TWEED'S APPEAL.

CONTINUATION OF THE CASE—THE COMSTOCK LODE EXHAUSTED—CUMULATIVE PUNISHMENTS UNJUST TO CUMULATIVE ROBBERY—"AN AVALANCHE OF JUDICIAL TERRORS."

ALBANY, March 25, 1875.

In the Court of Appeals to-day Judge George H. Comstock, counsel for William M. Tweed, resumed and concluded his argument. He proceeded to discuss the question of joinder of offences and accumulated punishments. He said:—

The argument in favor of the accumulated sentences pronounced in this case is founded mainly on the assumed doctrine that a minor offences, especially misdemeanors, may be lawfully united and tried in one indictment. From this postulate the conclusion is drawn that as many punishments as there are counts or offences may be imposed, and in order to make them effectual it is further claimed that one punishment may be pronounced, to commence where a previous one pronounced at the same instant terminates, and so on *ad infinitum*. How came the law to wear an appearance plausible enough to deceive incautious minds on this point? This question can be answered—First, it has never been doubted that as to both felonies and misdemeanors an indictment may contain a plurality of counts setting forth the same offence in different modes to meet the possibilities of proof and this proposition includes any one crime under different definitions, or as consisting in different degrees, according to the facts of the transaction. The obscurity in the statement of this doctrine by text writers, and sometimes by judges who have not looked beyond text books, has led, perhaps, to some obscurity in the law itself. How often it happens that the Judge himself does not measure the import of his words and want in mountains of error often arise upon one man's inconsiderate use of language! Indeed, without much care and circumlocution of phrase, it will be found by any one who will try quite difficult to express the full legal idea of the joinder of offences in different counts, so as to include all modes of stating one criminal act without using words so broad as to include apparently more than one criminal act. Again, at common law there was one difference in the administration of criminal justice in felonies and misdemeanors. In felonies, which were mostly capital offences, the prisoner had a right of peremptory challenge, and this was given as a sufficient reason why a plurality of felonious crimes could not be united in one indictment and tried at one time, and so it came to be loosely said that misdemeanors could be joined because that reason against the practice did not exist. (Vol. 1 of Chitty on Criminal Law, pp. 534, 535, marginal.) But there was another reason given, quite as cogent, why distinct felonies could not be joined—to wit, that the joinder would confound the prisoner and would confound the jury. This reason was always the same, both as to misdemeanors and felonies, and now there is no difference whatever, because the right of challenge is now and with us the same in both classes of crime.

Judge Comstock dilated considerably on this branch of the subject, and then took up the question of jurisdiction in denying peremptory challenges, and then passed to the unity of the offence.

THE FOURTH COUNT.

Judge Comstock then took up the fourth count, in each class said to be a count for misconduct in office relating to the same matter as the other three counts, and he claimed that if official misconduct and neglect were distinct and different offences in the judgment of the law, there was a fatal repugnancy of counts throughout the whole indictment. To this he cited numerous authorities, but the counsel denied that there was any such distinction and proceeded as follows:—I started with the proposition that all the counts set forth but one and the same offence, and showed clearly enough, I suppose, that this is as true as to the first, second and third counts in all the classes. In the consideration of the fourth count we have been led aside in order to remark upon a supposed difference of offence from another offence founded on some difference in the statement of the same identical matter, and we have pointed out the consequences of that theory of the case. We have now to say that such is not our theory, and we think it was not the theory of the trial, the verdict or the judgment. A different view will present itself if we look at the jury and the Judge from the charge of gross and total inconsistency by presenting all the counts as in harmony with each other and as setting forth the same offence.

The following points are distinctly embraced in the charge of the Judge, as contained in the bill of exceptions, that the laws of 1870, imposing the duty on the Board of Auditors, required them to act in joint meeting; that they could not act officially otherwise than in such joint meeting, and that their signing certificates of audit without a joint meeting and consultation upon the several claims was not official action. They were guilty of the offence of neglect if they did not so meet, although they certified the claims. (Bill of Exceptions, pages 725, 726 and 727.) As a matter of fact the Judge charged in substance and effect that the auditors never met but once, to wit, May 5, 1870, when they completed the duties of their position by the resolution of that day. They never met to audit any claims. This question of fact was left to the jury, although the Judge told them that all the evidence pointed to the conclusion stated; and this was true as he stated, for such was the proof that, even if the auditors did meet together as a board, officially pass upon and certify the accounts, yet it was their duty carefully to scrutinize the accounts to see if they were correct, and the failure so to do constituted the offence of neglect. (Bill of Exceptions, page 732, folio 2,927; page 744, folio 2,955.) On these propositions the jury were told they might find the defendant guilty on all the counts for neglect. No one can fail to see that the last of these propositions covers the entire ground of the fourth count also. It is to be carefully kept in mind that all the counts are for misdemeanor, and that none of them make any charge of embezzlement or misappropriation in any form of the public money. It is true that the evidence and the charge wandered diffusively into that subject, but nothing of that sort was the actual subject of the trial. Such evidence must have been allowed merely to intensify and aggravate the offence charged, or to make it plainer that the non-auditing of the accounts or the false auditing was corrupt. But the offence itself is governed by fixed legal standards. If an offence of this nature runs into embezzlement or larceny it becomes merged in a greater crime, for which the laws provide punishment. The Judge also charged upon the fourth count as distinguished from the others, but save and except dwelling somewhat more in detail upon the extraneous evidence as to the alleged misappropriation of the public money. This part of his charge differed in no respect from the other—that is to say, he laid down no different rules for the guidance of the jury in ascertaining whether the offence charged in the fourth count had been committed. The jury seem to have been greatly perplexed about the fourth count and twice came in for further instructions in regard to its meaning. The final instruction (p. 764) defined the count so as to bring it precisely within the rule the Judge had before laid down in regard to the counts for neglect; that is to say, expressing it in few words, he characterized the offence under this count as an official auditing and certifying of false claims without examining them and knowing them to be false. This he had already said with great exactness constituted the offence of neglect; the theory, then, of the trial was that a faithless and corrupt discharge of an official function is, in the view of the criminal law, the same thing as, or at least is included in a wilful neglect to perform official duty, that duty being fidelity to a public trust in the largest sense. This is a correct theory if we understand official duty to require not merely the perfunctory doing of an act, but the doing of it with intelligence, care and integrity. It is a correct theory, because the neglect of a public duty, so understood, includes every species of infidelity to the trust. This is the only view which can relieve the prosecution from a hopeless and fatal inconsistency in the indictment, the trial, the verdict and the judgment. It explains the rulings in the course of the trial, when the counsel for the accused claimed that a conviction could not be had both on the fourth and the other counts in the indictment on account of their repugnancy to each other. He ruled that the conviction could be had on both (pp. 180, 181, fol. 719, 722, p. 755, fol. 3,018) and this can only mean that all the counts in each class cover only one and the same offence. Indeed, the learned Judge said this in very exact terms when he came to pronounce the judgment of conviction after verdict.) We yield to the force of this proposition because it is reasonable and seems to accord with the common law, which places official misconduct and neglect of duty in the same category. (1 Russell on Crimes, 125.)

THE RULE OF THE ARGUMENT.

We reach, then, the conclusion that all the counts in this indictment described only a single offence, which is the wilful neglect of the duty of a public officer, or unfaithfulness to a public trust. To recapitulate the processes leading to this result—First, all the first counts of each class are for one offence; second, the second, third and fourth counts of each class are for the same offence as the first count; third, this establishes the unity of the classes, the unity of the counts of each class, and, therefore, the unity of the whole indictment. And herein we think is the solution of many questions in the case. In this way we learn that the people have not presented a citizen for a great number of offences in one indictment, in violation of their own law of procedure and in a manner never before heard of. In this way we can understand the events at the trial without imputing the grossest errors to the Judge, such as the denial of the right of peremptory challenge, the refusal to compel an election, the denial of the motion to quash the rulings that a verdict might be had on all the counts and the final charge to the jury, all is consistent and harmonious. The accused person, although he might well be confounded with the prolixity of an indictment which has no precedent, was placed in no peril of conviction or punishment for more than one offence until the jury were discharged, when the accumulated sentences of the Judge fell upon him in

AN AVALANCHE OF JUDICIAL TERRORS.

A wonderful work is the indictment, the trial and the judgment in this case! What marvellous ingenuity, what subtle refinement in the division and subdivision of one idea in the 220 counts! How exquisite the performance of procuring the verdict on all the counts under fair and plausible pretences that only one punishment was intended, and then the humane and lenient—so it was called—contrivance of reducing 220 offences to only fifty-five by a fresh manipulation of the same single idea! The defect in this curiously artistic work is its gossamer material, which vanishes away as soon as you pour upon it the light of analysis.

ART SALE.

There was a large assemblage last night at the Somerville gallery, at the closing sale of Mr. Gandy's collection. The prices realized on the greater number of the paintings were not large, but some of the better canvases were spiritedly contended for. Frere's "Banks of the Bosphorus" brought $155; "At the Window," J. G. Brown, $70; "Give Me a Penny," a charming little work by Eastman Johnson, $290; Casilear's "Swiss Mountains," $260; Baker's "Rose Leaves," $235; "The Declaration," Plossan, $565; "Sunset on the Lake," Gifford, $260; "Prayer," Costan, $270; "In the Studio," Boucherville, $230; "Landscape," Lambinet, $250; "Christmas Morning," Loughlin, $1,625; "Just Up," Buhler, $700; "Evening," Cole, $225; "The Petitioner," Leutze, $460; "Village in South America," Mignot, $500; "Hudson River," Kensett, $1,600; "Rocky Mountain Scenery," Bierstadt, $2,100; "Evening," Church, $900; "Shrewsbury River," Kensett, $1,250; "Winter Sunset," Gignoux, $505.

MUSICAL AND DRAMATIC NOTES.

Mayor Wickham, accompanied by a large party, visited the Fifth Avenue Theatre last evening to see "The Big Bonanza."

Miss Adelaide Neilson received a great ovation at Toronto on Wednesday night, the occasion being her farewell appearance in the "Lady of Lyons."

There will be no performance at the Lyceum on Friday, as the Committee of the Italian Hospital have resolved to postpone the benefit to some future day. Madame Ristori's last performance takes place at the Saturday matinée, when "Marie Antoinette" will be presented. Those who have not witnessed this splendid performance ought not to lose the opportunity of seeing the great actress in one of her best impersonations.

NEW YORK YACHT CLUB.

The second general meeting of the New York Yacht Club was held last evening at the club rooms, Madison avenue and Twenty-seventh street, Commodore Kingsland in the chair.

MR. LOUBAT PRESENTS A CUP.

The Secretary presented and read the following letter from Mr. J. F. Loubat, owner of the schooner Enchantress:—

PARIS, Feb. 20, 1875.

TO THE COMMODORE, OFFICERS AND MEMBERS NEW YORK YACHT CLUB:—

GENTLEMEN—Should it be agreeable to the New York Yacht Club, I should be most happy to present the club with a $1,500 cup, to be sailed for on the second Thursday of October, 1876, by schooner yachts of 100 tons and upward, belonging to any organized yacht club in the world.

All yachts to be measured by a person appointed by the New York Yacht Club, according to the club measurement; time allowance to be the same as that for His Royal Highness the Prince of Wales' Challenge Cup yacht race, *i. e.*, twelve seconds per ton; the New York Yacht Club regulations to be adhered to; no entrance fee. Course, from off Owl's Head, New York harbor, to and around the Sandy Hook Lightship, leaving the same on the starboard hand, thence to and around the Lightship on Five Fathom Bank off Cape May, N. J., and return to the Sandy Hook Lightship, leaving both on the port hand.

The owner of any vessel winning the prize will be required, before the prize is delivered, to sign a declaration that the sailing regulations have been strictly conformed to. I remain, gentlemen, your very obedient servant,

J. F. LOUBAT.

This cup was accepted, with the thanks of the club, and referred to the Regatta Committee, with power to arrange terms and necessary details with Mr. Loubat.

The election of new members being in order, forty-one gentlemen were added to the roll of the club. Adjourned.

VIGNAUX VICTORIOUS.

In the third billiard match between Maurice Vignaux and Cyrille Dion for $1,000 and the Delaney emblem, played last night, at Tammany Hall, Vignaux was the winner, making 600 points to 543 for his opponent. Dion's highest run was 119; Vignaux's, 59. Vignaux's average, 12; Dion's, 10 4-5. Time of game, four hours.

THE WEATHER YESTERDAY.

The following record will show the changes in the temperature for the past twenty-four hours, in comparison with the corresponding date of last year, as indicated by the thermometer at Hudnut's Pharmacy, HERALD Building:—

	1874.	1875.		1874.	1875.
3 A. M.	25	29	3:30 P. M.	50	35
6 A. M.	28	28	6 P. M.	47	34
9 A. M.	34	30	9 P. M.	41	32
12 M.	45	32	12 P. M.	39	30

Average temperature yesterday 31½
Average temperature for corresponding date last year 35¾

SHIPPING NEWS.

OCEAN STEAMERS.

DATES OF DEPARTURE FROM NEW YORK FOR THE MONTHS OF MARCH AND APRIL.

Steamer.	Sails.	Destination.	Office.
Holsatia	M'ch 26	Hamburg	61 Broadway.
Spain	M'ch 27	Liverpool	69 Broadway
City of Chester	M'ch 27	Liverpool	15 Broadway
State of Georgia	M'ch 27	Glasgow	72 Broadway
Castalia	M'ch 27	Glasgow	7 Bowling Green
Rhein	M'ch 27	Bremen	2 Bowling Green
Wisconsin	M'ch 30	Liverpool	29 Broadway.
Calabria	M'ch 31	Liverpool	4 Bowling Green
Cimbria	April 1	Hamburg	61 Broadway
P Caland	April 1	Rotterdam	50 Broadway.
Spain	April 3	Liverpool	69 Broadway.
Adriatic	April 3	Liverpool	19 Broadway
City of Brooklyn	April 3	Liverpool	15 Broadway.
Utopia	April 3	Glasgow	7 Bowling Green
Ohio	April 3	Bremen	2 Bowling Green
L'Amerique	April 3	Havre	55 Broadway.
Klopstock	April 6	Hamburg	113 Broadway
Algeria	April 7	Liverpool	4 Bowling Green
State of Louisiana	April 7	Glasgow	72 Broadway.
Westphalia	April 8	Hamburg	61 Broadway.
Celtic	April 10	Liverpool	19 Broadway.
City of New York	April 10	Liverpool	15 Broadway.
Bolivia	April 10	Glasgow	7 Bowling Green
Idaho	April 13	Liverpool	29 Broadway.
Goethe	April 13	Hamburg	113 Broadway.
China	April 14	Liverpool	4 Bowling Green
Maas	April 15	Rotterdam	50 Broadway
Frisia	April 15	Hamburg	61 Broadway
Italy	April 17	Liverpool	69 Broadway.
City of Richmond	April 17	Liverpool	19 Broadway.
Baltic	April 17	Liverpool	15 Broadway.
Pereire	April 17	Havre	55 Broadway
Ethiopia	April 17	Glasgow	7 Bowling Green
Nevada	April 20	Liverpool	29 Broadway.
Russia	April 21	Liverpool	4 Bowling Green
State of Nevada	April 21	Glasgow	72 Broadway
Republic	April 24	Liverpool	19 Broadway.
Wyoming	April 27	Liverpool	29 Broadway.

ALMANAC FOR NEW YORK—THIS DAY.

SUN AND MOON.			HIGH WATER.		
Sun rises	5 54		Gov. Island	morn	11 01
Sun sets	6 18		Sandy Hook	morn	10 16
Moon rises	eve	11 11	Hell Gate	eve	12 46

PORT OF NEW YORK, MARCH 25, 1875.

CLEARED.

Steamer England (Br), Thompson, Liverpool—F W J Hurst.
Steamer Canada (Br), Sumner, London—F W J Hurst.
Steamer Crescent City, Curtis, Havana—W P Clyde & Co.
Steamer North Point, Smith, Fernandina via Port Royal—H Gelpcke.
Steamer Isaac Bell, Lawrence, Norfolk, City Point and Richmond—Old Dominion Steamship Co.
Steamer Franconia, Brazz, Portland—J F Ames.
Steamer Neptune, Reeves, Boston—H F Dimock.
Bark M P Tucker, Tucker, Liverpool—Brett, Son & Co.
Bark Northumbria (Br), Piggie, Cork for orders—Funch, Edye & Co.
Bark Giulia (Ital), Dominici, Naples—J C Seager.
Bark Olga (Aus), Clarevich, Trieste—Slocovich & Co.
Bark Hopewell (Br), Parsons, Bridgetown—Leaycraft & Co.
Brig Nuova Providenza (Ital), Manganaro, Naples—Funch, Edye & Co.
Brig Star, Cook, Kingston—A H Solomon & Co.
Brig Marena, Deasy, Cienfuegos—Marcus Hunter & Co.
Schr Mary Varwell (Br), Varwell, Rio Janeiro—Thos Norton & Co.
Schr Addie G Bryant, Stubbs, Port Spain—H Trowbridge's Sons.
Schr Millie Trim, Drinkwater, Humacoa—J De Rivera.
Schr Maid of the Mist, Smith, Port au Prince—B J Wenberg.
Schr Index, Garrison, Calbarien—Overton & Hawkins.
Schr Conservative, Benson, Sagua—Waydell & Co.
Schr Wm Allen, Jones, Baltimore—W Chalmers.
Schr J B Diverty, Douglas, Philadelphia.
Schr S P Godwin, Williams, Stamford—Stamford Manufacturing Co.

ARRIVALS.

REPORTED BY THE HERALD STEAM YACHTS AND HERALD WHITESTONE TELEGRAPH LINE.

Steamer Henry Chauncey, Rathbun, Aspinwall March 16, with mdse and passengers to the Pacific Mail Steamship Co.
Steamer City of Vera Cruz, Deaken, Havana March 20, with mdse and passengers to F Alexandre & Sons.
Steamer Metropolis, Ellis, Savannah March 23, with mdse to Lunt Bros.
Steamer Old Dominion, Walker, Norfolk, City Point and Richmond, with mdse and passengers to the Old Dominion Steamship Co.
Steamer Richmond, Reed, Norfolk, with mdse and passengers to the Old Dominion Steamship Co.
Ship Sir Harry Parkes (of London), Stephens, Hong Kong Nov 28, with mdse to Gilphant & Co; vessel to Horace Gray & Co. Passed Anger Dec 12, Cape of Good Hope Jan 23 and crossed the Equator Feb 22, in lon 30 W; March 13, lat 26 20, lon 65 14, spoke ship Sydenham (Br), from Hiogo for New York.
Bark Vittoria (Ital), Maresca, Alexandria Sept 24 via Castellamare and Cagliari Nov 26, with rags, &c, to Slocovich & Co. Passed Gibraltar Jan 2.
Bark Cecilia (Ital), Castagnola, Palermo 72 days, with fruit to Sgobel & Day; vessel to J C Seager. Passed Gibraltar Jan 24.
Bark Stanley Castle (of London), Austin, Auckland, N.Z. Dec 4, with mdse to Arnold, Hines & Co. Passed Cape Horn Jan 10, and crossed the Equator Feb 21, in lon 35 W.
Bark Cardenas, Sundberg, Havana 13 days, with sugar to Jas E Ward & Co.
Bark Sarah, Nichols, Matanzas, 13 days, with sugar to order.
Brig Josie, Boulter, Cardenas 15 days, with sugar to order; vessel to Simpson, Clapp & Co.
Brig Joseta (of Portland), True, Matanzas 10 days, with molasses to Brown Bros & Co.
Schr Louisa Bliss (of Thomaston), Strong, Messina 54 days, with fruit to Lawrence, Gile & Co; vessel to Parsons & Loud. Passed Gibraltar Feb 4; had a succession of NE and NW gales for the last 20 days; carried away squaresail yard, lost and split sails, &c.
Schr Marguerite (Fr), Bensa, St Pierre 21 days, with sugar to H A Suen & Son.
Schr Emma Heather (of Philadelphia), Armstrong, Guantanamo 17 days, with sugar to Brooks & Co; vessel to J W Rivell & Co.
Schr John R Halliday (of Jersey City), Van Clief, Matanzas 10 days, with sugar to Van Brunt & Bro.
Schr James H Gordon (of May's Landing, NJ), Ireland, Sagua 10 days, with sugar to Moses Taylor & Co; vessel to Overton & Hawkins.
Schr Albert Mason, Rose, Richmond, with coal to the New York Gas Co; vessel to Van Brunt & Bro.
Schr S Jayne, Hunter, Virginia.
Schr John K Shaw, Cox, Baltimore.
Schr Howard Williams, Wainwright, Baltimore.
Schr John K Shaw, Cox, Baltimore.
Schr Almeretta, Merrill, Baltimore for New Haven.
Schr Rebecca M Smith, Grace, Baltimore for Providence.

PASSED THROUGH HELL GATE.

BOUND SOUTH.

Schr Hattie McClintock, Providence for New York.
Schr B S Bridges, Lendrick, New Haven for New York.
Schr Eva, Sherman, Taunton for New York.
Schr Belle Brown, Nash, Rockland for New York, with lime to order.
Schr Abbie S Brown, Knowles, Provincetown for New York.
Schr Abby Bursley, Bacon, Boston for Philadelphia.
Schr Anna J Loughlin, Pierce, New Bedford for New York.
Schr Marietta Smith, Preston, Greenport for New York.
Schr H E Russell, Baxter, Fall River for New York.
Schr Charlie Cobb, Kennedy, Rockland for New York, with lime to order.
Schr Gov J Y Smith, Patterson, Providence for Virginia.
Schr Gen Sheridan, Murphy, Providence for New York.
Schr Brazos, Ryon, Providence for New York.
Schr Lucia B Ives, Vanzandt, Providence for New York.
Schr A H Harding, Harding, Wellfleet for New York, with fish to order.
Schr M H Stockham, Levering, Providence for New York, in ballast to Overton & Hawkins.
Schr Mary E Whorf, Whorf, Wellfleet for New York, with fish to Sami Crowell.
Scnr Mary B Harris, Mitchell, New Haven for New York.
Schr Harriet Lewis, Newport, for New York.
Schr Hattie Palmer, Palmer, Portchester for New York.
Schr J P Foster, Wing, Chatham for New York, with fish to order.
Schr J M Carter, Carter, East Greenwich for New York.
Schr Silas McLoon, Spear, Rockland for New York, with lime to order.
Schr Fakir, Knowles, Fall River for New York.
Schr Silas Brainard, Reed, Fall River for New York.
Schr M A Heyer, Hodges, Fall River for New York.
Schr Speedwell, Sanders, Rockland for New York, with lime to J E Brown.
Schr Emma Bacon, Bearse, Providence for New York.
Schr D & E Kelly, Kelly, Providence for New York.
Scnr Golden Eagle, Kelly, New Bedford for New York.
Schr Decatur Oakes, Baker, Newport for New York.
Schr W A Morrell, Morrell, Providence for New York.
Schr C Carroll, Chase, New Bedford for New York.
Schr J H Bartlett, Harris, Greenport for New York.
Schr Perine, Sheffield, Stonington for New York.
Schr Laura Robinson, Robinson, New Bedford for New York.
Schr Nautilus, Peck, Fall River for New York.
Schr Z L Adams, Nickerson, Boston for New York.
Schr Elizabeth English, Crowell, East Greenwich for New York.
Schr Mary Shields, Stoneman, Newport for New York.
Schr Chilion, May, Portland for New York, with stone to order.
Schr Eastern Light, Chase, Newport for New York.
Schr Nalad Queen, Smith, Somerset for New York.
Schr J W Hall, Miller, Boston for Philadelphia.
Schr Congress, York, Bath for New York, with lath to order.
Schr Hastings, Chase, New Bedford for New York.
Schr Hattie Perry.

BOUND EAST.

Steamer Franconia, Brazz, New York for Portland.
Steamer United States, Davis, New York for Fall River.
Steamer Bolivar, Geer, New York for New London.
Steamer City of Fitchburg, Fish, New York for New Bedford.
Steamer Ghistea, Walden, New York for Providence.
Schr Fly, Gardner, Hoboken for Providence.
Schr Sarah J Gurney, Gurney, Port Johnson for Providence.
Schr Helen Morrison, Marsh, Hoboken for Providence.
Schr Julia A Tate, Tate, Hoboken for Bridgeport.
Schr Peacedale, Young, Hoboken for Providence.
Schr Samuel Castner, Lake, Hoboken for Providence.
Schr George G Jewett (Br), Finley, New York for St John, NB.
Schr Emma B Shaw, Shaw, New York for Boston.
Schr S Morgan, Vancleaf, New York for Providence.
Schr Georgie Staples, Maloney, New York for Calais.
Schr Helen, Perry, Port Johnson for Boston.
Schr Pecora, Dennison, New York for Providence.
Schr Minerva, Brightman, Port Johnson for Providence.
Schr E C Irwin.
Schr Willie Luce.

HERALD TELEGRAPH STATION, WHITESTONE, March 25, 1875.

The fleet reported icebound off here and at other points to the eastward were enabled to proceed to-day, aided by the NW breeze which prevailed. The Sound is now comparatively clear of drift ice, but it would be premature just yet to indulge the hope that navigation will not be again interrupted by ice, as a change in the wind to an opposite direction may drive it all back.

SAILED.

Steamers Canada (Br), London; England (Br), Liverpool; Crescent City, Havana; Isaac Bell, Richmond, &c; North Point, Fernandina, &c; ship Ladoga, San Francisco; barks Ann Elizabeth, Matanzas; Carrie E Long, do; brigs Alice (Br), Jacmel; Tropic Bird, Kingston, Ja; schr Emma Crosby, Fernandina.

MARITIME MISCELLANY.

☞ See cable news.

☞ For reported foundering of schr Ruby and loss of all on board see general news columns.

We are indebted to purser Burke, of steamer City of Vera Cruz, from Havana, for favors.

STEAMER KLOPSTOCK (Ger), Fischer, from Hamburg for New York, which put into Halifax 24th inst short of coal, is also reported leaking slightly from damage by ice.

STEAMER GEN SHERMAN was sold by auction at Key West March 16 for $2300.

SHIP BELVIDERE, 1321 tons, built at East Boston in 1857, now on the way from Calcutta for Boston, has been sold to New York parties on private terms, supposed about $45,000.

BARK FLORRI M HULBERT—The reason the crew assigned for refusing duty on board this vessel was that the foremast of the bark had become rotted, and was not safe for sea service. Capt Dudley caused their arrest, and, it is understood, will have them duly prosecuted.

BRIG HOMELY (of Jersey), Morrell, from Rio Janeiro, which arrived at this port 24th inst, went ashore on the Romer Shoals same night at 8:30 PM, and floated off the morning of the 25th, at 6:45 AM, leaking slightly.

SCHR COMMERCE (of Rockland), Hall, from New York for Newport, has been erroneously reported as leaking. She has discharged her cargo in good order, to the entire satisfaction of its owners. The captain reports his vessel has not leaked as much water as he has used since leaving New York.

SCHR AMELIA (Br), from Matanzas for New York, ashore near Rockaway, LI, is breaking up and will be a total loss. The Coast Wrecking Co are still engaged in saving cargo.

ALEXANDRIA, March 24—Tugboat Samuel Gedney before reported ashore at Dade's shoals was got off unhurt by the tug Potomac with lighters.

HALIFAX, March 25—Steamer Newfoundland, from St Johns, reports having encountered a heavy ice floe from Newtoundland to within 20 miles east of Sable Island; spoke bark Rolltrees (Br), from Glasgow to St Johns, in the ice.

A heavy SE snow storm is raging here.

NORFOLK, March 24—Messrs B & J Baker & Co's wrecking schr Planet Mars arrived here late Monday night with a new sloop in tow, which went ashore at Lynnhaven Inlet several days ago while on her way from York River to this city for the purpose of procuring papers, she will go upon the ways at Ellis' shipyard today for repairs.

NEW LONDON, March 25—Steamer Geo Cromwell, from New York for Portland, disabled her rudder in the ice in the Sound, and was obliged to put into this port today for repairs.

PORTSMOUTH, NH, March 25—Schr Beckmeyer (Br), from Gonaives for Boston, which put into Shelburne, NS, in distress, and sailed again 23d inst, ran ashore on Duck Island, Isle of Shoals, night of 24th inst, and is a total loss. The captain and one seaman were lost.

SOUTH YARMOUTH, Mass, March 23—A letter received today from Capt Berry, of schr C D Witherell, before reported arrived at Savannah, Ga, from Cardenas, states that all the necessary repairs had been made and was about ready to leave for Matanzas.

VINEYARD HAVEN, March 24—Schr Northern Light, of Machias, from Sagua to Boston reports:—Was 8 days N of Hatteras with continuous gales from WNW to NE; this A M ran ashore eastern end of Hedgefence, but came off P M without damage, except windlass gear broken, with assistance from this port.

NOTICE TO MARINERS.

PANAMA, March 15—At the port of Savanilla a new lighthouse, with a revolving light, has been erected, which will be in use from the 1st of April. It is visible 22 miles seaward. Lat 11, 00, 2 north and lon 75, 1, 49 west of Greenwich.

GULF OF ST LAWRENCE—PROVINCE OF NEW BRUNSWICK—CHALEURS BAY—LIGHT ON MISCOU ISLAND.

A light is exhibited from a lighthouse recently constructed at Goose Lake, on the western side of Miscou Island, Chaleurs Bay.

The light is revolving white, making a complete revolution every minute; is elevated 40 feet above the level of high water, and visible 10 miles.

The illuminating apparatus is catoptric.

The tower is a square wooden building, 28 feet high, painted white and attached to keeper's dwelling.

Position—Lat 47 55 45 N, lon 64 35 40 W.

By order of the Bureau of Navigation.

R H WYMAN, Commodore, U S N, Hydrographer
U S Hydrographic Office, Washington, DC, March 20, 1875.

ENGLISH CHANNEL—DUNGENESS.

Notice is hereby given that in consequence of the beach at Dungeness having for some time past grown out, so that the lighthouse is now at a considerable distance inland, it has been determined to mark the extreme edge of the shore by placing an additional light to the SE of the present station, as near to the high water line as practicable. This additional light will be exhibited on or about the 1st of July next, and will show a bright quick flash every 5 seconds (the dark interval occupying about 3 seconds of that time).

The fog signal trumpet will be moved forward at the same time to the same site, but the main light will continue to be exhibited from its present position as usual.

Later in the season the main light will be altered from electricity to the most powerful form of oil light, and the red light to the westward will then be shown from the lantern instead of as now from a window beneath it. There will then, consequently, be no white light in a westerly direction between the bearing of W from the lighthouse and the land.

By order, ROBIN ALLEN, Secretary.
Trinity House, London, March 11, 1875.

WHALEMEN.

Sailed from Provincetown March 26, brig D A Small; schrs Azate, Antarctic and Wm H Grozier, all to cruise.

Cleared—Ship Wellfleet, Owen, of NB, was off River Plata Jan 16, having just taken a sp whale making 100 bbls. Was to leave March 1 for home.

Ship Cornelius Howland, Homan, of NB, was 30 miles NE of Cape Virgin Jan 9, having taken 2 sp whales, making 220 bbls, and 1 right whale, making 10; this since leaving Fayal—435 bbls sp and 101 bo wh oil, all told. Would cruise in that vicinity a week or so and was then bound around Cape Horn. A young man, a seaman, Augustus Wagner, fell from the mainyard, striking his head on the deck, killing him instantly.

Bark Sea Queen, Allen, of Westport, was at Mano Jan 23, with 1000 bbls sp oil all told.

Bark Camilla, Nye, of NB, was off Maria Islands Feb 10, with 25 bbls oil.

A letter from on board bark Sea Ranger, reports spoke Jan 7, off River Plata, bark Tom Morris, Winslow, of NB, having taken before arriving on that ground 400 bbls sp oil since leaving Fayal in Oct—1700 bbls all told.

SPOKEN.

Ship Western Chief, Hill, from Boston for London, March 21, lat 42 22, lon 57 30.

Schr Enos B Phillips, from Turks Islands for Boston, March 15, lat 33 55, lon 76 20.

NOTICE TO MERCHANTS AND CAPTAINS.

Merchants, shipping agents and ship captains are informed that by telegraphing to the HERALD London Bureau, No 46 Fleet street, the arrivals at and departures from European ports, and other ports abroad, of American and all foreign vessels trading with the United States, the same will be cabled to this country free of charge and published.

Persons desirous of communicating with vessels arriving at New York can do so by addressing to such vessels, care of HERALD news yachts, pier No 1 East River, New York. Letters received from all parts of the world and promptly delivered. Duplicates are required.

OUR CABLE SHIPPING NEWS.

ABERDEEN, March 25—Arrived, ship Colonial Empire (Br), Leslie, New Orleans.

ANTWERP, March 25—Sailed, steamer Switzerland (Belg), Jackson, New York.

Also arrived 25th, steamer Steinman (Belg), Lechere, New York.

AMSTERDAM, March 24—Arrived, bark Emily Lowther (Br), Cain, Charleston.

BREREHAVEN, March 24—Arrived, bark Florella, Craig, New York (not previously).

Sailed 23d, barks Arracan (Ger), Rossini, United States; Sebastian Bach (Ger), Sanstedt, Philadelphia; Gustav (Nor), Kummer, United States.

CARDIFF, March 24—Sailed, bark A B Chapman (Br), Pengilly, Havana.

COPENHAGEN, March 22—Arrived, brig Hansa (Ger), Brauer, Baltimore.

CALCUTTA, March 24—Sailed, bark Hoppet (Rus), Mattsson, United States.

DEAL, March 25—Arrived, barks St Bernhard (Ger) Reginer, New York for Bremen; Granton (Br), Jones, Charleston for London.

GLASGOW, March 25—Arrived, bark Hector (Nor), Tellesen, New Orleans.

GENOA—Sailed, bark Stefanino (Ital), Baltimore.

HAVRE, March 22—Arrived, bark Marie Leone (Fr), Septfonde, New Orleans (see below).

LIVERPOOL, March 25—Arrived, steamer San Jacinto (Br), Bicker, Galveston; ships Strathearn (Br), Jarman, New York (see below); Hercules, Snow, Macabi.

Also arrived 25th, ship Valparaiso (Fr), Girard, Portland, O; barks Lindo (Br), Durie, Galveston; Rome, Otis, Charleston.

Cleared 24th, ships Loch Awe (Br), Weir, United States; Sinbad (Nor), Anderson, do; barks Lima (Br), Bingay, Valparaiso; Geo Peabody (Br), Morrill, United States; Ala (Nor), Aslaksen, Philadelphia.

Sailed 25th, bark Evening Star (Br), Asburn, Java.

LIMERICK, March 25—Sailed, barks Alsvid (Nor), Marcussen, New York; Teresa Ester (Ital), Mortola, Baltimore.

MOVILLE, March 25—Arrived, steamer California (Br) Ovenstone, New York for Glasgow.

MARSEILLES—Sailed, brig Carlo (Ital), New York.

QUEENSTOWN, March 25—Arrived, ships India (Br), Moran, New Orleans for Liverpool (see below); Gripen (Sw), Von Mattern, San Francisco; Augustina (Peruv), Barvier, do; bark St Curistopher (Ger), Krohn, Philadelphia; also the Agnes Brown, from ——.

Also arrived 25th, bark Ellisif (Nor), Honge, Baltimore.

Arrived 25th, 2 PM, steamer Minnesota (Br), Quinn, New York for Liverpool.

STETTIN, March 23—Arrived, bark Magnus Huss (Sw), Forcell, New York.

ST NAZAIRE, March 23—Sailed, bark Europa (Nor), Mikkelsen, United States.

LONDON, March 25—Ship India (Br), Moran, from New Orleans for Liverpool, put into Queenstown to-day with loss of mizzenmast and rudder, bulwarks stove and leaky. She will be towed to Liverpool, where she will discharge and repair.

Ship Strathearn (Br), Jarman, from New York, arrived at Liverpool to-day, badly damaged, having been in collision with the Dora. The latter vessel was also badly damaged.

Bark Marie Leone (Fr), Septfonde, at Havre from New Orleans, had heavy weather on the passage and sails considerably damaged.

FOREIGN PORTS.

AKYAB, Feb 8—In port, ship Bombay, Work, for Europe, wtg new crop rice; bark Martha Davis, Johnson, for do do.

ALPINWALL, March 8—Arrived, schr Hattie Haskell, Bewtel, New York.

BARACOA, March 16—Sailed, schr Luisita, Underhill, New York.

In port 16th, schrs John L Mott, Annie Freeman, and J G Pinkham, for New York, idg; Dos Da Mayo, and Crown Point, for Philadelphia do; Robert Mylan, unc.

CADIZ, Feb 27—Arrived, ships Anna Camp, Gardner, Valparaiso; and sailed 18th, per Lobas): 26th, Martha Cobb, Pearson, Cardiff; bark Lindisnaes (Nor), Rugge, New York; 27th, ship Gettysburg, Alexander, Cardiff.

Sailed Feb 18, bark Oneco, Henry, Pabelton: 19th, ships Joseph S Spinney, Jordon, Lobos; 20th, Colorado, Incraham, do.

CIENFUEGOS, March 20—Arrived, brig Lizzie (Br), Barbados.

CAIBARIEN, March 15—Arrived, schrs W S Scull, Barrett, Philadelphia; 18th, Fred Smith, Smith, New York; 19th, brig Parana (Br), St Thomas; 20th, barks Bessie Simpson, Brasfor, Montevideo; Mary Rideout (Br), Havana; schr Pampero (Br), Bermuda.

Sailed 15th, brig Nep uset, Strout, Boston; schr Nellie Cushing, Simpson, Portland; 18th, brig Enza Stevens, New York; schr Bennington, do; 22d, brig Nettie Chase, Baltimore; schrs Ida Birdsall, Johnson, New York; Addie A Hoffine (Br), Boston.

CARDENAS, March 17—Arrived, schrs Ruth Darling