND

were heard from his lips; and what more should the people desire to hear? And when, in conclusion, he called for three cheers for "Kaiser and König Wilhelm," the crowd joined in with hearty good will. The procession flags terminated with a banquet in the Casino Hall, after a day of great jubilee, but of most correct demeanor on the part of the Mülheimers. Herr Blin must have congratulated himself upon being chief magistrate of such prettily behaved people, who could so delight any reader the dictum that "mirth and innocence" can hardly be united except in a "milk-and-water" way.

Arrival of the Emperor in Frankfort—How He was Received—Preparations to Receive the Returning Soldiers—Financial Matters.

FRANKFORT, March 16, 1871.

The Emperor arrived here yesterday morning, at seven o'clock, and was heartily cheered as he passed through the splendidly illuminated streets. The rural population has come in from all sides, and thus there was a crowd such as seldom witnessed in a town of the size of ours. The bells were ringing, guns were fired, and fireworks from the steeples and from the roofs of private houses wherever the Emperor and his generals passed, were a visible proof that the success of the war and the unity of Germany had rendered him popular even in this town, where the reminiscences of 1866 had fostered hitherto an unfriendly feeling. The Emperor, whose seventy-fifth birthday will be celebrated on the 23d inst., looked healthy and vigorous, like a youth, and left his lodgings at nine o'clock for a promenade through the streets, inspecting the illuminated buildings and monuments and then passing the evening at the circle of General Bayen, where a flambeau procession welcomed him, while the various societies greeted him with songs of national airs. This morning, after receiving delegations from the town and the localities in our neighborhood, he left for Weimar, whence he will resort to morrow to Berlin. This manifestation for the originator of German unity is the more laudable, as our citizens had to give up for the whole many peculiar advantages that were attached to our republican institutions. The very same persons who were repugnant to give them up for the North German Confederation, were ready to make every sacrifice for a united Germany. Henceforth peace will only remain with France, if she wants it. There will be no disturbance on our part. Nothing is more unpopular in this country than the annexation of foreign districts, and all we could possibly wish for would be the union of the German Austrian provinces under one form or another, which would be an immense benefit to the Germans there, oppressed by misrule as they are.

The troops have already begun to leave France, and two large triumphal arches have been erected here for their passage. On an average they look healthy enough, and the regiments present a splendid appearance. The cavalry looks as if coming from parade. Men and officers are heartily cheered and treated with refreshments by private people, as it is impossible to do so at the stations, where it would impede the troops.

Our Bourse is lively enough. Americans are firm, but transactions are not numerous. The conversion is now advertised, but will certainly prove a failure, as the option of other stocks of every State enjoying a good credit is large enough. Of the various mortgage bonds both Missouris are in good demand. Oregons are no longer sold by the contractors, and have risen to 72. Central Pacific, California and Sixteenth are sold out and no longer floating, while Alabamas are offered but find no purchasers. Our German five per cent stock has reached par, 4½ per cent 96. The new Russian loan, five per cent at 81, has proved here a failure; very little has been taken. New banks are springing up in every corner. Austrian railway shares are in good demand, the receipts continuing most satisfactory. Of foreign bills London is high; Paris not much demanded; Vienna drooping. Money continues abundant and freely offered at 3½ per cent against deposit of stock or three per per cent for discount.

Preparations in Berlin for the Returning Troops—Honors to Bismarck and Moltke—You Roon Almost Lost Sight of—A Little Bit of Scandal—The Opening of the New German Parliament.

BERLIN, March 16, 1871.

Though it is officially announced that upon his return to-morrow the Emperor will decline all reception festivities, yet the Common Council is making extensive preparations for an illumination, and calling upon the citizens to demonstrate their loyalty. To avoid the recurrence of disturbances such as took place at the peace celebration, on the 3d inst., when harmless citizens with their ladies were assaulted by the mob, and one man trampled to death, the Chief of Police had called upon the citizens to form a force of volunteer constables. This step, in imitation of the English custom, has met with but little success, respectable people declining to face the low desperados, whilst those who signified their willingness to serve were either themselves suspicious, or demanded payment. As we have frequently referred to the

ABSENCE OF REAL ENTHUSIASM IN THE NORTH GERMAN PEOPLE,

it is superfluous to state that Berlin looks just as sower as ever, and that whatever of real popular enthusiasm exists will probably be exhibited only on the return of the troops early in May, on which occasion the city exchequer, though by no means well furnished, will devote from $300,000 to $400,000 for the purpose of converting the principal thoroughfare—Unter den Linden—into a *via triumphalis*, feasting the troops bountifully, quartering them, supplying them with pocket money and otherwise entertaining them. All these matters are already being gravely discussed by committees, who also propose to erect the

BUSTS OF BISMARCK AND MOLTKE

within the City Hall and create both of them honorary citizens of Berlin. The Board of Aldermen, constantly acting in opposition to the Board of Common Council, demands funds to obtain from all the cities and towns throughout Germany the distinction of honorary citizenship for the two eminent men already named, and to furnish each of them a record of these diplomas, headed by that of the city of Berlin, on massive tablets of silver, with letters of gold. This project, toward which 50,000 thalers were demanded as a first instalment, was almost unanimously rejected by the other body on the sensible ground that the illustrious deeds of both men made them *eo ipso* honorary citizens of the whole realm.

THE RETURN OF THE TROOPS.

Another circumstance calculated to make the return of the troops a very spreadid affair, and which accounts for the fact that hundreds of dollars are paid for the lease of a single window "Unter den Linden" on that day—placards are already posted in all the hotels on that street notifying strangers that the rooms have been disposed of for that occasion—is that invitations have been extended to all German sovereigns and princes to take a part in the festivities. Great and petty rulers will then be as thick as blackberries, as also maidens dressed in white, holding cassions with myrtle wreaths; poetical addresses, triumphal arches, white-gloved and cravatted City Fathers, &c.

A LITTLE BIT OF SCANDAL.

A curious hint, given us by a malicious friend, is that the young heir expectant of one of the uncal rulers, who with his father staid at the Versailles headquarters, is likely on that day to be *non est inventus*. The young hopeful disappeared after the grand review at Longchamps, and entered Paris with the vanguard of the German forces. The last seen of him was at the *café* Chamboreau d'Afrique, where he was swearing eternal love to the beauteous dark-eyed Clarissa, the spirited young lady who forms the great attraction for the gambling tables in the secret recesses of that establishment. Unlike the whale who, when descending into the deep in order to nestle on its bosom, is seen to return again after a certain space of time and in a certain direction to the surface, the further movements of the said young scion may be considered a complete mystery, but if he ever turns up it will doubtless be found that he slipped the harpoon of the ardent Clarissa.

VON ROON'S MERITS IGNORED.

It may be surprising to some that the merits of General von Roon, the Minister of War, are comparatively ignored, though to him is due so great a part of the late success, he having been a willing instrument in carrying through the reorganization of the Prussian army notwithstanding the opposition of the Chamber and people. But precisely this fact will not be so readily forgotten at least here in this city, which, as you are aware, returned at the late elections for the First German Parliament none but liberals.

THE CEREMONY OF OPENING THIS PARLIAMENT,

which will take place next week, in the White Hall of the castle, will be distinguished from all that have previously occurred, inasmuch as King William will appear robed in the Imperial ermine and with other insignia of the new dignity. It has been stated on good authority that the Queen, her first master of ceremonies, Count Stillfried, and the second officer of that rank, Count Pourtales, have been hard at work for several months composing and drafting new coats of arms, gold embroidery and similar imperial paraphernalia. The Princess Royal, Victoria, having been asked to assist in this important work, ordered large volumes of heraldry from England and she too being skilful with paint and brush, the material in the shape of imperial escutcheons, trimmings, &c., wrought out by all four of them, filled two large trunks. These were sent to Versailles for the inspection of the Emperor, who, however, refused to examine their contents, saying that he had more minor and business to attend to, and ordering them to be returned to this city. The old French proverb, "*Ce qui femme veut, Dieu veut*," was verified, however. The high born wife and daughter-in-law urging, and finally obtaining the consent of the Emperor that commissions of courtiers should be charged with the business of working out this important problem.

WILLIAM NOT ANXIOUS FOR IMPERIAL DIGNITY.

From the same authority I learn that much persuasion was necessary to induce the King to accept the imperial title, and that he was far from being anxious in the matter, as has generally been believed. The great point of difficulty was the Prussian army, and any changes it might have to undergo in consequence of the unification of the realm in the form of an empire. In regard to any such change in the organization of the Prussian forces, even as to the military oath, titles of regiments, or for that matter as to the buttons of the uniforms, the King was immovable, and would have rather rejected the imperial dignity than to have allowed the least deviation in that model institution, his pride and solace in all circumstances.

THE INCOME TAX.

NEW YORK, April 1, 1871.

TO THE EDITOR OF THE HERALD:—

A notice in the HERALD of March 31, signed by A. Pleasonton, Commissioner of Internal Revenue, states that "persons whose income for the year 1870 did not exceed $2,000 are not required to make any returns, nor need they make any affidavits showing that their gross income did not exceed that amount." The writer, residing in Jersey City, has been served with a blank income return, having a form of affidavit printed on it which requires him to swear that his income was less than $2,000. There is evidently a mistake somewhere; but what the public want to know is "WHICH IS WHICH."

YACHTING.

Preparations for the Season in New England.

The Portland Yacht Club, of Portland, Me.

PORTLAND, Me., March 27, 1871.

"We are doing first rate, sir; splendidly! We could not ask for a more cordial *esprit de corps* among our men or a more brilliant prospect for the coming season. All the boys are turning away from fast horses and devoting their energies to boating matters. On the whole I do not think we were ever in better condition." Thus replied bluff old Commodore Churchill this afternoon, in answer to a question regarding the welfare of the Portland Yacht Club. He is a fine and sturdy representative of an old salt, is the Commodore, and he has a frank and hearty way of imparting information which it is a pleasure to witness. A continuation of the conversation developed the statements that the club, although not quite ten years old, stands third in importance and naval record in the list of yachting organizations in the United States. The old Commodore claims, and, perhaps, with truth, that he commands a greater number of practical seamen than are comprised in any other yacht club in the country, and adds that, although the organization does not represent so large an amount of wealth as some of its rivals, its financial condition is, nevertheless, in every way satisfactory. There are 136 active members of the club, and the officers at present are as follows:—

Commodore—James M. Churchill.
Vice Commodore—A. M. Smith.
Secretary and Treasurer—George H. Holden.
Measurer—Joseph W. Dyer.
Trustees—The Commodore and Vice Commodore (ex-officio), Charles G. Richards and Henry H. Furbish.
Committee on Membership—James M. Churchill and George H. Holden (ex-officio), Charles G. Richards and George O. Gosse.

The members represent more particularly the active and energetic young men of this section of the State, and there is seldom any bickering among them. The yachts comprising the fleet, many of which are managed upon the co-operative plan, and few of which were built in the Dirigo State, may be enumerated as follows:—

SCHOONERS.												
Name.	Owners.	Fort.	Length Over All.	Length on Water Line.	Breadth.	Draught.	Keel or Centre Board.	Draught with Centre Board Down.	Tonnage, Old Measurement	Tonnage, New Measurement	Sailing Length.
			SLOOPS.								
Julet	H. B. Furbish	Portland	73 10	67 11	18 06	6.4	C. B.	15½	81 61-95	69 11	
Ethel	J. M. Churchill	Portland	67 05	62 05	18 08	—	K.		57	64 4	
Commodore	Charles H. McLellan	Bath	61 09	41 04	12 06	7	K.		28	42 6½	
Nett	R. J. Willard	Portland	49 09	35 02½	12 04	5.6	K.		20 40-95	37 1	
Sparkle	R. T. Dall and others	Portland	39 11	33 07	12 10	3.8	K.		21 67-95	37 10	
Laurel	C. W. Goodard	Portland	27 00	25 04	9 10	3.6	K.		9 78-95	25 10	
			SCHOONERS.								
Ray	A. M. Smith and others	Portland	46 00	46 00	14 10	6	K.		134 54-95	48 00½	
Kate	C. G. Richards and others	Portland	34 02	30 05	12 02	5½	K.		15 12-95	31 09	
Spy	William Taylor and others	Portland	32 09	30 02	12 03	4.6	C. B.		13 5-95	31 00	
Ella	F. B. Leland and others	Portland	28 00½	25 11	11 07	2.3	C. B.	5½	7 72-95	28 10	
Whisper	J. F. Thomas	Portland	26 04	25 07½	10 03	6.2	C. B.	5½	7 11-95	25 04½	
May Flower	J. H. Kennedy	Portland	22 08	22 00	10 06	2.3	K.	3	6 7-95	22 02	
Addie	A. M. Benson	Portland	20 06	19 03	8 06	1.8	C. B.		3 45-95	19 07	
Alarm	E. E. Preble	Portland									

STEAMERS.

Twilight, G. M. Patten.

The majority of the yachts were constructed in American ports, Philadelphia and Boston. The Julet, which heads the list, was built by Mr. Bailey, of Boston, and is five years old. She has developed excellent qualities of speed. The Ethel, now the flagship of the squadron, was once well known in New York waters under the name of the "W. Abell." She was built for a sloop, but when brought to Portland, in 1868, extensive changes were made in her rig. Another mast was put in, her hull was lengthened ten feet, the house was raised, new staterooms arranged for, and so on, until, says the commodore, "she is just as good as a new yacht." She is reputed to be the fastest sailer of the wind of any vessel in New England waters. The yacht Commodore was originally contrived for the pleasure of the officials at the Charlestown (Mass.) Navy Yard, and she has now been in existence about twelve years. The Nettie was once a pilot boat and has cruised in nearly every harbor on the coast. Although she is fifteen years old her timbers are perfectly sound and she is one of the most seaworthy vessels in the fleet. The sparkle is the first yacht ever constructed by the now well known builder C. B. Harrington, of Bath; but she merits no very special mention otherwise. The semi centennial anniversary of the Laurel was celebrated last June, and, as might well be judged, she is an antiquated curiosity—"an old tub" some of the younger yachtmen are wont to call her, and she is laughed at a great deal when on a cruise. She is an open decked boat, and was purchased by her present owner, Judge Goddard of the Superior Court, merely to gratify a passion for relics of the olden time. Last summer, to properly commemorate her golden birthday, he set sail for Mt. Desert, and taking in a select party of friends, made every point between that landing and Cape Cod, which was touched at by the Pilgrims in the Mayflower, in 1620. She is a novel specimen of naval architecture. The Ray was once very popular in New York. She was built by the lamented Steers in 1850 or thereabouts, and has never been beaten by any boat of her class, although she has taken part in upwards of a couple of score of contests of speed. Some years ago she was taken "Down East" and run as a packet between Deer Island and Rockland, in the Penobscot bay. Subsequently, in 1867, she was bought by her present owners, who have added a very large gaff topsail to her rig, and generally fitted her up as a first class yacht. Much is expected from her performances the ensuing season. The Kate is six years old, and was built in New Bedford. The Spy is a Portland built vessel, as are also the Whisper, the Mayflower and Addie. The Spy is said to be one of the fastest keel boats in the water, and the others are fair representatives of their class. The Ella is an open boat and a very fast sailer; she was brought here from New York a few years ago, but she has participated in the glories of but few victories since her arrival. The Alarm was purchased in New York last summer. The Twilight is a beautiful little propeller of small tonnage. She was built at Bath last season for the use and pleasure of her owner. She is said to develop a very high rate of speed.

So much for the yachts and their *personnel*. It only remains for your correspondent to repeat the information that the finances of the club are in an excellent condition, and that ardent hopes are entertained for an enjoyable season. The programme thus far indicated embraces two regattas at the opening and close of the season, and a cruise with the Eastern Yacht Club, of Boston, up the waters of Long Island Sound. This latter event, it finally decided upon, as I have no doubt it will be, is expected to take place during the month of June next.

The Commodore says that his men are proud of the little vessels in which they take so much delight, and are determined to "board the lion in his den," or, in other words, to measure their strength with that of the many famous yachts abounding along the New York and Jersey coasts. In his own language, "May the best win."

The Eastern Yacht Club, of Boston.

BOSTON, March 29, 1871.

Preparations for the yachting season in Boston have not yet been fairly commenced, nor are they likely to be for a full month. During the past two or three years the followers of old Neptune in and around the "Hub" have not been remarkably active in matters pertaining to yachting; but this apathy promises now to be succeeded by manifestations of spirit and energy which will probably be lasting and growing in character. It should, perhaps, be understood that yachting is almost in its infancy in Boston. The first fever was contracted at about the time of the famous victory of the Henrietta, and the result was the organization of the Boston Yacht Club. The organization having been perfected and a goodly number of members enrolled, an application for a charter was made to the Legislature, which was only obtained after a great deal of patient effort. Then, for a year or two, the club flourished and did much to further the advancement of naval science. Finally there was apparent a feeling of indifference, and the only results of the organization were the comfortable social gatherings which were afforded at the elegantly furnished rooms of the club, on the corner of Tremont street and Pemberton square.

A number of gentlemen who were averse to this order of things, and who seemed imbued with the true yachting spirit, seceded from the Boston club and have since become organized and incorporated under the name of the Eastern Yacht Club, the act of incorporation having been grated by the present Legislature only a few days since. The old Boston club still exists, but its offspring is far more vigorous, even in its extreme youth. It comprises upwards of two hundred members and a fleet of about thirty-five or forty of as trim and fleet vessels as ever carried a sail in Boston bay. The treasury rejoices in a rapidly accumulating fund of $4,000, and the fleet will probably be somewhat enlarged during the present season. Several new yachts are, in fact, already on the stocks, and will probably be finished in season to participate in the regattas of the coming summer. Among those which will be the earliest completed is the one of 150 tons, owned by David Sears, which will be launched about the 1st of April.

There are several yachtmen of New York fame among the members of the Eastern Club, including Commodore James G. Bennett, Jr., of the Dauntless; James R. Smith, of the Halcyon; Thomas C. Durant, of the Idler; Samuel G. Ward, of the Zephyr, and several others. The recently elected officers of the club are:—

Commodore—James Beard.
Vice Commodore—Franklin Burgess.
Secretary—John Jeffries, Jr.
Treasurer—Joseph P. Gardiner.
Measurer—Edward W. Codman.
Regatta Committee—B. Joy Jeffries, William M. Whitney, Charles H. Walker, William C. Paine and Theodore A. Veil.

The annual regatta will take place about the 20th of June, in Boston bay, the course being from Marblehead Rocks, as usual. The annual cruise, some weeks later, will include, first, a trip to Long Island Sound, and then a sail to Mount Desert, and thence, perhaps, to Grand Manan, in the British Provinces.

THE AMERICA'S CHALLENGE CUP.

[From Wilkes' Spirit of the Times, April 1.]

In the last number of the *Spirit of the Times* we stated that we should offer a few remarks concerning the conditions upon which the New York Yacht Club holds the America's Challenge Cup under trust from Messrs. J. C. Stevens, Edward A. Stevens *et al.*, dated July 8, 1857. We published the deed of trust last week. We should not have undertaken to add anything to the able argument of Mr. Peet if we had not learned from a very influential quarter that great doubt existed in the minds of leading members of the club, some being of the opinion that Mr. Ashbury's claim to have a single yacht selected to sail against his Livonia for the cup is well founded. The question is, what was the intent of the gentlemen who committed the Cup to the charge of the club and accompanied it with the document constituting the trust? In the preamble of this deed of trust the owners of the America recite the facts that she won the cup at Cowes in a race which was open to be sailed for by yachts of all nations, in which race she beat eight cutters and seven schooners, which also sailed in the race. Then follow the conditions under which it is to be held and competed for as a perpetual challenge cup for friendly competition between foreign countries. And we here remark, in passing, that in in seeking for the meaning of the makers of this trust we were to stick in the bark, it might be argued that "between foreign countries" means countries other than the United States, in which case no American yacht can sail for it at all, and we are mere umpires and stakeholders and cannot be competitors. But a judicial view shows that though the makers of the trust were all American citizens, their intent was to include their own country among the foreign countries of the deed, and that by "between foreign countries" they meant countries foreign to each other. We merely bring this forward to show that the meaning of the deed must be sought in the intent of those who made and delivered it, and not in the view which may be taken of a part only of its language. The gist of the matter lies in the clause of the conditions, which reads as follows:—

> Any organized yacht club of any foreign country shall always be entitled, through any one or more of its members, to claim the right of sailing a match for this Cup with any yacht or other vessel of not less than thirty or more than 300 tons, measured by the custom house rule of the country to which the vessel belongs.

Now, viewed in the light of the preamble, what does this mean? The notion that the right to sail for the Cup "with any yacht or other vessel" means against any yacht or other vessel to be selected by the New York Yacht Club is absurd, and it has been so utterly demolished by Mr. Peet's argument that we leave it alone, and proceed to give our version of the meaning of the makers of the trust. The whole difficulty, it appears to us, has arisen from a failure to grasp the sense in which the deed uses, and properly uses, the word "match." In ordinary language "sailing a match" means sailing between two vessels only, as the ocean match between the Cambria and Dauntless; and it would not be proper to say there was an ocean match between the Henrietta, the Fleetwing and the Vesta. In the latter case yachtmen, such as the Messrs. Stevens were, would say "race," not match, so that if Mr. Ashbury is going to sail a match for this Cup he has a right to sail against a single vessel. But Mr. Ashbury has no right to sail for it at all. His yacht club may sail for it through him or more of its members, and that is all there is about it. We now see the sense in which the makers of the deed used the word match—a match between two foreign yacht clubs (that is, foreign to each other), and each club to put in the match as many properly qualified yachts as it chooses. The contest between the two clubs—the one holding the Cup and the other challenging for it—constitutes the match with the two parties and no more necessary to a match. Now, the foreign club challenging is not confined to one vessel; for the deed expressly says:—"Any organized yacht club of any foreign country shall always be entitled, through one or more of its members, to claim the right of sailing a match for this Cup," &c. And in order to fix the fact of the intent of the deed, that the club shall sail and not the individual owners of the yachts, beyond all peradventure, the last clause provides that the Cup, whenever won, is to be the property of the club, and not of the vessel winning it. It being established, then, that the English yacht club to which Mr. Ashbury belongs might have sailed a match against the New York Yacht Club for this Cup through one or more of its members, thus employing a number of vessels to sail in its behalf, is it likely that the club in possession is to be limited to one? Taking this deed altogether, we think the meaning of the owners of the America was that a match should be made between clubs; that the challengers might use one or more vessels, and that the club holding the Cup might defend it with one or more. Therefore, the English club might have elected to sail for the Cup through its members, owners of the Livonia, the Gunevere and the Egeria; and in that case we might well require more than one with which to defend it. A vessel able to beat the big English yachts in a strong breeze might fall against the Egeria in lightish airs. Besides, in a match between clubs by two vessels only, a mere accident might decide the matter against the best yacht of the two, and in view of the preamble set forth to the purport that the America won the Cup by beating eight cutters and seven schooners, we cannot think that her owners meant to leave it subject to such a contingency. We admit that there is language in the deed calculated to raise a doubt whether the creators of the trust did not intend to limit the match to two vessels as well as to two clubs. In requiring that six months' notice shall be given of dimensions, name, &c., it says "of the vessel." This raises a doubt, but it is a mere doubt, altogether insufficient to overthrow the conclusion founded on the recital of the preamble and the grant in the clause of the conditions we have quoted. The dimensions and name of the vessel means of each vessel named by the challenging club. Taking the recital in the preamble, that the America won the Cup in a race for yachts of all nations, beating eight cutters and seven schooners—taking the condition that any organized yacht club of any foreign country shall always be entitled to sail a match for it, through one or more of its members, we come to the conclusion that either of the parties to the match may sail with as many vessels as it pleases, provided the party which challenges give six months' notice of the dimensions and names of the vessels it means to start. This will make a real match, analogous to a cricket match, in which there are but two parties—to wit, the clubs—although there are eleven players of a side, and sometimes twenty-two on one side. And, moreover, it will do what is more necessary—it will bring the proceedings into conformity with the purpose plainly indicated by the grantors in the preamble to the paper constituting the trust.

NEWARK'S PRISON PEN.

Why the Disgrace Is Not Removed—What a City Father Says on the Subject.

The disgracefully limited character of the police and city prison accommodations of Newark continues to be the shame of that virtuous city, with its immensity of professed Christianity, its boasted enlightenment and its eighty old temples of the Most High. Mr. Henry R. Baker, chairman of the Police Committee of the Common Council, after reading an article which appeared in the HERALD on the subject not many days ago, said that he knew the statements made were all true, and more than true, but the committee had not decided to move in the matter until it was positively known whether anything would be done with the bill now before the Legislature providing for a commission. Inasmuch as this urgent necessity of more room for both prisoners and policemen is in no way connected with politics, but a mere matter of public need, to say nothing of the dictates of decency and humanity, this excuse for inaction on the subject is lame in the extreme. Moreover, the City Father who moves in the matter and persists in carrying it to a successful issue, must make himself popular. Again, the idea of anything being done with the commission bill, at all events at this late day, on the eve of the adjournment of the Legislature, is almost ridiculous, indeed there are many who believe that the bill was never seriously thought about, so far as becoming a law, by the majority of its projectors, it was gotten up largely for effect and to conciliate a few right-thinking aldermen like Mr. Armstrong. Last night the lodgers were again so numerous that they had to be packed like herrings in a barrel.

A SINGULAR WELL.—A farmer living near Manistee, Mich., has a well, thirty-one feet deep, which has plenty of water when the wind blows from the west, but dries up whenever the wind changes to the east. He thinks it has some underground connection with Lake Michigan, four miles distant.

THE FIRE MARSHAL'S BILL.

The following are the most important sections of the bill which has been introduced by Mr. Hitchman for the "better protection of fires in New York city." The bill enlarges the powers of the Fire Marshal considerably:—

The people of the State of New York, represented in Senate and Assembly, do enact as follows:—

SECTION 1. For the better prevention of fires within the city of New York, it shall be unlawful for any person, firm or company in the said city to deal in, sell or give away any refined petroleum, kerosene or other burning fluid at retail or in less quantities than five barrels, or to use the same for illuminating or heating purposes in any dwelling house, store, shop, restaurant, car, coach or other vehicle, which shall evolve a combustible vapor at a temperature below one hundred degrees of the Fahrenheit thermometer. It shall not be lawful for any person, firm or company to deal in, sell or give away, in said city, any petroleum, or product of petroleum, kerosene, or other oil or fluid, which emits a combustible vapor at a temperature below one hundred degrees Fahrenheit, unless each package of the same be labelled in clear and distinct characters, "Highly dangerous; liable to explode below one hundred degrees Fahrenheit; not to be used for illuminating or heating purposes." And it shall not be lawful to label, mark or dispose of such article under any name which might lead persons to suppose it to be intended for either of the aforesaid purposes. No person, firm or company in said city shall deal in, sell or give away any petroleum or product thereof, kerosene or other burning fluid without first obtaining a license therefor from the City Fire Marshal, under the direction of the Board of Police of the Police Department of the city of New York, under such rules and regulations as they may prescribe, which license shall be for the term of one year, and shall not be transferable; and for every such license and for every renewal of the same the said board shall receive such license fees as they may prescribe, not exceeding the sum of ten dollars; said license shall be conspicuously posted in the place of business of the person or firm to whom the same is issued, and may be revoked for cause by said board. Any person or firm who shall deal in, sell or give away in said city any of the compounds herein mentioned, without first obtaining a license therefor, shall for every such offence forfeit and pay the sum of twenty-five dollars. All said articles shall be tested and their quality determined by inspectors, authorized by said board, using such instruments as may be approved by said board.

SEC. 2. All carpenters or others in said city making or using shavings shall respectively at the close of each day cause the same to be securely stowed in some safe place remote from danger by means of fire, under the penalty of ten dollars for each omission so to do. In case any chimney or flue within the corporate limits of the city shall take fire the person or persons using said chimney or flue shall forfeit and pay a fine of five dollars.

SEC. 3. It shall be the duty of the said Fire Marshal or his officers and agents, when authorized by him in writing so to do, to enter into and examine any building or premises within said city for the purpose of examining or causing to be examined the stoves and pipes thereto, ranges, furnaces and heating apparatus of every kind whatsoever, including the chimneys, flues and pipes with which the same may be connected; engine rooms, boilers, ovens, kettles, and also all chemical apparatus, hoistways, elevators, wellholes, roofs, skylights or other things which in his opinion may be dangerous in causing or promoting fires, or dangerous to firemen or occupants in case of fire; and upon finding any of them defective or dangerous, or in any manner exposed or liable to fire from any cause, he shall report the same to said board, who may thereupon issue such orders or special directions, either printed or written, directing the owner or occupant to alter, remove or remedy the same in such manner and within such reasonable time as may be necessary, and in respect thereto may authorize and direct the use of such materials and appliances as shall be deemed proper and necessary, and in case of neglect or refusal so to do within the time prescribed by such orders or directions the Fire Marshal, under the direction of said Board, shall cause such alteration, removal or other necessary act or work to be done, and the expense thereof shall be charged to the party so offending, to be sued for and recovered in the manner hereinafter provided for the recovery of fines and penalties under this act.

SEC. 5. All provisions of chapter five hundred and sixty-three, laws of eighteen hundred and sixty-eight, creating the office of metropolitan fire marshal and prescribing the powers and duties thereof, shall be and remain in force so far as applicable. For the purpose of investigating the origin of fires, incendiary or otherwise, and bringing to punishment the parties guilty of arson, the said fire marshal is hereby invested with the same powers and jurisdiction as were heretofore conferred upon the Superintendent of Police of the city of New York in relation thereto, by section nine of article three, title twenty-two, chapter twenty, part one of the Revised Statutes.

SEC. 7. Any person, persons or corporation, for the violation of or non-compliance with any of the provisions of this act when not otherwise provided for shall severally forfeit and pay a fine or penalty in the sum of fifty dollars for each and every such offence, and shall also forfeit and pay the penalties respectively imposed by any of the provisions of this act, and shall also be severally liable for the expense of the removal, amendment or abatement of any violation of or non-compliance with any provision hereof, and shall also be severally liable for the payment of the further penalty of the sum of fifty dollars for any violation of or non-compliance with any regulation, order or special direction issued by said board, as authorized under this act; and said board may, in its discretion, pay a portion of a fine or penalty, when collected, not exceeding one-half thereof, to an informer.

SEC. 8. Said Fire Marshal is hereby charged (under the direction of the said Board of Police) with carrying out all the provisions of this act, except as otherwise provided. And said board may incur any expense necessary and proper therefor. And they are hereby authorized and empowered to receive and collect all license fees herein mentioned, and to sue for and recover all fines and penalties imposed by this act, with costs thereof, in the manner provided for in actions under the Code of Procedure, and pay over the same to the Comptroller of the city of New York. The amount of money necessary to defray the salaries and other expenses created by this act shall be fixed, raised and collected in the manner provided by law for raising and collecting the moneys required to defray the expenses of the Police Department of the city of New York.

SEC. 9. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 10. This act shall take effect immediately.

HOLY WEEK

Churches, Ceremonies and Observances.

The Roman Church, foremost in all appeals to religious feeling throughout the senses, almost alone in the Christian world makes much display on Palm Sunday. It need hardly be recalled that to-day's festival celebrates the brightest among the few bright days in the sad history of Jesus while on earth. The simple Master, meek and humble, and seated on an ass, on his way to Jerusalem, amid the acclamations of the Jews, is one of those pictures over which the devout Christian dwells lovingly. No one believing in the divinity of the Saviour, be he Papist or Protestant in faith, can see in his f