CONGRESS.

Passage of the Tariff Bill by Both Houses.

$53,000,000 REVENUE REDUCTION.

Cruelty to Animals in Transitu.

The Custom House Report in the Senate.

SENATE.

WASHINGTON, June 4, 1872.

THE EIGHT HOUR LAW.

Mr. SUMNER, (rep.) of Mass., presented a petition of the International Grand Lodge of the Knights of St. Crispin protesting in the name of 100,000 shoemakers against the repeal of the Eight Hour law.

Mr. THURMAN, (dem.) of Ohio, from the Committee on Privileges and Elections, reported a resolution providing that the pay of Senator Ransom, of North Carolina, shall commence March 4, 1871.

THE CONFERENCE TARIFF REPORT.

Mr. SHERMAN, (rep.) of Ohio, called up the conference report on the Tariff bill, and stated that the aggregate reduction made by the bill as agreed upon was $53,000,000.

Mr. THURMAN said the bill was not what he desired, but it seemed to be the best we could get now, and, therefore, he would vote for the report.

Mr. SCOTT, (rep.) of Pa., believed that the ten per cent reduction was a mistake, but as the bill had been discussed in both houses and had gone to a conference committee the was disposed to accept this report as an earnest of stability, and in the hope that Congress would not be again called upon to consider the question either reducing or raising duties for years to come.

Mr. ALCORN, (rep.) of Miss., complained that the bill was unjust to the people of the South in the duties imposed on cotton bagging and quinine.

Mr. CONKLING, (rep.) of N. Y., criticised the report for its omissions.

Mr. SUMNER said he would vote for the bill because it was the best, if not the only tariff bill, that could be had at this time, and because it was a step in the reduction of taxation.

The report was concurred in.

THE CUSTOM HOUSE REPORT.

Mr. HOWE (rep.), of Wis., submitted the majority report of the Committee of Investigation and Retrenchment on the New York Custom House.

Mr. BAYARD (dem.), of Del., submitted a statement signed by himself and Mr. Casserly, as the minority of the committee, stating that the majority report had been made unexpectedly to them, and before all the testimony on the subject had been published, and asking that in view of this fact the minority be allowed to present their views during the recess, and that there would be published as many copies of their report as of the majority report.

Mr. HOWE said the difficulties of dealing with so large a mass of testimony and preparing a report within so short a time had been as great for the majority as for the minority, and he understood that all the members of the committee had been notified as early as Wednesday or Thursday of last week that the report was to be made.

Messrs. BAYARD and CASSERLY (dem.), of Cal., said they had not heard of the report until Saturday morning, when it was read in committee.

Mr. BUCKINGHAM, (rep.) of Conn., said he was willing that the minority should have a reasonable time, if there could be an understanding that the printing of the majority report should not be delayed thereby.

Mr. EDMUNDS, (rep.) of Vt., objected to granting the request of the minority, upon the ground that it would make their report a mere review of the report of the majority, and also because it was improper to allow the filing of the report of a committee at a time when the Senate would not be in session to decide whether it was a document fit to be received.

Mr. BUCKINGHAM said he was willing that an order should be entered that the minority should have until the 25th of June to file their report.

Mr. EDMUNDS moved to amend so as to require them to report during the present session.

Mr. THURMAN—That is simply a refusal.

Mr. EDMUNDS—Very well; let it be a refusal.

Mr. BAYARD said that the preparation of the report would necessitate the reading over of some two thousand closely printed pages of testimony besides the other labor, and as his

EYESIGHT WAS A GOOD DEAL BROKEN DOWN,

he wished to have a few days' rest before beginning the work. However, if the majority of the Senate choose to refuse the request of the minority of the committee of course they could do so.

Mr. EDMUNDS said he would be happy to accommodate the Senator from Delaware in any legitimate way, but he could not consent to do it by sacrificing a principle.

Mr. PRATT (rep.) of Ind., said that six or seven weeks had passed since the last testimony was taken by the committee, and asked whether the minority had not had as good an opportunity as the majority to prepare their report since that time.

Mr. THURMAN asked how there could be a majority or a minority of the committee until the report was read and assented to by a majority. When the report was read to the committee and assented to by the majority it then became the majority report, and in the nature of things the minority report being based upon dissent from the report of the majority, could not be prepared until the views of the majority were known.

After further discussion, without acting on the proposition, the Senate, on motion of Mr. FRELINGHUYSEN, (rep.) of N. J., took up the bill to prevent

CRUELTY TO ANIMALS IN TRANSITU.

Messrs. CASSERLY and THURMAN argued against some of its provisions as unconstitutional, and Mr. Thurman moved to postpone its consideration until December. Lost.

Mr. CASSERLY offered an amendment providing that the act shall not take effect for one year after its passage, and that it shall not take effect in any State having sufficient legal provisions for the prevention of cruelty to animals within the meaning of the act.

Senators STOCKTON (dem.), of N. J., and BAYARD also argued that the bill was unconstitutional in assuming for Congress a power which belongs to the States.

Senator Casserly's amendment was rejected.

Senator SHERMAN moved an amendment providing that the bill shall take effect on the 1st of October. Agreed to.

MAN AND BEAST.

Mr. CASSERLY offered an amendment designed to compel railroad companies to provide better accommodations for immigrants, and in advocating it he described some of the hardships and ill treatment he had seen immigrants subjected to on the great railroad lines of the West. The amendment was lost—yeas 15, nays 23.

The bill was passed, and the Senate then took a recess until half-past seven P. M.

HOUSE OF REPRESENTATIVES.

WASHINGTON, June 4, 1872.

Mr. WILSON, (rep.) of Ind., from the Committee on the Judiciary, reported the bill providing for United States District Courts at St. Joseph and Springfield, Mo., and moved its passage. Rejected.

Mr. TERRY, (dem.) of Va., from the Committee on Military Affairs, reported a bill to distribute to the late insurrectionary States their quota of arms and equipments for the years from 1862 to 1869. Passed.

THE FISH CATCHERS' NATURAL ENEMIES.

Mr. BUTLER, (rep.) of Mass., presented resolutions of the New England Fishery Association opposing the course of the government in regard to the Treaty of Washington, and urging the importance of passing the necessary laws to carry the fishing clause of the treaty into effect. He remarked that the members of the association were the natural enemies of the fish catchers and fishermen. Referred to the Committee on Foreign Relations.

A bill introduced by Mr. Speer, of Georgia, to remove political disabilities was amended and passed, so as to comprise the names of Lucius J. Gartrell and Martin H. Crawford, of Georgia; David Clapton, of Alabama, and Martin L. Kimmell, of Missouri.

THE SPEAKER'S TABLE.

The House then went to the business on the Speaker's table, and disposed thereof as follows:—

The Senate amendments to the House bill for filling vacancies in certain territorial offices agreed to.

THE TARIFF CONFERENCE REPORT.

A message from the Senate having announced that that body had agreed to the conference report on the Tariff bill, the report was presented to the House by Mr. Dawes.

The report having been read, Mr. DAWES congratulated the House that this important bill was in its last stage. The report presented the gratifying spectacle of its being unanimous, and it had just been adopted by the Senate without a division. He did not flatter himself that the bill would satisfy everybody; indeed, there were some things in it with which he was himself far from being satisfied. The reductions effected by the bill in the tax and tariff revenues were estimated at $43,663,778. The reductions made by the Senate were:—On the free list, $634,254; on other customs duties, $1,389,227, and on stamps, $7,400,000, making

AN AGGREGATE REDUCTION OF $53,057,259

for both houses. He went on to answer questions put to him by various members. He informed Mr. Garfield that books in foreign languages were not put on the free list. He informed Mr. Beck and others that the tax on tobacco was uniform at 20 cents a pound, and that that would go into effect on the 1st of July, 1872. He regretted that the tax on friction matches was restored. In reply to Mr. Kellogg, of Connecticut, he said he had no objection to having the sense of the House tested in regard to friction matches in a separate bill. The estimated revenue from that tax was $2,500,000. All the stamps in schedule B, except on checks, are repealed, and all the stamps in schedule C are retained, together with the stamps on bank checks.

Mr. BUTLER, of Mass., asked Mr. Dawes what had become of the proposition to receive one-third of the customs duties in greenbacks.

Mr. DAWES replied that on investigation of the bearings of that project on the currency of the country it became evident that it would draw from the Western country to the seaboard all of the greenbacks and cause them to be hoarded up in the banks of the cities, thus causing a stringency in the West and everywhere.

Mr. BUTLER—Where did you get that information?

Mr. DAWES—I do not know. It came when we looked into it.

In reply to a question of Mr. Randall Mr. DAWES said that the reduction which this bill would make in the number of collectors and assessors of revenue was from two hundred and seventy to two hundred and eighty.

Mr. KERR, (dem.) of Ind., another member of the Conference Committee, remarked that his views of certain matters in the bill and his reasons for signing the conference report were sufficiently known to render it unnecessary for him to enter into an explanation. On the whole, however, he

REGARDED THE BILL AS AN EXCELLENT ONE,

as compared with recent legislation on the same subject. He expressed regret that the tax on friction matches had to be restored, and also that the House provision in regard to copper had to be yielded to the Senate.

Mr. KELLEY, (rep.) of Pa., the third member of the Conference Committee, gave the report his commendation and support as a matter of compromise and yielding all grounds.

Mr. BROOKS, (dem.) of N. Y., gave the report his assent because, and only because, it made a reduction of taxes. He said he had never seen a bill so ingeniously handled to prevent all discussion of its details. He ventured to say that when the bill passed to-day there would not be twenty members who comprehended it, and that Congress would soon have to make alteration after alteration in the tariff part of it, so as to satisfy the demands of the country. Still he congratulated the country on the reduction of the taxation which this bill would effect. That reduction would be some $53,000,000, and the country would

DEMAND A YET FURTHER REDUCTION.

Mr. DAWES, at the conclusion of the discussion, said that he had some interesting figures which he would have printed in the *Globe*, and which showed that the reduction of taxation for the last two years had been $85,000,000, which, with the $54,000,000 reduction in this bill, would make $110,000,000. The expenditures of 1871, when reduced to a gold basis and to a peace basis, were only $6,500,000 more than in 1860. The rate of expenditure *per capita* in 1860 was $1 95, in 1871 $1 76.

The conference report was then agreed to without a division, and the House, at forty minutes past one o'clock, P. M., adjourned to meet on Friday next.

HOOKER'S ATTACK ON HOWARD.

NEW YORK, June 3, 1872.

TO THE EDITOR OF THE HERALD:—

The HERALD of this morning contains, copied from the San Francisco *Chronicle*, what purports to be a report of an interview with General Joseph Hooker. As to General Hooker's opinion that Grant "has got no more moral sense than a dog," and that Sherman was "crazy," they are of a piece with his whole utterances respecting other generals. In his testimony before the Committee on the Conduct of the War he attributes the failure of McClellan's campaign on the Peninsula to the incompetency of the commanding general, and of Halleck he says, "If the General-in-Chief had been in the rebel interest it would have been impossible for him to have added to the embarrassment he caused me from the moment I took command of the Army of the Potomac." The *Galaxy* for May, 1871, contained a paper by me on the campaigns of General R. E. Lee, in which, of course, mention was made of the affair at Chancellorsville. I received from General Hooker a note, of which the following is the essential part:—

> In that part of your article relating to myself I find several inaccuracies. There are only one or two of them that I care for. You state that I declared that I fought no battle at Chancellorsville, because I could not get my men into position. Will you have the goodness to inform me what authority you have for making that statement?
> J. HOOKER, Major General.

To this direct implication of falsification I replied:—

> My authority for this statement is to be found in the report of the Joint Committee on the Conduct of the War, 1865, vol. L, p. 142, where the sworn testimony of General Joseph Hooker reads as follows:—"When I returned from Chancellorsville I felt that I had fought no battle; in fact, I had more men than I could use, and fought no general battle for the reason that I could not get my men into position to do so." I think that you will not hereafter question my authority for that statement. You imply that there are several other "inaccuracies" besides those which you specify. If you will mention them I shall be very glad to adduce my authorities.

To this General Hooker replied:—

> On turning to your authority for your statement in the May number of the *Galaxy* I am glad to find it perfectly satisfactory. I had not seen my testimony before the Committee on the Conduct of the War since I delivered it until this morning. I need not say that it had passed from my mind entirely. J. HOOKER, Major General.

General Hooker went on to except to one or two other points, closing, "But I will not mention at this time the remaining exceptions to your article. I may be wrong and you may be right. Life is too short to be bothered with these matters." I replied, justifying my averments in the further points specified, and renewing my offer to do the same in relation to any others. Assuming the report of the *Chronicle* to be correct, General Hooker's present recollection of what took place at the council of war before the final retreat from Chancellorsville varies considerably from his recollection seven years ago, when he gave his testimony. He now says, "At the council of war that was held Howard voted to stay; but his opinion was good for nothing. He was sore and wanted to retrieve himself." The evident implication here is that Howard was the only commander of a corps who was in favor of staying. But in March, 1865, General Hooker testified under oath:—"I called upon them individually for their opinions. General Meade stated that he was for an advance, for the reason that he did not believe that we could recross the river in the presence of the enemy. General Reynolds had thrown himself on a bed, being very tired that night from hard work, and had gone to sleep, saying before he did so that his opinion would be the same as General Meade's. General Howard voted for an advance, assigning as a reason that he felt as though the army had been placed in the position in which it was by the conduct of his corps, and he had to vote for an advance under any circumstances. His opinion was received for what it was worth. General Couch was of the opinion that the army should recross the river." Thus, instead of Howard being the only one in favor of "staying," three out of five of the corps commanders, as sworn to by General Hooker, were in favor of an advance. Hooker, indeed, says that Meade's opinion, and, consequently, that of Reynolds, for an advance was based upon the impossibility of crossing the river in face of the enemy. But he goes on to testify:—"Subsequently, on learning that General Meade was saying that he was unconditionally for an advance, and that he wished the bridges had been carried away so as to have prevented our return, I sent for him and asked if he had made such a report. He told me that he had." Meade then, at the request of Hooker, wrote to the other corps commanders, asking their recollection of what took place at the council. Hooker gives the replies of Howard, which he wished to be considered as a part of his own testimony. Howard's impression was that Meade thought it best to attack, but, after Hooker had given his opinion, made no further objection.

General Hooker was, beyond all doubt, a thoroughly brave man, and I have given him every credit for his good service. Nothing could have been better than his reorganization of the army when the command devolved upon him; nothing better than the beginning of the affair at Chancellorsville; nothing better than his action at Lookout Mountain; nothing better, indeed, than his conduct after Chancellorsville until he was superseded, though he is not warranted in claiming the real merit of the battle of Gettysburg, for that action was a chance encounter, neither Meade nor Lee anticipating until it was over that they would come in collision within a score of miles, if at all, of Gettysburg. Hooker is a man of that high-strung, nervous temperament which is physically incapable of enduring pain. At Antietam he received a wound in the foot, and was borne insensible from the field. At Chancellorsville he was simply stunned by the falling of a pillar, a shock from which most men would have rallied in two hours, but which rendered him for days really incapable of clear action. To this, most likely, is to be remotely attributed his present condition. But a man whose memory is so defective ought to be cautious in rushing into print.

A. H. GUERNSEY.

JUDGE HOGEBOOM AND THE ALLEGED CUSTOM HOUSE ABUSES.

TO THE EDITOR OF THE HERALD:—

My attention has just been directed (for the first time) to a communication over the signature of "The Secretary" in your daily issue of the 29th ult. If all public service has not become wholly dishonorable the open administration of an office like this for a period of two years should secure it from the malign influence of anonymous correspondents: and I do not ask the use of your columns to reply to what is quite evident the real object of the writer. But (while suggesting that "fair play" never masks itself under disguises) lest any honest importer or home manufacturer might be misled by the innuendo of the communication, I desire to assure the public, as well as this correspondent, that no importation at an undervaluation of thirty-three and one-third per cent, or any other undervaluation, can be sustained, and that this office will promptly act upon any information from any respectable source. The public, however, has a right also to feel the assurance that this office, created for the protection of an honest commerce, shall be administered efficiently as well as honestly, and can neither be diverted from its purpose of impartial justice by the influence of dishonest importers nor be deprived of its duty of judgment by the clamor of rival interests.

JOHN F. HOGEBOOM,
United States General Appraiser.

THE CUSTOM HOUSE.

Majority Report of the Senate Investigating Committee.

Twenty-two Hundred Pages of Conflicting Evidence—The General Order Business—Leet and Stocking Acquitted—Moieties and Compromises—Extra Pay—The Custom House in Politics—Recommendations for a Reform.

WASHINGTON, June 4, 1872.

Senators Buckingham, Pratt, Howe and Stewart to-day made a report from the Committee of Investigation and Retrenchment, to which was referred the examination into the New York Custom House and other subjects.

In New York and Washington

ONE HUNDRED AND FIFTY WITNESSES

were examined. The testimony, oral and documentary, comprises more than twenty-two hundred pages of print. The sources of information are exhausted. The testimony is conflicting. It could hardly have been expected to be otherwise, as comparatively few witnesses were examined who did not appear more or less in the character of partisans. The committee submit, first, that no monstrous abuse has been discovered in connection with

THE "GENERAL ORDER" BUSINESS,

unless it be the misrepresentation, not to say the mendacity, which has been piled upon it. The committee say that Mr. Murphy was appointed by President Grant, whose appointments have been habitually somewhat distasteful to the democratic party. Mr. Murphy's own appointment proved distasteful to a portion of the republican party, and so it happened, perhaps not very logically, but not very unnaturally, that Messrs. Leet and Stocking fell heirs to all the malice which the cupidity, the wealth or the influence of two great trading companies could engender, as well as that the enemies of Thomas Murphy, the President and the republican party could inspire. A storm of obloquy and reproach burst upon their head. In September, 1870,

MESSRS. LEET AND STOCKING

were quite unknown to fame. In twenty months they acquired a notoriety never by the greatest genius and only rarely by the greatest heroes or greatest criminals achieved in so brief a period. Twenty months ago it is probable that these young men had but seldom seen either of their own names in the newspapers. There are now probably but few names more widely known to the readers of American newspapers than those of Leet and Stocking. There is not in the testimony or outside of it the faintest suggestion that Colonel Leet was indebted to any kind of favoritism, political or personal, for his employment on the staff of General Grant. The President, in his letter to Grinnell, merely attested the fitness of Colonel Leet for business. He did not ask any appointment for him. Still less did he ask for any share of the general order business. The fact of preferment in the case of Leet upon the ground of personal merit is too well attested to be denied, even though that theory should be exploded by it. Rumor (perhaps it should be said scandal) has pointed to General Horace Porter and to General Babcock as the parties likely to be interested with Leet, and by whom he was

UPHELD IN THE FAVOR OF MR. GRINNELL.

The testimony wholly fails to disclose any foundation for such a suspicion; on the contrary, it proves as conclusively as human testimony can prove anything that neither Porter nor Babcock had any interest whatever with Leet. The committee cannot accept the avowed belief of Mr. Greeley and Mr. Mudgett against the testimony of Porter, Babcock, Stocking and Grinnell. It seems altogether more rational to conclude that Mr. Greeley or even Mr. Mudgett was mistaken in an opinion borrowed only from the

SCANDAL OF A GREAT BRAWLING CITY

than that Leet, Stocking, Porter, Babcock, Murphy and Grinnell have committed wilful perjury. General Porter and General Babcock must stand acquitted of all participation in the profits of sharing in unclaimed goods. Colonel Leet and Mr. Stocking must stand acquitted of all blame for seeking that trust, as well as for accepting it when assigned to them. It is evident merchandise has been very secure in the store of Leet and Stocking. Heavy losses have at times occurred to goods in other buildings, but the evidence does not warrant the conclusion that of all the millions in value which have passed through the stores of Leet & Stocking not a dollar has been lost from them. In the judgment of the committee, for the reasons they give, the government ought not to permit

THE STEAMSHIP COMPANIES TO HAVE CONTROL

of the general order stores under the present warehouse system. The government demands and should have double security for the payment of its duties, first, the possession of the goods, to be resorted to if not lost or destroyed; and, second, a bond of the importer, to be resorted to if the goods are lost or destroyed.

There is no evidence of presents having been tendered to or accepted by officers of the Custom House from their subordinates, and no evidence of preference given to one of such subordinates over the others in the discharge of steamships. A good deal of testimony was submitted on

THE SUBJECT OF BRIBES AND PRESENTS

to officers connected with the Customs. That testimony only made clear one fact, that there was no necessity nor any apology for ever making such presents. It was in evidence by the agents, who confess to making such payments, that the present Secretary of the Treasury made an effort to abolish that practice. He sent an agent to New York to investigate the practice, and he issued a circular prohibiting all such payments, but in spite of the known wishes of the Secretary and of his known commands the practice evidently has continued. The testimony shows pretty clearly the practice would not be condemned by good morals if it were not condemned by law; that the money is paid,

NOT TO SECURE A VIOLATION OF LAW,

but as a compensation for services rendered in addition to the services required by law. The usage is not of recent date, but has come down from a former generation. With reference to connivance on the part of the officers of the Custom House at frauds or irregular practices in passing the baggage of traders, the testimony left but little reason to doubt that the officers formerly in the service of the Custom House had permitted baggage to pass without the payment of duty and had received a consideration for doing so. The testimony gives some grounds for believing that

OFFICERS STILL IN THE CUSTOM HOUSE

service are guilty of irregular practices in passing the baggage of passengers. The committee regret to find in the testimony too much assurance that articles of merchandise are occasionally abstracted while under control of officers of the customs. There is no evidence that any such abstracted goods are ever returned, nor is there any evidence that there has been any failure to dismiss officers when detected in such practice. Such abstractions are not so heavy as to be very damaging, but are so frequent as to be very annoying. They are the more scandalous because they indicate

SHIFTLESSNESS MORE THAN GUILT.

Men seem to be betrayed into such abstractions not so much by a sense of cupidity as by a sense of impunity. The committee suggest that unclaimed goods should be received at the pier by the general order man and by him carted to the warehouse, and when ordered to the public stores should be delivered to the contractor.

COMPROMISES.

The committee say it would seem the revenues must have profited, rather than have lost, by compromises. It does not appear the officers of the Customs derived any pecuniary benefit from these compromises, except in the way of such moieties as the law awards to them. It is not denied, but admitted, that officers of the customs, many of them, attend political conventions, and that they have always done so. It is not admitted, nor is it averred, that the employés are drafted into that service. On the contrary, Mr. Cornell, Mr. Murphy, Mr. Laflin and Mr. O'Beirne stated that in 1871 efforts were made to discourage the attendance of officers at the Convention. It is very positively denied that the attendance of customs officers upon conventions of late years is greater than it formerly was. The committee feel compelled to reject Mr. Greeley's view of

THE INFLUENCE OF THE CUSTOM HOUSE

over the politics of New York. If that view does not distort the character of the Custom House officials it must dishonor the people of New York. It does not seem at all probable that the people of New York are made of that clay which a few weighers from the Custom House can fashion into such vessels as they please. The committee can entertain no doubt that in the experience of political parties, as in that of religious denominations, money is sometimes needed. There can be no doubt that the members of the party, as well as members of the Church, are often asked to contribute to such needs. The committee see no reason why those who draw salaries may not as properly

BE INVITED TO CONTRIBUTE

as those who do not. They have no serious apprehension that either the members of the republican party or the members of any Christian Church will often contribute beyond their ability or beyond the requirements of the public good; and when it shall appear that a deserving officer shall be dismissed the service of the government or a worthy member shall be dismissed the service of the Church for not submitting to an unreasonable exaction it will be time enough to restrain such contributions. It is proper to add that from the testimony it would appear that all the collections are made either for disbursement out of the State or for the aid of campaigns organized within the State, and not to control primary meetings or the election of delegates.

THE REAL BONE OF CONTENTION.

A specific charge urged against the political action of the New York Custom House is that its patronage is controlled in the interest of a faction in the republican party. Political events which have transpired since that charge was made have gone far to refute it. So far as is known to the committee every individual who urged that accusation is now arrayed in open opposition to the republican party. There is no longer any known faction in the republican party. It is not yet quite certain whether those who in January last aspired to that character are now a party by themselves or are only

A FACTION OF THE DEMOCRATIC PARTY.

But in January last and later it was asserted by Mr. Greeley, Mr. Whitelaw Reid, Mr. Van Cleft and others that the employés of the New York Custom House were habitually removed because they adhered to the so-called Fenton faction, or to make room for the adherents of the so-called Conkling faction.

GOING TO TAMMANY.

The committee report the result of the testimony in regard to these removals, saying, among other things, that a number of persons who were removed from the Custom House were subsequently provided with places under the city government, under the influence of Tammany.

The report concludes as follows:—The instructions of this committee seem to be limited to the taking of testimony and reported facts. It is perhaps hardly authorized to suggest changes in the custom service. The committee feel also that much of the testimony submitted is of a kind too partial and partisan to be the foundation of well considered reform. The committee, cannot, however, refrain from calling attention to the very valuable suggestions contained in the report submitted to the New York Chamber of Commerce by a committee, of which Hon. F. N. Conkling was chairman. Some of the recommendations contained in that paper the committee would not be inclined to approve. We are not satisfied that it would be wise to exempt the merchant from giving bonds for the duties on his warehoused goods, or to remit the interest on goods which have been in the warehouse for a year, but this committee concurs in the suggestion of a commission to be appointed by the Secretary of the Treasury

TO REVISE THE WHOLE SERVICE

and remodel it so far as shall be found necessary. From the investigation by such a commission reforms might be confidently expected which could not be rationally hoped for from the inquiry referred to this committee. When such an investigation is had it is believed that all the questions raised touching compromises, the seizure of goods, the seizure of vessels, the seizure of books and papers, the sale of unclaimed goods, damage allowances, the extra returns of weighers, night permits, the extension of time for paying duties to the cashier, the liability of warehousemen for goods lost from their custody and the propriety of Custom House oaths may be satisfactorily adjusted; but, without waiting for such investigation, the committee venture two recommendations:—

MOIETIES SHOULD NOT BE ALLOWED TO OFFICERS

of the customs, except in the case of a smuggled goods seizure. It is the duty of those officers to assess and collect the duties on imposts. It is their business not to permit any frauds upon the revenue.

Attempts will be made to introduce merchandise upon our markets without payment of duty at all. Whoever defeats an attempt at smuggling should be allowed at least one-half of the net proceeds of the goods condemned. But when goods are entered at the Custom House there should be no cheating in quantities or values. It is the duty of the officers of customs to prevent that. Their salaries should be adequate to all the labor they perform and all the responsibility they assume. Still, in spite of diligence and fidelity, they will be sometimes circumvented. But

THE GOVERNMENT SHOULD NOT BRIBE THEM

to be defrauded by holding up to them great fortunes for detecting the frauds. The husbandman who pays his harvester a meagre salary for gathering grain, but offers him one-half for gleaning all that his own rake passes over, should not be surprised to learn that his servant rakes slovenly. If, in spite of all the vigilance and fidelity that can be secured in the Custom House, frauds are perpetrated other agents of the government should be stimulated to ferret them out and expose them: and if they do not always uncover their heads while investigating such alleged frauds, as it is complained some of the special agents of the Treasury do not, it is better, probably, to tolerate even that outrage upon good manners rather than allow the frauds to go unpunished.

ASSISTANT APPRAISERS AND EXAMINERS

in the public stores should be experts. That is manifest. It is quite as manifest that to be experts they not only must have studied, but they must not cease to study. The longer they practice their profession the more expert they will become. In order to adjust the values of many commodities imported a life time of study is none too much; and it is unquestionably true that every year added to one's experience adds to his competency. They should be appointed only upon full written and recorded proof of unexceptionable character and of a certain acquaintance with the commodities which they are called upon to appraise. When appointed they should have a salary adequate to their support, and they should be continued in office until convicted of misconduct or until mentally or physically disabled.

THE GRAND LODGE OF FREEMASONS.

The Grand Lodge of Masons of this State opened yesterday afternoon, at two o'clock, the M. W. Grand Master presiding. The following Grand Officers were in their places:—Right Worshipful Christopher G. Fox, Deputy Grand Master; Edmund L. Judson and James W. Husted, Grand Wardens; John W. Simons, Grand Treasurer; James M. Austin, M. D., Grand Secretary; Right Worshipful and Revs. R. L. Schoonmaker, Ferdinand C. Ewer and John G. Webster, Grand Chaplains; General Charles Roome, Grand Marshal; Cornelius Esselstyn, Grand Standard Bearer; William R. Brown, Grand Sword Bearer; Philip Merkle, Joseph Koch, De W. Tallcott and Isaac H. Brown, Grand Stewards; John D. Serviss and Charles E. Young, Grand Deacons; Worshipful Johnston Fountain, Grand Pursuivant; Worshipful John Hoole, Grand Tiler, and Right Worshipful George H. Raymond, Grand Lecturer, together with twenty-seven District Deputy Grand Masters and Past Grand Masters Jenkinson, Johnston, Gibson, Evans, Lewis, Phillips, and Past Deputy Grand Masters Macoy and several other Past Grand Officers.

The procession entered, preceded by the Grand Marshal, the entire body standing to receive them, while the organ played a march. The Grand Honors were then given, the Grand Marshal giving the time, when the officers repaired to their several stations.

The Right Worshipful and Rev. R. L. SCHOONMAKER then offered "The Lord's Prayer," the whole body responding, "So mote it be."

The GRAND MARSHAL then proclaimed the Grand Lodge open in ample form.

GRAND MASTER'S ADDRESS.

The GRAND MASTER then delivered his address.

The GRAND SECRETARY then submitted his annual report, showing the total cash received to be $63,403 33, of which $61,476 58 was from lodge dues. Nine dispensations for new lodges were granted, as follows:—Iroquois, Essex, Essex county; Wieland, Morrisania; Hobasco, Ithaca; Orion, Brooklyn; Adonai, Highland, Ulster county; Acanthus, Brooklyn, Kings county; Pisgah, Granville, Jefferson county; Jerusalem Temple, Cornwall, Orange county; Germania, of Rochester, Monroe county. Number of lodges paying dues, 631; initiations during the year, 6,142; affiliations, 812; total, 6,954. Demitted, 1,760; expelled, 65; suspended, 44; stricken from roll for non-payment of dues, 2,225; restored to membership, 362; died, 857; total in good standing, 77,079. Eighteen lodges became incorporate under the general law within the year.

The GRAND TREASURER reported as follows:—Balance last year, $3,632 40; received from Grand Secretary, $63,404 33; interest on deposits, $287 67; total, $67,324 40; expenses, $66,380 78; balance, $3,632 40; leaving $100 to meet an appropriation not paid and $25,439 51 since received from Grand Secretary.

The report of the Trustees of the Hall and Asylum Fund was then read by the Grand Secretary. It showed that the Right Worshipful Isaac H. Brown (sexton of Grace Church) had made large collections in aid of the fund, including $1,835, the proceeds of a musical entertainment, the whole amounting to $2,741. The announcement was received with immense applause. Total received, $258,981 21; paid out, $251,000. Debt, $50,000 to Union Trust Company and $146,500 in bonds.

ELECTION OF GRAND OFFICERS.

On motion of Right Worshipful William Sinclair, amended by Worshipful Levi J. Isaacs, the election of Grand Officers was made the special order for Thursday, at 10 A. M.

STANDING COMMITTEES.

Grievances.—Right Worshipful Samuel Jones, John D. Lewis, John L. Staats, Jr., William A. Brodie, Stephen S. Marshall, Worshipful George Babcock.

Finance.—Right Worshipful Edward L. Judson, Charles E. Young, John Cowdrey, Robert H. Thomas, John C. Boak.

Constitution.—R. W. A. T. Goodwin, John A. Foster, A. E. Suffern, W. John P. P. White, William P. Durant.

Charity.—R. W. John W. Simons, R. W. Philip Merkle, Joseph Koch, Daniel W. Tallcott, Isaac H. Browne.

Appeals.—R. W. Andrew, E. Suffern, M. Van Valkenburgh, Bolivar Ellis, John B. Manning, Thomas L. Higgins.

Unfinished Business.—W. Alexander Hays, Norman J. Baker, George Esselstyne.

Work and Lectures.—Right Worshipful Elwood E. Thorne, Worshipful Henry D. Walker, Right Worshipful Aug. C. Gregory, M. D.; Worshipful Albert Parker, Gideon W. Scofield, George A. Smith.

Credentials.—Right Worshipful James M. Austin, M. D.; George Van Vleet, Worshipful William Shaw.

Jurisprudence.—Most Worshipful James Gibson, Joseph D. Evans, John J. Crane, Stephen H. Johnson; Right Worshipful Christ. G. Fox, Cornelius Esselstyn, Daniel W. Talcott.

Warrants.—Right Worshipful George Van Vleet, Isaac Teichman, James W. Husted, Worshipful Horace M. Barnes, Charles E. Hand, George Davis, John D. Williams, Right Worshipful L. A. Waldo, Worshipful Wm. C. Zimmermann, Right Worshipful Charles B. Wade, Worshipful Edwin M. Hamilton, Worshipful Wm. A. Fish.

Exemplification of Work.—The twenty-seven District Deputy Grand Masters.

The Grand Lodge was called off till nine o'clock this morning.

THE TAMMANY RING.

Tweed, Connolly, Ingersoll and Fields.

Charles O'Conor's Spirited Address for the Prosecution—Judge Hogeboom's Close Questioning—To Whom Does the Money Belong, and if Collected What Will Become of It?—The Formal Demurrer by Curtis.

ALBANY, June 4, 1872.

The Court met at half-past ten o'clock. Mr. O'Conor resumed his argument, he having discussed only the first point yesterday. As to Tweed being culpable in the matter of the division of the money, he said that he ought to have said it was in evidence that these moneys were received and divided from day to day, and that it was all embraced in the conspiracy. He did not know as he had said this yesterday, but he should have done so, and would now dismiss further allusion to that point. He then proceeded to say that it was the common resort of the defendants to put in demurrers, and it was not surprising that it should be put in here; therefore he claimed that it should not be received with any special favor. He said these moneys belonged to the public—and he used the word public in its broadest sense—and the offence was against the people of the whole State—not alone those who would be obliged to make up the stolen amount, but all the people. Besides, there were many who owned the property taxed to make up this money who did not live in the city; many of them never saw the city, and perhaps never would see it. This was the case, and the question as to who should prosecute for the recovery of this ill-gotten money was merely one of practice or procedure. He then read from an act providing for an auditing board, and said it was like letters testamentary. The old Board of Supervisors was abolished and a new Board appointed; but the President of the old Board, who was Tweed, was made a member of the Board of Audit, which was to consist of the Mayor, Comptroller and President of the then Board of Supervisors. Thus the Board of Supervisors was a new special commission to ascertain the indebtedness of the city and county, to issue bonds and to levy a tax to pay the bonds.

THE INJURED PARTIES.

"Now," said he, "I am called upon to say who by reason of the injuries happening by the malversation are the parties injured. Why, nobody but those who are to be taxed; and would like to know who represents them. It has been decided fully and clearly that a taxpayer cannot bring an action to protect himself from taxation. Somebody else must sue for him, or else there would be no end to lawsuits. There would be millions of taxpayers to bring suits. The Board of Supervisors, under the act, have nothing to do with this money further than to specify how it shall be assessed. The money is to be collected and paid over to a specified officer. The Supervisors have nothing to do with spending it. They are therefore in no sense the representatives of the people. There were a number of decisions by the courts denying that these local bodies represented the individual citizens. Therefore we find citizens cannot come into court as taxpayers, neither can the Board of Supervisors come in as their representatives."

TO WHOM DID THE MONEY BELONG?

He then called the attention of the Court to the question whether this money belonged to the city or county of New York. These bonds, he said, were not issued by the Board of Supervisors nor any other officers representing the city and county of New York. They were made by certain specified officials designated by the act of the Legislature. Then who did the money belong to? Why, to the State or the individual bondholders. The money was not raised by the city or county, nor by any of the officers of either. It was raised by the coercive power of the State Legislature in the passage of an act providing the requisite machinery for the purpose. He declared the suits commenced by the Corporation Counsel for the recovery of these moneys were collusive with this roguery, as it was certain he could not recover, for the very reason that this money does not belong either to the city or the county.

AN ANALOGY.

It is claimed that New York, which is only a small section of the State, being the injured party, only could bring these suits. Why, said he, you might as well say in the case of man who has a leg cut off by the railroad down here that it is the leg only which can bring a suit for damages. It was the leg that was damaged, not the man; the man is the whole, and it was only the part injured.

Judge Hogeboom inquired of the counsel if the State received this money what would it do with it?

Mr. O'Conor said undoubtedly it would do with it what was right and proper, and that it was unnecessary for us here to inquire into this matter.

Judge Hogeboom—That is true; but would it not be possible to get this money back to the taxpayers in some way, say in lessening the taxes?

Mr. O'Conor—Yes, sir.

Judge Hogeboom—Then the Board of Supervisors, as representatives of the county, would be the ones to do this, they being the most appropriate trustees of the affairs of the people.

Mr. O'Conor replied to this that the course would be long and tedious.

Judge Hogeboom then referred to the proceedings instituted by the local authorities, and called attention to the criticism of the intention and the motive of the proceedings.

THE DUTY OF THE STATE.

Mr. O'Conor then spoke with much warmth of the duty of the State to step in and act in behalf of the people when their rights and interests are being overborne and trodden under foot by corrupt officials. It was the State's duty to represent all unrepresented interests. The counsel then read his point at length covering this branch of his argument, which was that the real and immediate ones to be injured were those unknown persons who were to be the taxpayers when the money is raised to make good this stolen money. It was, after all, the taxpayers, and those to be such in the future, and at this time unknown, who were to be the sufferers by this roguery. It was not the Corporation authorities of New York city or county. Therefore it became the duty of the State, representing the people—the taxpayers—to take the part of protector. Counsel detailed the history of the organization of the city and county of New York to show that there was no such thing as a county government as in other counties; that the Board of Supervisors was merely a tax-levying commission, appointed for that purpose only, and it has been conceded that they could not be sued as boards of supervisors in other counties are suable. Therefore we find no suits brought against them. They had no treasury. But during the existence of this Board, for the purpose of carrying out the schemes of

THE RING OF PLUNDERERS,

its powers and duties were enlarged, and William M. Tweed was made its President. The minutes of this Board for 1858 made a book of 1,400 pages, and there was a very large number printed, more than was ever wanted; but it made a very nice job for their printer. "But," he said, "during this—what he would call middle age—the Board of Supervisors was not a corporate entity. Now, however, since 1870 this Board has been put back to what it originally was, and still it has functions which entitle it to being a representative body." He denied that the Board of Supervisors of New York had now or ever had vested in it powers or duties such as are vested in other boards of supervisors. He referred to this to show that at the time of this robbery there was no local governing body in the city and county of New York. The counsel then proceeded at some length to point out the relation of municipal corporations with the State, to show that such corporations possessed no property whatever in their own right. These corporations were mere civil divisions of the State, and go to make up the State, which is a superior organization. The counsel, in reply to the claim that two suits have been brought by different parties for the same purpose in this case, said that was nothing. New cases of this sort were numerous, and the fact was never in one case pleaded in the bar of the other case. For instance, his agent could bring a suit to redress a wrong or injury, and he could do the same at the same time.

D. D. FIELD FOR THE DEFENCE.

Here Mr. O'Conor concluded, and David Dudley Field followed, sustaining the demurrer. He commenced by saying there were three points presented. First, is there a cause of action here? Second, if there be, is that cause of action in favor of the people of the State? third, if in favor of the people of the State, can the counsel ignore the city and county of New York? Now, he had listened attentively to the argument of the counsel, but failed to hear him say what this cause of action was. If it was malfeasance in office then no action would lie. The duties of Tweed were official. This action was left to his judgment, and if he erred or did wrong where was the authority for an action? A defendant might as well bring an action against a Judge for deciding a case against him. Now, the next point is, can the people bring suit for the recovery of this money? Four suits have been brought to recover this very money—one by the State, one by a taxpayer, one by the city and one by the county. It was true more than one party can bring suits for the same purpose, but this is not a case in which that can be done. To whom did this money belong? Suppose when the bonds were lying on the table unissued some one should steal them, could they not be sued for? Of course they could, but by whom—by the State? Now this very point has been decided, and that very recently, and he referred to the case of the issue of town bonds in behalf of the Utica and Chenango Railroad, in which Judge Mullin decided that the Attorney General of the State had no authority to bring a suit in the name of the people of the State, as they had no manner of interest in the case at all. In this case a town was about to issue the bonds wrongfully, and the Attorney General sought to interfere to restrain the issue. Now, after this decision,

WHY SHOULD THIS SUIT BE BROUGHT?

Besides, are not the people of the city of New York capable of bringing this suit? We have bad men there, he said, and he grieved for it; but there were enough good men to attend to this matter properly. Counsel then asked whether the county of New York was a corporate body, with power to sue, and said the Revised Statutes settled that question. They provide that each county may sue and be sued. But counsel says there cannot be two corporations on the same territory. This is not so. We have a striking illustration of the fact that two corporations can and do occupy the same territory in the general government having authority in every State in the Union. Counsel cited authorities to sustain this position. It has been said that the county has no property. Why, this very courthouse in question is county property, and the land upon which it stands had to be bought from the city before it could proceed with the building. (Counsel produced the ordinance showing this fact.) Suppose the courthouse was burned to-day, who would bring suit for the insurance? Would the people, through a State officer? Would not that be absurd and preposterous, when the Revised Statutes say a county can sue—and this is county property? Counsel quoted various acts to show that the Legislature recognized in the city and county two distinct corporate organizations—among others the act passed at the last session, which counsel read, providing for paying Charles O'Conor for his services as counsel in these cases.

The Court here took a recess till half-past three o'clock P. M.

AN IMPORTANT QUESTION.

On the reassembling of the Court, Mr. D. D. Field rose to resume his argument, when Judge Hogeboom repeated his question:—What will become of this money if it is collected of Tweed and Connolly? He regarded this as a very important question in the matter, and what he wanted to get at was, how would the Court be advantaged by having this money collected either by the State or by the Supervisors, and this could only be determined by showing what would become of the money after it was collected.

Mr. Field responded that, as a matter of course, it would go into into the county treasury for the benefit of the county, just the same as any other of the county's money. Counsel pursued this point to show that the county officers did everything required for raising means for county governmental purposes, and then proceeded to show that this money, if recovered, could be used for redeeming the bonds already issued to raise the money which has been wrongfully appropriated. He maintained that the only difference between the county of New York and the other counties of the State was that, the former was required annually to come to the Legislature for authority to levy a tax, and this was the source of all our troubles. He said a tax levy was made up in New York and, after it was brought here, all the known means of corruption were made use of to increase that levy, until we were ground down in the dust by taxation. It was a great hardship—it was worse—it was a cruel injustice on the part of the State to require this of New York. If the State would leave that county to do as other counties are allowed to do, and give it the opportunity to hold its local officers responsible for their action, things would be much better in that county. Counsel read an act of 1864, in which the Supervisors of the county of New York were made the trustees of the property and funds of the county, and asked if there was not ample provision made here for the custody of the money. Counsel closed by saying that the people of New York wanted the privilege of prosecuting these suits themselves. They demand this opportunity as a right, and they will prosecute them and recover, if it is possible to recover, and distribute the money in a proper manner.

THE CASE OF THOMAS C. FIELDS.

The case of Thomas C. Fields, the Mayor, &c., was called. The complaint was that Fields, as a member of the Assembly, promoted the passage of a bill providing for payment of fraudulent claims to firemen, securing to himself a large per centage as fees. John H. Reynolds appeared for the defendant, sustaining his demurrer. Counsel detailed the charges and circumstances on which it was based, and said he could not see how a man could be sued for money appropriated in a bill passed by the Legislature because he, as a member of the Legislature, voted for it. Counsel argued this point at some length, and also sustained the demurrer to the right of the Attorney-General, on behalf of the State, to bring this suit. Mr. Reynolds having concluded, an address prepared by George Ticknor Curtis on behalf of the City Corporation was then read. The address was mainly a demurrer to making the city a party to to this action.

Wheeler H. Peckham then addressed the Court on behalf of the prosecution, detailing all the circumstances of the case.

Court then adjourned until half-past ten A. M. to-morrow. Mr. O'Conor is then to speak to the question as to the right of the State to bring the suit.

CURTIS' ADDRESS TO THE COURT.

The following is the paper which Mr. Curtis read to the Court on behalf of the City Corporation:—

This is an action brought by the Attorney General in behalf of the people of the State, against Thomas C. Fields, to recover certain moneys alleged to have been wrongfully and fraudulently obtained by him from the City Treasury. The Corporation has been made the party defendant. No reason for making the city a party to this action appears on the face of the complaint, excepting such as is contained in the following allegation: That ever since the last-mentioned fraudulent payment to the said Thomas C. Fields, the Mayor, Aldermen and Commonalty of the city of New York, and all their several officers, if any, who might or could exercise any power or authority in the premises, and the Board of Supervisors of the county of New York, and all their several officers, if any, who might or could exercise any power or authority in the premises, have with notice, and full knowledge of such payment and its fraudulent nature, acquiesced and still do acquiesce in such fraudulent misapplication of said moneys, and at all times since such application were and still are colluding and conniving with the said Thomas C. Fields in the fraud aforesaid, and in protecting him from responsibility for the same by any judicial means or remedy. No judgment for any sum of money is demanded by the complaint against the city, and it is not perceived that judgment against the city can be rendered in an action.

CORPORATION COUNSEL'S DEMURRER.

The following demurrer has been interposed by the corporation counsel on behalf of the city:—The defendants, the Mayor, Aldermen and Commonalty of the City of New York hereby demur to the complaint herein, upon the following grounds:—First, that the plaintiffs have not legal capacity to sue; second, that several causes of action have been improperly recited; third, that the complaint does not state facts sufficient to constitute a cause of action against these defendants.

It will be observed that the demurrer in no way contests the right of the people to demand judgment against the defendant Fields. Whether the people have a cause of action against Fields is a question which the Corporation does not desire to litigate in this action. The demurrer interposed by the Corporation is to be understood as simply intended to deny that the State has any cause of action against the city. The counsel for the city and county of New York will, at no distant time, avail themselves of the opportunity afforded by several actions now pending in the First Judicial district, in behalf of both the city and county, against other defendants to make known their views respecting the exclusive right of the city and county to receive money that has been fraudulently abstracted from the public funds of either of those bodies. In the present action we do not wish to be heard upon that question. If it shall be argued or claimed on the part of the Attorney General that the demurrer of the city admits the allegation of collusion and complicity between the defendant Fields and the Corporation or any of its officers we have only to remind counsel that nothing is admitted by the demurrer that was not well pleaded. It is denied that the alleged collusion or connivance is well pleaded. The existence or non-existence of the fact of such collusion or connivance does not add to or detract from the right of the people to maintain this action against the defendant Fields. We have therefore, according to the settled rules of pleading, a right now and hereafter, under this demurrer, and after it shall have been disposed of, to deny, as we do now explicitly deny, the truth of the allegation in this behalf made in complaint, reserving to ourselves the right hereafter to move to strike this allegation from the complaint if we shall be so advised. We submit the demurrer of the city to the Court without further comment.

RICHARD O'GORMAN, Counsel to the Corporation.
GEORGE TICKNOR CURTIS, JOHN K. PORTER, } Associate Counsel.

GOVERNOR HOFFMAN.

How He Intends to Treat the Abusive Attacks Recently Made Upon Him.

ALBANY, N. Y., June 4, 1872.

Governor Hoffman, on being interrogated as to the attacks made upon him by a daily paper in New York city, said that, having been twice elected Recorder of the city, the last time almost unanimously, and having been twice elected Mayor of the city, the last time by an unprecented majority, and twice elected as Governor, the last time by a largely-increased majority, and his official character and integrity never having been questioned, he does not believe it necessary to answer attacks made upon him on the eve of an exciting Presidential campaign. The Governor left Albany today on an official visit to Clinton Prison.

NORMAL COLLEGE.

Examination of Students for Admission.

The examination of young ladies for admission into the Normal College began Monday, and was terminated yesterday. Although the young ladies are now required to be older, and the grade of scholarship has been raised, there were about four hundred and fifty applications. Their attainments seem to have increased with the new demand, as President Hunter says that the beauty and accuracy of their work is unprecedented, and shows very careful training. On Monday they were examined in arithmetic and algebra, and yesterday in geometry, grammar, spelling and reading. The result of the examination will be communicated to the students next Saturday.

THE NEW YORK HISTORICAL SOCIETY.

The New York Historical Society held a stated meeting at the library, corner of Second avenue and Eleventh street, last evening. The announcement of the death of two old and valued members—George T. Trimble and John David Wolff—was made and appropriate resolutions of condolence passed. Rev. Dr. Potter, on behalf of several donors, of which Mr. Wolff was one, presented the society with a watch which originally belonged to Colonel Thomas Johnson, of Maryland, and was presented to him by General George Washington, after which Dr. E. B. O'Callaghan read a paper on "The First Public Library in New York." He said it was in the first City Hall, corner of Wall and Nassau streets, and was a bequest from Rev. John Millington, an English clergyman.