THE HOCUS POCUS

Mayor Havemeyer Undergoing Political Cremation.

Charges Presented to Governor Dix.

He Enjoys the Luxury of a New Sensation.

MATSELL AS AN EXCLAMATION POINT.

The Commotion at Police Headquarters, City Hall and Among the Local Politicians.

TAMMANY ON THE RAMPAGE.

What the Police Board Did Not Accomplish Yesterday.

THE DEADLOCKED FOUR.

Unanimous Action by the Board of Aldermen.

MORE THIMBLE-RIGGING EXTRAORDINARY.

The committees representing Tammany Hall, the Political Council of Reform and several members of the Committee of Seventy, who were appointed to present charges against the Mayor to Governor Dix, arrived at Quogue, four miles east of Westhampton, L. I., on Tuesday evening. The Governor's country seat, called "Seafield," is about three miles from the Westhampton station; and, when the committee found that they had gone somewhat out of their way, a consultation was held whether or not they should call upon the Governor that night. It was finally decided that they should pay him a visit during the forenoon of the next day, and a special messenger was sent to the Governor to notify him of the change of programme. Yesterday, therefore, about nine o'clock in the morning, the committee, which was composed of John Kelly on the part of Tammany Hall and George W. Wingate and Thomas Cooper Campbell as counsel; General Joseph P. Jackson, of the Council of Political Reform, and Henry L. Clinton, representing several members of the late Committee of Seventy, started for "Seafield." The first glimpse the HERALD reporter, who was one of the party, got of the Governor was about three-quarters of a mile away from his cosey cottage, a few rods from the seashore. He wore an old white felt hat, with the rim turned down over his eyes to protect his face against the rays of the sun; a plain brown coat and vest, that hung loosely about him; a pair of pantaloons, which had apparently seen considerable country service, and shoes which were well adapted by their size and general rough construction to carry a man dry shod through the morass that at certain places bordered the little creek which flows tranquilly between "Seafield" and the huge embankments of white sand built up by the sea during a toll of years. The Governor was standing upright in a small boat, which he was managing with one oar and which, just as the reporter hove in sight of him, he had succeeded in mooring in a little inlet surrounded on either side by tall grass. The fact is the Governor was out shooting snipe, and as he lay back in his boat, once he had got it fast to the shore, with his gun resting in the hollow of his left arm, and with his decoy ducks riding jauntily on the waves a few feet away from his little craft, it seemed by the way the seagulls screeched as they flew by, giving the tall grass near the boat a wide berth in their flight, that they knew there would be but small chance for them if they even ventured near the suspicious looking object in the inlet. And true enough the Governor is a crack shot. While the reporter was wondering in his own mind how he could bridge the soft ground that lay between the road and the creek, so as to get within hailing distance of the occupant of the boat, a snipe came sailing along from the direction of the seashore. He was whistling merrily to himself, when of a sudden a corresponding whistle from the boat attracted his snipish attention, and in a foolish moment he deemed it the part of wisdom to veer his flight toward whence it came. He circled about for awhile high in the air, but as if suddenly bethinking himself that he was in dangerous quarters, he turned about to retrace his course. But it was too late; the muzzle of the gun was raised slowly, and, just as the bird had started swiftly away, there was a loud report, and a splash in the water told the story. But to the committee. It was nearly ten o'clock when they all arrived at "Seafield," and when they did arrive they were ushered into the parlor of the cottage, where the Governor, with his usual punctuality, was ready to meet them. Mr. Kelly informally introduced the gentlemen who accompanied him one by one, and soon afterwards the entire party were seated, talking pleasantly about the weather, the sea breezes, everything in general, in fact, and nothing in particular. Finally Mr. Kelly stated that they were a committee of citizens who had called upon the Governor to lay certain papers before him for his consideration. Mr. Clinton then rose, and the formalities of the official call began.

THE COMPLAINT.

Mr. Clinton opened by saying that he and those accompanying him had come to perform a very sad duty. They had come, he said, to prefer charges against William F. Havemeyer, Mayor of the city of New York—a gentleman who, during a long life, had, until lately, enjoyed the confidence and respect of the community. He then continued:—"The duty we have to perform is the more painful, because, during that great reform movement which struck from power a cabal the most infamous, perhaps, of modern times, he was the foremost in it, and the friends of reform looked to him with the greatest confidence and depended upon him to guide us through the reform movement. We deem it an imperative duty, under the circumstances, to prefer charges against him as we would against any one occupying his position whose record had been less pure than we believe his to have been. He has done an act which we think calls for the immediate interference of Your Excellency. The charges which I prefer on behalf of Mr. Watrous, formerly member of the Committee of Seventy, and many other prominent citizens, are quite brief, and I will, with your permission, now read them."

Mr. Clinton here read the charges he had prepared, and which were published in the HERALD yesterday, and then continued as follows:—

"A precisely similar petition is signed by John P. Crosby, Joseph C. Jackson, William Pritchard, C. A. Hand, Benjamin B. Sherman, William C. Barrett and A. A. Redfield. These are the signatures of prominent gentlemen of the Committee of Seventy, of the two political parties, and it is on their behalf I present this petition. I will merely state to Your Excellency that it is of the highest importance, in our judgment, that action be taken upon this matter. I need not, I think, remind Your Excellency that the Police Board is, perhaps, the most important of any department of the city government, and at this season of the year it is of the very highest importance that it should be properly constituted. It is hardly worth while to speak of the evil example set by such a violation of law, and, as we look upon it, of public decency. As a lawyer I have examined into the matter, and have no doubt whatever that under the provisions of the charter as it now stands Mr. Charlick and Mr. Gardner were ineligible for appointment. The charter provides that the heads of departments who may be convicted of any wilful violation of its provisions or of any evasion of them are

FOREVER DISQUALIFIED FROM HOLDING ANY OFFICE

under the city government. These men were convicted of a violation of their duties in respect to the removal of an inspector of election without giving him the notice required by law. These provisions of law, as I understand them, are substantially part of the charter. In one section it is provided that the Police Commissioners should perform the duties required of them by the Election law, and then, in order to make the matter more certain, in a supplemental act passed during the same session a distinct provision was, in so many words, made that they should perform all these duties. As a lawyer I consider that to all intents and purposes it is precisely the same as though that law had been incorporated in the charter. The duties which the Police Commissioners are required by law to perform are imposed upon them in the charter; but, apart from that legal question, about which I suppose you will consult the Attorney General or your legal adviser, a more unfit or unseemly spectacle could not be presented than the appointment of two men to that position who had been convicted of an offence which, as Your Excellency stated in your notice to the Mayor, involved a violation of their official oaths. In my judgment, if there was no other provision of the statute, that of the Revised Statutes, as it is stated in the notice of Your Excellency, providing that those offices should be vacant where the incumbents were convicted of the commission of an offence which involved a violation of their oath of office, would disqualify them, and if the appointing power should restore them to the office that appointing power would hold and would exercise

A VETO UPON THE ACT OF THE LEGISLATURE.

The laws are construed for the purpose of carrying them into effect according to their first meaning. Any construction which should permit the appointing power immediately to restore to office the party who had been ousted would change and nullify the law itself. In this instance it is true that each was appointed to the vacancy caused by the other. It is a simple evasion, and that does not alter the case in my judgment. This petition contains only facts which are true and which cannot be disputed. The documents are proof of the facts, and copies of them are annexed to the petition. I trust, therefore, that, owing to the great importance of the matter, this will receive very early attention at the hands of Your Excellency. I will now give way to other gentlemen who will, sir, present charges embracing a wide scope."

Mr. Clinton, on concluding, sat down, and Mr. Wingate was about to rise to speak, when a servant entered and announced that the messenger from the telegraph office at Westhampton was outside with a despatch for one of the gentlemen. Mr. Campbell went out and soon reappeared with the despatch, which was addressed to Mr. Kelly. The Sachem opened it hurriedly, and a broad grin spread over his good-natured face as he glanced over it. He at once crossed the room and read the despatch to the Governor, which ran as follows:—

NEW YORK, July 8, 1874.

To JOHN KELLY, care of Governor Dix, Westhampton, L. I.:—

Gardner and Charlick resigned last night. Voorhis and Matsell appointed. WM. H. WICKHAM.

The contents of this despatch were a surprise to everybody, and even the Governor forgot his usual reserve and exclaimed, as he unconsciously raised his hands neprecatingly,

"MATSELL! GOOD GRACIOUS!"

"Is there any answer to the despatch?" inquired the servant of Mr. Campbell, after the momentary excitement it had given rise to had subsided. Mr. Kelly replied in the negative.

"Tell the boy to wait," said the Governor, rising. "I have a despatch to send." Five minutes afterwards the messenger was on his way to Westhampton with a telegram to the Governor's private secretary, Colonel De Kay, at Albany, bidding him to come to Seafield on the first train, an indication that the Governor had work to be done quickly, no doubt in relation to Mr. Havemeyer's folly. When the Governor returned to the room after sending the despatch and had resumed his seat, Mr. Clinton arose and said:—

The resignation of these men—Charlick and Gardner—does not, in my opinion, relieve the Mayor in the slightest degree, and as his act is such as, in our judgment, calls for the interposition of Your Excellency, I am free to say on behalf of those I represent and who, I have no doubt, will indorse my action, that the resignation of these men should not make any difference in the action which Your Excellency may take.

TAMMANY CHARGES.

Mr. Wingate rose as Mr. Clinton concluded, and said that he (Mr. Clinton) had so fully stated the law in the case that he would not take up the Governor's time in discussing it except to call the Governor's attention to the provisions of the ninety-fifth section of the charter, which impose a penalty for any wilful violation or evasion of the provisions of the charter, and which section, he claimed, the Mayor had repeatedly violated. "The petition which I present," said he, "is signed by John Kelly, Oswald Ottendorfer and W. H. Wickham, and as the document is in itself very voluminous I will briefly state its contents. It commences by declaring that Mr. Havemeyer is Mayor of the city of New York, and under the provisions of the charter he was required to be active and vigilant in executing the laws and generally to perform all the duties required of him as chief executive officer of the city, and by section 25 he was authorized to appoint Commissioners of Police, and, if necessary, remove them for cause after having given them a proper opportunity to be heard. In pursuance of the power thus invested in him he appointed the Board of Police Commissioners, with the exception of Mr. Henry Smith, who was retained in office by the Legislature. The petition sets forth that an investigation was instituted into the transactions of the Police Board in reference to the Street Cleaning Bureau by a committee of the Legislature which took place in the city of New York and culminated on the 9th of April in a report of the Assembly committee, a copy of which is annexed to the petition, in which it stated that the cleaning of the public streets of the city of New York could only be done by a board of men who could recognize their first duty to be

JUSTICE TO THE PEOPLE,

who would preserve a system of economy which that Board had not done, and that a permanent improvement could only be expected by a reconstruction of the Board of Police. On the application of John Kelly, John W. Chanler, Hugh Taylor and John Stevenson, and others who represented the Council of Political Reform, an examination of Mr. Charlick was commenced before a Judge of the Supreme Court, it being alleged that during the summer and fall of 1873 Charlick and Gardner had violated various provisions of law in regard to the election and in violation of their duty. The testimony taken in that examination and that advanced in the legislative inquiry were published daily in the newspapers, so that the public was well informed of it and the Mayor must have known it. We claim, sir, that the facts developed on each of these proceedings made it the duty of the Mayor, in fulfilment of the obligations of his oath of office, to cause an immediate investigation to be made and to remove the parties accused from their office if sufficient facts were disclosed to warrant it; but, in violation of this duty, he refused to take any steps in the matter or to remove the officials who were implicated. On the 20th of April the Board of Aldermen, having the matter brought to their attention, passed a resolution, in which they embodied the substance of the charges to which I have referred, and they called attention to the fact that it was most important that a change should be made in the Board of Police, and that the city should be relieved from the disgrace of their official existence. They requested the Mayor to remove these men and reconstruct the Police Board by nominating men whose characters would be a guarantee of the faithful performance of their duties. The resolution was transmitted to the Mayor; but, instead of taking any action in the premises, he sent a reply, dated May 4, in which he objected to taking any action, on the ground that he knew nothing of an official character upon which to proceed and that no specific charges were preferred against them. He stated that these proceedings before the legislative committee were of such a partisan character that they did not command his confidence, and that they were too much of a political character to receive the confidence of the community. He then added that if charges were made on the subject and if they were prepared to substantiate them he would at once enter into an investigation as to the management of the Department. On the receipt of this communication the Board of Aldermen appointed a special committee, consisting of Messrs. Ottendorfer, Cooper and Gilon, to consider the matter, and they prepared a most elaborate report, in which they censured the action of the Mayor. They took issue with him upon the position he had assumed; that he could not take any official action on the former proceedings, and they claimed, as we insist, correctly, that it was his duty to maintain a supervision over the heads of the departments, and when any matters were brought in any way to his notice, affecting their integrity, to investigate them; and that it was entirely idle for the people of New York to complain that their rights were infringed upon by the Legislature in Albany, if the heads of the city government itself would refuse to investigate charges of this description, or to see that the interests of the people of the city were preserved. But, in order to satisfy him in regard to specific charges, they drew up a long series of specific charges based on the facts developed in the examination of Charlick. In these they set out by alleging that by a combination between Smith, Gardner and Charlick against Duryee and Russell, and in violation of law Charlick and Gardner were appointed a special committee for the purpose of appointing inspectors at the last election; that these two Commissioners appointed all the inspectors and excluded Russell and Duryee from any knowledge as to who were to be appointed. Charlick appointed all the democrats and Gardner all the republicans, and although the law required that the inspectors should be appointed by the Board of Police during the months of August and September, this committee never even reported the names of the parties they appointed until the 21st of October, two weeks after the men had commenced their duties as inspectors of registration. This was also a distinct violation of the provision of the Election law, which says that the inspectors shall be equally divided between the political parties, and that the inspectors of the political minority shall be named by the Commissioners of Police belonging to that party, and therefore Mr. Russell ought to have been consulted in regard to the inspectors of his party, and both he and General Duryee ought to have been allowed a voice in regard to the appointment of all the inspectors. Prior to the election and on that day a large number of removals and appointments were made by Charlick which never came before the Board until the 10th of November, and they were confirmed by these men against the protests of the others. They charged that Charlick removed inspectors upon false accusations, without the knowledge or consent of Russell and Duryee and without giving to the inspectors removed the notice prescribed by law; that these removals took place mainly in the Eighteenth Assembly district, in order to place it under the control of

PARTIES INTENDING TO COMMIT FRAUDS

in that district, and they recited the cases of four inspectors, Walsh, Hughes, McCarthy and Sheridan. These men who were removed on false charges, on forged papers, all without exception were democrats, and those appointed in their places were men belonging to the Apollo Hall party, and those who were removed were removed without the conditions imposed by law being observed. All this was a violation of the law, for the law declared that no inspector should be removed except when on duty of registration or election, and without written charges being preferred against him. In the paper they sent to the Mayor one of the charges made against these men was for removing Sheridan—the very offence for which they were subsequently tried and convicted. This committee also charged these three men with having arranged that fraud should be committed in a certain election district, and as a cover for that fraud having sent out a telegram directing that the watchers at the election should be kept outside the railing. By law it is provided that each candidate shall designate a watcher, and that it shall be the duty of the police to make way for him to the inspectors, and to allow him to remain so near to them that he can see the votes are honestly canvassed and the returns properly made out. As the railing was so far from the inspectors that nothing could be seen from it, the telegram in effect amounted to an order to prevent them from performing their duties, and its result in many instances was to promote fraud in the counting. Therefore the committee stated it was the imperative duty of the Mayor to suspend and remove the Commissioners guilty of these acts, and who were responsible for the general demoralization which had crept into the discipline of the Police Department. This report of the committee was adopted by the Board of Aldermen, and a resolution to the effect was adopted and sent to the Mayor. On the 4th of June the Mayor sent a reply to the Board of Aldermen, in which he stated that he had read all the testimony taken upon the examination of Charlick, as well as the report of the committee, but he still assumed that even these charges were of no account, and stated that the Board had declined to make specific charges against them, though nothing that I know of could be more specific than the charges entertained in the report. He concluded, however, by saying, "My entire duty in the premises I shall perform; and, as you fail to take advantage of the invitation extended by me to prefer charges and give facts, I shall direct that a fair investigation be proceeded with under my immediate supervision." Mr. Wingate then went on at considerable length to explain the other charges preferred against the Mayor, and concluded by calling upon the Governor, in the words of the petition, to remove him from office.

THE REFORMERS' PLEA.

General Joseph P. Jackson, who represented the Council of Political Reform, next addressed the Governor briefly. He said that he had come, at the urgent request of many of the members of the Council, to urge upon the Governor the absolute necessity for the removal of the Mayor. He was sorry, he said, to have to make such an appeal against one who had been associated with the reform party; but as he had offended grievously against the law he felt, and those whom he represented felt, that duty to the people demanded that they should set all personal considerations aside and demand that justice should be done. Mr. Havemeyer, he said, had been elected by men of both parties, who elected him in the hope that he would have an eye only for the public good; but how disappointed they were now in the man of their choice needed no argument to make plain to even his best friends; for men of all parties were now arrayed against him, and the entire community was almost as one man in their demand that he should be made to suffer for his violations of the law. He had betrayed the sacred trusts that had been confided to his keeping and he should pay the penalty. The General then closed by saying that the resignations of Gardner and Charlick the evening previous, and the appointment of Voorhis and Matsell in their places, were a confession of guilt and an attempt to escape the consequences of his wrongdoing. This last act of his did not alter the case, in his opinion, and the Governor, he hoped, would act in the matter independent of this piece of small trickery.

The charges were then formally handed to the Governor, and as the gentlemen rose to leave he said:—"I will take these papers and act upon them at once without any unnecessary delay. I have looked at the laws bearing on the matter cursorily, but I will give them a thorough examination, and you may rely upon prompt action on my part."

This ended the interview of the committee with the Governor, and at half-past three they left the little station of Quogue for the city.

WHAT JOHN KELLY SAYS.

A boy with the evening papers from New York got on board of the train on which the committee who had called upon the Governor were returning. Of course they were in active demand. Mr. Clinton exclaimed, "Well, what do you think Havemeyer has done now?" John Kelly gave up the conundrum, and so did the whole party for a while. "Gone and hung himself," said one finally. "Appointed Reddy the Blacksmith Chief of Police," ventured another. "Asked for admission into Tammany Hall," exclaimed a third. Then came the explanation, which was Gardner's appointment as Excise Commissioner.

At first this news was greeted with a laugh all round, and a few refused to believe it until they had looked at the papers themselves. Then there was no laughter, and each one looked at the other as much as to say, "What next?" The HERALD reporter got into conversation about the appointment with Mr. Kelly, and the latter said:—"Now this is extraordinary. It is only adding fuel to the flame, and it looks as though the Mayor intended to do all in his power to make his conduct in this Police Commission business more and more inexcusable. I cannot see what he is driving at. Personally he certainly can gain nothing by the course he is taking. It would appear that all he cares to do is to gratify his several whims and fancies and spites, no matter how the feelings of the community are outraged by his action. He knows, he must know, that the people are fearfully in earnest about this matter of reappointing men who have been convicted of a violation of the laws, and he has been given good legal advice not to do just what he did a few days ago. If the people wanted Gardner reappointed and there was no law in the way I could easily understand his determination to keep him in power somewhere; but the man is not only not indispensable to the public weal, but is absolutely considered by republicans and democrats alike as unfit for a public trust. He and Charlick made for themselves a name as Police Commissioners which was not made any more brilliant by the revelations during their trial; and yet, in defiance of every wish of the community, he seems anxious to fight the people themselves. This question of his wrongdoing is not to be looked at as a partisan one; for, as you must have seen to-day, some of his old associates on the Committee of Seventy have placed their names to the petition drawn up by Mr. Clinton, and good republicans are as earnest in their determination to have him punished as are democrats. This appointment of Gardner to the Excise Commission, as I said before, only makes matters worse for him; for if he was ineligible to the Police Commission after his conviction he is ineligible to any other office."

Mr. Clinton and General Jackson concurred in these views, and stated that the Mayor, in his eagerness to show his spite, had made his case all the blacker for himself.

THE POLICE BOARD MEETING.

Plodding along the public highway the patrolman ponders on the situation. After much musing and endless speculation he adjudges it mixed. So do the public and all the other patrolmen that go to make up the Police Department. The rank and file are evidently tired of the present state of things, and there is no question of the opinion of the people on the subject. Mayor Havemeyer has been called the man of many surprises, and he has certainly done a good deal toward earning the distinction recently. His last *coup de main*, as a surprise, was perhaps the most successful of his reign. People imagined that they had got to the bottom of the police intrigue, and it only remained to allow the combatants in the official arena to fight it out. They would not war as the Mayor wished and he swept from the scene one entire

LINE OF BATTLE

to replace it with fresh combatants. Such a turn in events was not only unexpected but remarkable, and the expression it has created is, to say the least of it, profound. One of the most cunningly diverting features of the affair is that no one was more astonished than the gentlemen belonging to the forces opposed to the Mayor. To produce such effects as this the very genius of the cap and bells is necessary, and if the artist only possesses the requisite quality of enjoyment for the sport he makes the Mayor's secret merriment must be intense. As must always be the case while the world wags, some must weep while others laugh. Just now the chuckle is all in the Police Board; the patrolmen and the taxpayers do the suffering.

THE POLICEMAN

unlike many other servants of the city government, has earned his money, and with that belief firmly rooted in his mind the conviction that he ought to get it begins to dawn faintly upon him. Citizens seem to have a suspicion gentlemen are not put into high places entirely for their own aggrandizement; but the citizens are wrong in this, as the situation so plainly shows, and will learn better if they only patiently watch events. When the Mayor reappointed Messrs. Gardner and Charlick to the Board of Police he meant to restore them to their old places. Some rumors of opposition to this latter part of the arrangement reached his ear, but they were shut out as unworthy of attention. No one would certainly oppose the Mayor's desire in such a matter as that, and most certainly not any one who was so lately bounden to him for very particular favors. Accordingly Messrs.

GARDNER AND CHARLICK

went in, and just as certainly came the opposition. While they were out, and the question of their probable reappointment was being discussed, the opponents of the Mayor were at the men in office and working out their own ends. It was shown, and conclusively, too, that as an instrument his usefulness had ceased. His term of office was short, and he was most assuredly going into the deepest, darkest oblivion. In the political world he would leave no landmarks, and in the mind of the community he would always be remembered as the funny old man. No serious consequences need be entertained of such influence, and it was always well to take time by the forelock and make hay while the sun shone. Counsel like this falling into ever open ears most willing to hear, produced its fruit, and now the people are treated to the spectacle of four public officers arrayed in pairs against each other to secure personal ends, with the burly form of the Mayor, boiling with indignation, standing between.

THE MAYOR IS NOT MAD

because they won't agree, elect a president and treasurer, transact the business of their places, and pay off the needy men, but because they won't do what he wants and agree to suit him. During the meeting of the first four the classification of the two forces might be permitted in the absence of a better, as the two forces have started in different boats, pulling for the same stake. After the reappointment of Charlick and Gardner, when they got together for the purpose of organization, the Mayor arrived at the Central Office. He quite expected a happy termination of all difficulties, it was said, because he had read the riot act to the dissenters the day previous. He had counted without his host, however, for the meeting was adjourned without anything having been gained in the way of organising the Board.

A LONG CONSULTATION

was held in the Superintendent's office between the Mayor and Messrs. Charlick and Gardner, and the latter gentlemen there and then relieved the Mayor of all further trouble in their case by resigning their positions. He at once decided to send two of the strongest men of his acquaintance to fight the warriors in the Board, and he determined to appoint Mr. Matsell and Mr. Voorhis. On leaving Mr. Matsell's office the Mayor met the then Superintendent. He said to him, "Are you coming up to the house?"

"Not to-night," answered the Superintendent. "I am rather fatigued, and will go home."

"If you don't come up to the house," said the Mayor, "how can I swear you in?"

"Swear me in!" repeated the Superintendent. "Ain't I sworn in already and in harness?"

"I mean as Commissioner; I want you to go up stairs and take your club with you."

The Superintendent laughed, and the Mayor ejaculated—

"COME WITH ME."

They went to his house. Mr. Voorhis was sent for and both were sworn in as Commissioners of Police and handed their written appointments to those offices. It has been hinted, and is more than likely, they were also treated to lager, but the fact has not been sufficiently distinctly stated for positive assertion. Mr. Voorhis having, up to that moment, been a member of the Board of Excise, might, through delicacy, have declined the beverage, but the same excuse could not hold good in Mr. Matsell's case if he were at all inclined towards the frothy beer, though he does not look like it. Later in the evening Mr. Gardner called at what ought to be the municipal palace and was appointed to the Board of Excise. Towards eleven o'clock at night rumors of what had occurred reached Police Headquarters and then travelled through the city by

UNDERCURRENTS AND PRIVATE VEINS.

Amazement sat upon the public brow yesterday morning when the intelligence appeared in print, and uncertainty hung in every mind as to whither things were drifting. A sigh of relief went out from the people's breast when it was seen the one great difficulty had been removed, and the mind-jaded population began to hope in the future. The day already born, which seemed pregnant with calm and happy peace and solution of the difficulty, died shrouded in the same veil of trouble, and was buried in the continued chaos. Mr. Matsell was at his office early, and received large numbers of friends who went there to congratulate him on his promotion. He did not appear to too much relish his advance and was evidently leaving his Superintendent's chair with regret. Towards eleven o'clock Commissioners Disbecker and Duryee arrived at the Central Office. They always move in concert. A short caucus was held with the newly appointed Commissioners and they left the building, they said, to consult their friends. An agreement, however, had been entered into to meet at three o'clock and endeavor to organize the Board. They had no sooner gone than the floating political population got cast up on the scene and spent the time—it seems never to have anything else to do—in discussing the situation.

"How is it going to be?" queried one.

"No organization, sir, Disbecker is gone down to consult Van Nort, his backer, and you will see he returns with instructions to hold out," answered one of the crowd.

"HOW ABOUT DURYEE?"

demanded the first speaker.

Several attempted to explain this as a matter of easy solution, but in the midst of the Babel of opinions a pale-faced gentleman, with a long nose and very unruffled exterior, said quietly, "Do you really wish to know how Duryee stands?"

"Certainly we do," sprung from a bunch of throats.

"Then I'll tell you—mind, as a secret."

"All right, all right," shouted the bunch, "we'll keep it."

"We're all society men here and can depend upon each other."

"Yes, we are."

"And no reporters present?"

"Only one. Go ahead."

"Then, gentlemen—hush! ah, that's nothing. Then, gentlemen, Duryee is going on as he has gone on. What's that? Ah! He is bound hand and foot to Disbecker in writing, before witnesses, under oath, and must go as he is told. You can now go home. We understand the situation." The pale faced took a cigar from his waistcoat pocket, a match box out of his coat back pocket, took out a match, bit the end off the cigar, struck the match, lighted the cigar and moved away without once looking at the crowd he had so much astonished.

"Who is he?" they asked, in a breath.

No one knew, but they watched his slow retreating figure with an interest rarely seen in the countenances of such men when they were not

LOOKING FOR PLACES.

"He's well posted," said the first speaker. "You bet," chorused the bunch. "Five minutes ago I heard the same thing," said each one, and the information seemed of such weight that they went off to digest it in solitude. At three o'clock Commissioners Disbecker and Duryee returned to the building. Commissioners Matsell and Voorhis were sent for, and the four went into session. As soon as they were seated Commissioner Duryee proposed Commissioner Matsell as Chairman. He was accepted and took the chair. General Duryee then presented the following preamble and resolution, which were read:—

Whereas a vacancy in the offices of Police Commissioners of the city of New York lawfully occurred through the resignation of Oliver Charlick and Hugh Gardner, and to which were appointed George W. Matsell and John R. Voorhis by His Honor William F. Havemeyer, Mayor of the city of New York, George W. Matsell to be a Police Commissioner in place of Hugh Gardner and John R. Voorhis in the place of Oliver Charlick, and that the said George W. Matsell and John R. Voorhis took

THE OATH OF OFFICE

in pursuance of the statute in such case made and provided; and whereas there being no President of the Board of Police nor Treasurer for the purpose of organizing the Board, it is

Resolved, That the Commissioners of Police now proceed to choose one of their number to be President of the Board of Police, and that immediately thereafter they proceed to choose one of their number to be Treasurer of the Board of Police.

The document was passed and handed to the Chief Clerk, Mr. Hawley. Commissioner Duryee then moved that Abraham Disbecker, Commissioner of Police, be appointed President of the Board *pro tem.*, to discharge the duties of President of the Board of Police until the appointment of a regular President. The vote on the motion being taken it was found to be lost, Matsell and Voorhis voting no, Duryee yes. Disbecker did not vote. Commissioner Voorhis moved that the Commissioners proceed to elect a President. Agreed to. Commissioner Duryee moved that Commissioner Disbecker be made President. Motion lost—Matsell and Voorhis voting no, Disbecker and Duryee yes. Commissioner Duryee then moved that

THE ELECTION OF PRESIDENT

be laid over until Friday next. All assented to the proposition.

Commissioner Disbecker moved that Commissioner Abraham Duryee be made Treasurer. Lost, by the same vote as before.

Commissioner Disbecker then moved that when the Board adjourn it adjourn to meet on Friday next, at eleven o'clock.

All voted in the affirmative.

Disbecker again moved that Commissioner Duryee be made Treasurer.

Motion lost by the usual vote—Matsell and Voorhis yes; Disbecker and Duryee no.

Commissioner Voorhis moved that the vote taken to adjourn to Friday next be reconsidered.

All assented.

Commissioner Matsell moved that the Board adjourn.

Voorhis, Matsell and Duryee voted yes; Disbecker no.

THE BOARD THEN ADJOURNED,

and the news fled on gossamer wings. No arrangement had been arrived at. Discontent both bitter and deep prevails in the department. The men are complaining loudly. Many of them have large families and cannot afford to wait so long out of their money. They are trusted to a certain extent by the grocer and baker, but these latter being mostly struggling men they require their money when the time arrives to expect it as much as the patrolmen. The public is treated to the singular spectacle of an organized body with a disordered head; but how long the body will continue to remain unaffected by the head is a question the Commissioners of Police themselves could not answer at this moment.

THE THIMBLE-RIGGED EX-COMMISSIONER.

Mr. Gardner went to his new place in the Commission of Excise yesterday. He did not take any part in the administration of the affairs of the department, but merely put in an appearance as a Commissioner. It is understood some points of law have been raised as to the validity of his position, and he will await a full investigation into the matters suggested before taking any active part in the administration of the department.

ACTION BY THE ALDERMEN.

It being generally known throughout the city that a call for a special meeting of the Board of Aldermen had been called for yesterday to take cognizance of resolutions looking to the impeachment of Mayor Havemeyer for his actions in connection with the reappointment of Police Commissioners Charlick and Gardner, the excitement in and around the City Hall during the entire day was intense. Long before the hour of meeting the corridors of the City Hall were occupied by an anxious crowd which towards the appointed hour (two o'clock) kept surging towards the chamber of the Common Council.

An immense lobby membership had congregated outside of the railing, and even the reporters' tables were encroached upon by the sightseers. All manner of speculations were indulged in. Some believed that the intended censure would be dropped, owing to the Mayor appointing two other Commissioners, while others held that the Aldermen felt terribly outraged, and, notwithstanding the Mayor's contrition, they were bound "to go for him," if only for luck.

Punctually at two o'clock the "grave and reverend seignors" of the Common Council filed in and took their seats. Each City Father looked solemn as he filed into the enclosure, and, no doubt, felt that a great responsibility rested upon him. With bated breath the large concourse awaited the developments about to occur.

Generally it was pretty well understood that resolutions denouncing the Mayor's action in connection with the Police Commissioners would be proposed, but the tenor thereof remained a mystery until the Clerk had read them aloud. Even then one reading did not seem to suffice; they were read the second time and *seriatim* when it came to take action by vote.

Mr. Samuel B. H. Vance, the President of the Board, being an interested party, considerately stayed away. At the hour of meeting the following members answered to their names:—Aldermen Billings, Cooper, Falconer, Flanagan, Gilon, Kehr, Koch, Ottendorfer, Reilly and Van Schaick.

Alderman KOCH moved that owing to the absence of Mr. Vance, President of the Board, Alderman Billings take the chair; which was so ordered.

General PINCKNEY, the Clerk of the Board, read the call by which this meeting was convened. The minutes of the last meeting were read and approved.

Under the call for motions and resolutions, Alderman Oswald Ottendorfer sent to the Clerk's desk the following preamble and resolutions:—

Whereas His Honor the Mayor, whose duty it is made by the charter to be vigilant and active in causing the ordinances of the city and the laws of the State to be executed and enforced, although his attention has repeatedly been called by resolutions of this Board, stating the reasons therefor, to the necessity of the reconstruction of the Board of Police, has persistently refused an investigation into the complaints made against the Police Commissioners; whereas the Grand Jury of the city and county of New York considered it their duty for the protection of the welfare of the community to investigate some of the charges made against the Police Commissioners, in consequence of which four indictments were found against Oliver Charlick and Hugh Gardner, Commissioners of the Police Department; whereas the said Police Commissioners, when tried in the Court of Oyer and Terminer of the city and county of New York on one of those indictments, were convicted of a misdemeanor, involving the violation of their oath of office, and the Governor of the State of New York, being advised of such conviction, gave notice to the Mayor on July 1, 1874, that, in accordance with the provisions of the Revised Statutes, the offices of the convicted Police Commissioners were vacated; and whereas Mayor William F. Havemeyer has attempted to reappoint, on the 2d day of July, 1874, the convicted Police Commissioners Oliver Charlick and Hugh Gardner as members of the same Board from which they were expelled by virtue of the laws of the State—trying by a trick to evade the flagrant violation of the law thereby committed by appointing Oliver Charlick in the place of Hugh Gardner and *vice versa*; be it therefore

Resolved, That we deeply deplore the action of Mayor William F. Havemeyer in relation to the Police Commissioners Oliver Charlick and Hugh Gardner, in first declining, under the pretence that specific charges must be preferred, to investigate the complaints raised against them, and then, after the Grand Jury and the Court of Oyer and Terminer have performed the duty which by the charter devolved upon the Mayor, and indicted and convicted the accused, in defying the spirit if not the letter of the law by their reappointment, thus depriving the community of the protection the law intended to grant against the malpractice of unfaithful public officials and degrading the public morality by the lamentable spectacle of seeing the first executive officer of our city assuming the *role* of the victims of the criminal courts.

Resolved, That we earnestly request His Excellency Governor John A. Dix to prevent the spread of the pernicious influences created by the above enumerated facts, which threaten to sap the foundation of the sense of law and order in our populous community by exercising the power confided to the Governor by section 25, chapter 335, Laws of 1873, and to suspend and remove Mayor William F. Havemeyer in accordance with the requirements of the provisions of the above cited law.

Alderman REILLEY moved the adoption.

Alderman KOCH desired to have them read again, which was done.

Alderman KOCH then said "he believed that all the matter contained in these preambles and resolutions was true. The Mayor had erred, and if it had not been of too grave a nature he might overlook it; but he erred too much. The Mayor had prepared a dose of medicine for the people in which was too much vinegar, and his constituents could not swallow that medicine. Let the Mayor be deposed, and when our President, Mr. Vance, is Mayor, his actions will be approved by all the community."

Alderman OTTENDORFER—Mr. President, it is not only with reluctance and with deep sorrow, but impelled by a sense of duty, that I have offered the preamble and resolutions now before this Board. It is a very serious matter to request the Executive of the State to remove the Chief Magistrate of this city. But his recent actions have made it a case of necessity, and the time has come when this must be done. On the moral aspect of the case there can be no difference of opinion. Every dictate of morality and decency has been violated. What is to become of us if the evil example of the Mayor, by foisting upon us men convicted in our Courts for responsible positions, is allowed? I deem it my duty to protest for myself and those I represent against continuing the Mayor in power, and trust that all the members present will cast their votes for the resolutions.

Alderman KEHR followed Mr. Ottendorfer by saying "that he would deem it a neglect of duty, if he allowed this opportunity to pass without making a few remarks. No one in the city had done more nor exerted more energy with the German people to elect Mayor Havemeyer than himself, and never were people so cheated in their candidate. His duty as a citizen was to uphold a republican form of government by the people. He had lived many years under monarchial governments. Even there the wishes of the people were treated with respect. But he never saw such autocracy or "personal" ruling and tyranny as practised by Mayor Havemeyer. He owed it to the people of New York to maintain the purity of their government and not have a dictator ruling over us. He would vote, when the resolutions came properly before them, in favor of adoption.

Alderman VAN SCHAICK stated "that in this Chamber he heard of the preamble and resolutions for the first time. While he fully agreed with the remarks of his friend Alderman Ottendorfer, still he, for one, advised not to act rashly or hastily in this highly important matter. He suggested this course on account of his personal relations with the Mayor, extending as they did over a period of twenty years. No personal relations would deter him, however, from doing his duty to the public. He therefore moved to lay the subject over until the next meeting, which will take place on Friday, and to make it the special business of the day.

Alderman COOPER seconded the motion, and, in justification, said "that he had been out of town and knew nothing of this whole arrangement. This was a subject which affected the Chief Magistrate of this city, and should be well weighed before acted upon. Besides that, several prominent members of this Board are absent, and he would like to see their votes recorded on this matter. He hoped that the signers of the resolutions would not press a vote for these considerations. Better have them printed," he said, "so that they can be better understood."

Alderman OTTENDORFER replied that "the subject under consideration was not only agitated by members of this Board, but by every citizen of this city. If, however, it is the wish of the majority to lay over he would not force action now."

A motion was adopted to separate the preamble and resolutions and take a separate vote on each.

The motion to lay over was lost by a vote of 6 to 4, viz.:—Affirmative—Aldermen Billings, Cooper, Falconer and Van Schaick. Negative—Aldermen Flanagan, Gilon, Kehr, Koch, Ottendorfer and Reilly.

Alderman FLANAGAN moved to take up and act on the first resolution.

Alderman Cooper was called to the chair, and Alderman BILLINGS in his seat said that it was no more than right to ask for a postponement until Friday. There were two views to be taken of the subject—the moral and the legal. As a lawyer he naturally took the moral. The moral aspect is decidedly very bad every way, but the other aspect is not so clearly bad. He now believed in the propriety of taking a separate vote on the preamble and resolutions. He was afraid partisanship might enter into the matter. He regarded it with great sorrow that an occasion should have occurred for a vote of censure to become necessary. He had been absent from the city for the past ten days and knew very little of what was going on here. He hoped his colleagues would not act hastily. Two short