MORTON'S DEFENCE.

The Story of the Two Hundred Thousand Dollars Well Told.

A REMINISCENCE OF THE WAR.

How the Conspiracy to Carry Indiana Out of the Union Was Thwarted.

THE MONEY ADVANCED BY PRESIDENT LINCOLN.

Receipts and Vouchers for Its Expenditure and What It Accomplished.

WASHINGTON, May 2, 1876.

In the Senate to-day Mr. Morton arose to a personal explanation. He sent to the Clerk's desk and had read a Washington despatch to the New York *World*, dated April 28, in regard to $250,000 received by him from the general government while he was Governor of Indiana, out of the appropriation of $2,000,000 to pay the expenses of transporting and delivering of arms, &c., to loyal citizens, in the States in rebellion. He said:—

Mr. PRESIDENT—The President of the United States in the spring of 1863 advanced to me $250,000 to enable me to carry forward military operations in the State of Indiana; of this sum I expended $133,302 81 in the service of the State, and with which I charged the State in my settlement with it, and the remaining $115,597 08 were not expended. This amount I returned to the Treasury of the United States, was as shown by the following voucher and receipt:—

VOUCHER AND RECEIPT.

TREASURY DEPARTMENT, April 11, 1865.

SIR—Yours of the 6th inst. inclosing a duplicate certificate of deposit issued by the First National Bank of Indianapolis, Indiana, in your favor, No. 2831, date of the 6th inst., for $116,697 08, "on account of moneys due and refunded to the United States," has been received. I am very respectfully, GEORGE HARRINGTON, Assistant Secretary of the Treasury.

To Hon. O. P. MORTON, Indianapolis.

The $133,302 91 which I had expended on behalf of the State were paid back to the government by giving the government credit for that amount upon advances which had been made by the State in the conduct of the war, which advances were duly audited by the Treasury Department and allowed as just and valid claims against the government in favor of the State. This settlement and final adjustment of the whole sum of $250,000 are shown by the following voucher and quietus from the office of the Second Auditor of the Treasury:—

VOUCHER.

TREASURY DEPARTMENT, SECOND AUDITOR'S OFFICE, Nov 8, 1865.

SIR—The charge of $250,000 on the books of this office on account of "supplying arms to loyal citizens in revolted States" has this day been closed on the books of this office, to wit, by deposit by you of $116,697 08, and a transfer of $133,302 91 of funds from the books of the Third Auditor's office to your credit on the books of this office.

Very respectfully, your obedient servant, JOHN M. SIM, Second Auditor.

To His Excellency O. P. MORTON, Governor of Indiana, Indianapolis, Ind.

From these vouchers it will appear that the whole sum of $250,000 was accounted for and repaid to the government. It will be proper in this connection to state the circumstances under which the $250,000 were advanced to me by the President and the use made of it to show that it was not misapplied.

The Senator then proceeded to recount the action of the democratic Legislature of 1862 in the introduction of a bill which was intended to strip him as Governor of all military power in the State, and which transferred to the Auditor, Treasurer, Secretary and Attorney General the military power which was vested in the Governor by the constitution. After further commenting on the character and intentions of the bill he continued:—

It had become manifest that the democratic members of the Legislature were determined to pass the bill at all hazards, which would unquestionably have resulted in civil war. I could not and would not surrender my powers as Governor under the constitution, nor could the government of the United States afford to have me do so, for the purpose of the proceeding was to neutralize the position of Indiana in the war, and to take her out of the line of loyal States northwest of the Ohio River.

Senator Morton then sketched the action of the republican members in withdrawing from the Legislature, thereby leaving it without a quorum, and his subsequent efforts in borrowing money to carry on the military operations of the State, and continued:—

HIS VISIT TO WASHINGTON.

After obtaining all the money I could from the counties and other sources I made a calculation and found I would need about $250,000 to carry me through to January, 1865, and to make my position secure I came to Washington to see if I could not obtain that amount from the government of the United States. After a careful review of the situation by the President (Mr. Lincoln) and the Secretary of War (Mr. Stanton) the President advanced me the sum of $250,000. They both agreed that Indiana was threatened with rebellion, and that the condition of the State came distinctly within the letter and the spirit of the act of Congress approved July 31, 1861. Mr. Stanton declared to the President, with great emphasis, that if Indiana lost her position as a loyal State the final success of the government in suppressing the rebellion would be endangered, and that the Governor must be sustained at whatever cost or hazard.

Senator Morton then quoted at length from his annual Message to the Legislature in January, 1865, giving a history of the transaction, from which it appeared that out of a sum of $2,000,000 which had been appropriated by Congress "to be expended, under the direction of the President of the United States, in supplying and defraying the expenses of transporting and delivering such arms and munitions of war as in his judgment may be expedient and proper to place in the hands of any loyal citizens residing in any of the States of which the inhabitants are in rebellion against the government of the United States, or in which the rebellion is or may be threatened; and likewise for defraying such expenses as may be properly incurred in organizing, and sustaining while so organized, any of said citizens into companies, battalions, regiments or otherwise, for their own protection against domestic violence, invasion or rebellion," the President advanced to him, as disbursing officer, $250,000. In the Message referred to, Governor Morton asked that a joint committee of the two houses of the Legislature be appointed to investigate his civil and military expenditures. In continuing his remarks the Senator said:—

THE LEGISLATIVE INVESTIGATION.

A joint committee of the two houses, embracing some of the ablest democratic members, was appointed as requested in my Message, who patiently investigated all my accounts, including the expenditure of $133,302 91 which I had obtained from the President, and unanimously reported them correct, taking no exception even to the amount of one cent. The unexpended portion of the $250,000 which I had received from the President, and which I described in my Message as the military fund, but which was erroneously stated in the Message as $115,000 instead of $116,000, I did not pay into the State Treasury, as suggested in the Message, but refunded it directly to the general government, as before shown, and the $133,302 91 which I had expended for the State were settled with the government by giving credit to the government for that amount on the indebtedness of the State, as before shown. After the full examination of my accounts the Legislature made appropriation to pay my borrowed money and the debts I had contracted; also the sum of about $600,000, the exact amount, however, I am not able to state from memory, which I had procured Messrs. Winslow, Lanier & Co., of New York, to advance on the payment of the interest upon the bonds of the State during the years of 1863 and 1864, the payment of which interest had been withheld by the Auditor and Treasurer of the State. During these two years all payments for the civil and military expenses of the State, including the benevolent institutions and the penitentiaries, and excepting only the salaries of public officers, were paid upon my own check, through a financial bureau established in my office, the State Auditor and the State Treasurer declining all co-operation. My course was approved by the people of Indiana by my re-election as Governor in 1864 by a majority of more than 20,000 and by the election of a republican Legislature and republican State officers.

The intermediate history between the events I have described in the spring of 1865 and the meeting of the Legislature in January, 1865, I will refer to but briefly, although it is extraordinary in its character and unlike that of any other State. The State was honeycombed with secret societies formerly known as "Knights of the Golden Circle."

After giving a sketch of the "Sons of Liberty" and their treasonable designs to prevent the State taking part in the war, Senator Morton concluded as follows:—

A DEMOCRATIC INVESTIGATION.

It may be proper to state here that the democratic Legislature of 1863, before its sudden adjournment, had appointed an auditing committee of its own members to audit and supervise all my accounts and expenditures for military purposes, which sat almost continually until January, 1865, and that this committee did audit and approve of every one of my expenditures, including that of the $133,302 91 of the fund obtained from the President. The same Legislature also appointed a committee to investigate all my expenditures and accounts from the beginning of the war up to January, 1865. This investigation was prosecuted with great diligence until late in the spring of 1863; and, after the breaking up of the Legislature, failing to find anything wrong in my accounts to the amount of even a cent, the democratic majority of the committee refused to make any report at all, but the republican minority made a report indorsing my official conduct in every particular.

At the conclusion of Senator Morton's remarks, Mr. MCDONALD, of Indiana, said at some future time, with the permission of the Senate, he would have something to say of the political history of Indiana. He had nothing to say of his colleague vindicating his own character, but differed very widely from him as to the political history of the State.

Mr. MORTON said he desired to exculpate his colleague, Mr. McDonald, from any complicity in the conspiracy referred to.

CONNECTICUT.

INAUGURATION OF GOVERNOR INGERSOLL—ASSEMBLING OF THE LEGISLATURE—HON. THOMAS M. WALLER CHOSEN SPEAKER OF THE LOWER HOUSE—THE GOVERNOR'S MESSAGE.

HARTFORD, May 3, 1876.

The inauguration for the fourth successive term of His Excellency Charles R. Ingersoll as Governor of the State took place this morning, and was made the occasion of a grand civic and military parade—probably the last of the kind that will ever be held in Connecticut, citizens from all parts of the State in large numbers being present to witness the ceremonies. The military, under command of Brigadier General W. Randell Smith, consisted of the First regiment, C.N.G., Colonel P. W. Hudson; First and Second companies Governor's Horse Guards, First and Second companies Governor's Foot Guards, Company B, Wilkins' Battalion, Captain Lloyd Seymour; Colonel S. R. Smith, field and staff, Second regiment, C.N.G.; Colonel N. H. Ames, field and staff, Third regiment, C.N.G., and Colonel H. W. R. Hoyt, field and staff, Fourth regiment, C. N. G. These received the Governor elect, with staff, at the Allyn House at eleven o'clock and paraded the principal streets, State officials in carriages, ex-Governors and Governors of other States, invited guests, county Sheriff and deputies, Judges of the Superior and city courts, members of the city government, citizens and members of the Chinese Educational Commission residing in this city joining in the procession. Bands of music from Providence, New Haven, Bridgeport and this city were in attendance.

The members of the House of Representatives assembled in the old State House at half-past ten and organized by the choice of Hon. Thomas M. Waller as Speaker. He acknowledged the compliment in a brief, characteristic speech. At one o'clock the procession reached the State House, and the Governor was escorted to the Speaker's chair, where the usual oath of office was administered by Chief Justice Park of the Supreme Court. The Senate and members of the Governor's staff were assigned seats in the body of the House. The Governor then read his Message, which commenced with a somewhat lengthy reference to the circumstances of historic interest under which the Legislature met; to the coming changes in its organization; and this was followed by a retrospect of the leading features in the history of the State, and to the prospects of the coming celebration of the Centennial and the Exhibition. He then referred as follows to matters affecting

THE STATE TREASURY.

Though the general depression of values has reduced the last grand list of this State nearly $7,000,000 below the list of the previous year, the condition of the treasury is satisfactory. The present list amounts to $351,785,469. The revenues of the State have increased over $107,000. There is no reason to fear any substantial falling off in revenue during the next fiscal year. The bonded debt of the State remains at $5,001,400. State House.—One million one hundred and seventy-three thousand one hundred and fifty-six dollars have been expended on the State House now in process of building. The work has been done within the estimates of a total cost of $2,500,000 for the completion of the building.

The State charities, reformatory institutions, State prison affairs, education, military, amendments to constitution, action in regard to United States Senator and other matters were reviewed.

VICTORIEN SARDOU.

HE JUSTIFIES THE ORIGINALITY OF "FERREOL"—REPLY TO HIS NEW YORK CRITICS—PARALLEL EXAMPLES FROM SHAKESPEARE.

The following letter has been received by Messrs. Shook & Palmer, of the Union Square Theatre, from M. Victorien Sardou in answer to the charges of plagiarism made against his play of "Ferreol":—

GENTLEMEN—I received this morning the letter in which you tell me of the success of "Ferreol" in New York. I had received on Sunday the telegram in which you informed me that a wicked trick was sought to be played upon you regarding the authorship or proprietorship of my piece, which it was pretended I had copied from the "Assassin du Bel Antoinet" of M. Paul Parfait. It was impossible for me to answer you by telegram as I do by letter. This is why I confined myself to stating to you that this accusation is born of a mere phantasy, and told you of the coming arrival of this letter. You asked me a question whose answer would not meet the issue. The question is not whether the novel of M. Parfait preceded in its publication the production of my piece, but whether my piece was inspired by that novel.

The publication of M. Parfait's novel did precede the first representation of "Ferreol," but it does not at all follow that I took from it either the germinal idea or form of my piece. It is true that when "Ferreol" appeared M. Parfait asserted (or claimed or pretended) that my piece was inspired by his novel. In this M. Parfait was but following a practice which the French press now occupies itself only to mock. In truth, no new piece of mine is played nowadays that some one does not claim to have previously originated it. But each time that the question has been submitted to a tribunal for judgment I have gained my case. This time the decisions of the press were so decisive on this question that M. Paul Parfait declined having the matter passed upon by the ordinary tribunal—the Commission of Dramatic Authors—who usually adjudicate these questions of literary proprietorship. This means that he himself finally recognized the fact that his pretensions were without foundation. He never dared even to attack, and he acted wisely, for I should have victoriously demonstrated to him before a tribunal of my fellow authors what the press had already shown him, so as to reduce him to silence. The truth is that his novel was itself inspired by several other French novels that had preceded it. The complication he would claim is one of those ideas which belong to everybody, and which each may treat or use in his own way so that his own way or manner of treating it be new and his own. Nothing, in fact, is less new than the idea of an innocent person accused of a crime he did not commit, and of a witness to that crime who, knowing the truth, dares not tell it lest he compromised a woman. There are many plays and many novels written on this complication, as there are many written on every subject that has helped to furnish the modern drama; the difference being that I have treated the subject in my own way, in a new way, in a way wholly mine, and have in that way achieved the success of "Ferreol." And that makes that piece mine and debars anybody from contesting my proprietorship thereof.

Again, my piece is so completely recognized as an original piece that I alone, and without question, enjoy its authorship and all the rights and benefits thereto belonging; whereas if M. Parfait or any other had seen any way to establish here a right to share in those benefits, he would not have failed to do it. But the press and the public had so clearly decided the fact that M. Parfait did not hazard an appeal to a trial in which he saw he must inevitably be defeated. I am ready to furnish you such proofs as you may desire, by sending you a declaration from the Society of Dramatic Authors, establishing the fact that in France my piece enjoys all the rights that attach to a work recognized as original.

Allow me to express my astonishment that a pretension abandoned by M. Parfait himself, who had most interest in establishing it, should find advocates in New York when it could find none in Paris. Allow me, for the sake of the honor of your country, to regret that so disloyal a proceeding should be put in practice at the very moment when some honest man like yourself gave a too tardy hope by a probity to which we have not been accustomed, of a recognition of our rights as authors—rights of which we have hitherto been despoiled in a manner at once the most discourteous and the most infamous. It is then at a time when French authors are losing their old right of protesting against the literary piracy of your countrymen that those persons imagine a new way to escape the obligations due us by invoking for their profit pretended copies of pretended plagiarisms. If such a plea were admitted, what piece could escape a similar accusation? What piece can be cited that does not recall another piece already played, or a novel already published? Would Shakespeare himself escape the disloyal examination? Would it not be easy enough to demonstrate that "Hamlet" is but the fable of Orestes? Is not the assassination of the father by the adulterous mother common to both? Are they not both equally burdened by the awful task till reason cracks in both? Yet, in spite of these resemblances, is not "Hamlet" the "Hamlet" of Shakespeare, and his only? Should his original authorship of it be questioned? We have been told there is nothing new under the sun; but there are new ways of putting old things. It is in the manner of presenting and arranging old truisms or facts that denotes the originality of an author. In brief, "Ferreol" is mine, and I do not see why its authorship should be questioned in New York, when it was admitted in Paris, in Vienna, in Milan, in Berlin, and in every other city where it has been played, except to defraud you of the rights which you had honestly paid me to honestly use. Be kind enough to keep me informed of the course and termination of an affair which, I assure you, afflicts me much, and accept my cordial salutations. V. SARDOU.

CARDINAL M'CLOSKEY'S ILLNESS.

Cardinal McCloskey is in retirement at Seton Hall College, South Orange, N. J. He is in such a weak condition that no one is permitted to see him. He had made engagements to administer confirmation and preach in some churches in the archdiocese of New York during the present month, but will be unable to fulfil them, and it is probable he will designate a bishop to supply his place. His physicians have recommended him to remain in seclusion for some time, as excitement of any kind would be dangerous in his present enfeebled condition. Bishop Corrigan is in constant attendance upon him.

THE WASHINGTON BURGLARY.

MILES' CONFIDENTIAL STATEMENTS TO THE HERALD REPORTER—BABCOCK'S PROMPTING—A PROMISED BANQUET AFTER THE DEED UNREALIZED—THE CRACKSMAN'S WAGES.

WINDSOR, VT., May 3, 1876.

In the course of the interview had by the HERALD correspondent with George E. White, alias Miles, at Windsor prison three weeks ago, Miles gave to me the whole story of his connection with the Washington safe burglary. He assured me he had spoken the truth and gave the names of certain persons which he, at this interview, requested me not to publish until such time as he might see proper to annul the promise. I made him a promise that such should not be done up to this time. That faith has not been broken with Miles, as Miles himself has now given publicity to the names given me at that interview. It is due to the public to have it known that Babcock is the man, as Miles stated, who was at the Metropolitan Hotel waiting for him to return from the District Attorney's office. At this juncture the following conversation transpired between us:—

REPORTER—Now, Miles, you say General Babcock was at the Metropolitan Hotel?

MILES—Yes, sir.

REPORTER—Now, how did you know you would find him there when you left the District Attorney's office after discovering the presence of two men in the closet?

AN UNREALIZED BANQUET.

MILES—Oh, I knew he was there because we were to go up town after the job was done. Remember, the hour set to break open the safe was nine o'clock.

REPORTER—Whereabouts up town were you to go?

MILES—Well, I will tell you this much about it There was to be a big supper given, and I was one of the invited ones.

REPORTER—Whereabouts was the supper to be given?

MILES (smiling)—Well, not far from Fifteenth street. You can probably guess the house.

REPORTER—Do you know who was to be there besides yourself and Babcock?

MILES—Now, let that stand for the present.

REPORTER—Then you are sure there was to be a big supper given by those in the secret, after the opening of the safe and the abstraction of the books was accomplished?

MILES—Yes; I understood so, and a damned good time to be had.

BABCOCK'S REASSURANCES.

REPORTER—But, Miles, you did not get to this supper, did you?

MILES—No; the reason for that was, when I discovered the two men in the closet I went to the Metropolitan Hotel and told Baucock of it. Babcock urged me to return; said that the men should not molest me. Under these assurances I concluded to return and do the job, as I had agreed.

REPORTER—About what time did you begin operations for the second time?

MILES—I should think it was after midnight, and I was probably in the building an hour and a half.

REPORTER—Were the two men in the closet on your return?

MILES.—No; I made sure of that.

REPORTER—Then your getting to work at so late an hour prevented your being a guest at this supper?

MILES.—Well, yes; I guess so. It was probably half-past one or two o'clock when I got through.

In Miles' last statement he says the prominent contractor he discovered in the room in the rear of Harrington's office was John O. Evans. This is one of those which Miles told me of at Windsor. When questioned as to who the second man was Miles declined to tell, replying, "Let that stand." The name of the second man has not been given me.

MILES' REWARD.

Coming down to the question as to the price to be paid Miles to do his job, I said:—

"How much were you offered to do this job?"

MILES.—I don't want to state for publicity, but it was $10,000. I got $2,000 on account.

REPORTER.—Did you divide with any one out of this $2,000?

MILES—Yes.

REPORTER—Who?

MILES—I gave Benton $1,000.

REPORTER—Did you retain the balance for yourself?

MILES—I think not. The whole balance that I kept was, I think, $100, and the remainder I paid out afterwards in various ways.

WHAT REMAINS UNTOLD.

The name of A. B. Williams was not mentioned by Miles during our interview. The escape of Miles from the building, as published to-day, is just as he told it me at Windsor.

Now that Miles has given publicity to the greater portion of the safe burglary conspiracy and his connection with it, he can tell who the second man was concealed in the closet with John O. Evans. He can also tell what house it was where the grand supper was to be given; also whether he ever passed the club house on New York avenue. On this subject of a visit to the club house, in reply to a question if he had ever been there, Miles hesitated a few minutes and again replied, "I should not now wish to answer that question." The name of Alexander R. Shepherd was not mentioned by Miles. When asked if he knew him, he simply smiled. It will be remembered that Miles stated he was offered $40,000 for the statement he made at Windsor. Miles made no full explanation of from whom this offer came. He can tell.

SOUTHERN PACIFIC SPECULATIONS.

Yesterday Wall street bond speculators were startled by a despatch to the HERALD from San Francisco, in which charges were distinctly made by a triumvirate consisting of Anthony Egi, J. R. Robinson and Anthony Cooldt, that the Southern Pacific Railroad Company had addressed, through its above-named stockholders, a memorial protest to the New York Stock Exchange, and also to the bourses of the European financial centres, warning them not to buy certain bonds issued by the Southern Pacific road, as they were issued in contravention of law, were consequently invalid, and that the stockholders would contest in the courts the liability of the company for said bonds, which were declared illegal and void.

The German Bankers especially were exercised over this announcement, as Central and Southern Pacific bonds—almost identical in character—were largely held by them. A HERALD reporter waited on Mr. Hatch, of the firm of Fisk & Hatch, bankers, who stated that he had read the despatch to the HERALD, and as it had attracted some attention he had no hesitation in saying that he believed it was a vindictive matter, and that parties were inspiring suits for the purpose of settling their own private difficulties with the companies. The firm of Moritz, Meyer & Co., No. 26 Broad street, was visited, a member of which stated that Mr. Alfred A. Cohen, a San Francisco speculator, was supposed to be behind the suits against the Southern Pacific; that he was a speculator, and formerly intimately associated with the Central Pacific Railroad. As to Messrs. Egi, Robinson and Cooldt, he did not know them in San Francisco affairs at all.

THE PRESIDENT OF BOTH COMPANIES.

Mr. C. P. Huntington, was found at the Central Pacific office, No. 9 Nassau street, and willingly gave the reporter an extended interview in reference to the obstructions sought to be placed in their way by the litigants on the Pacific slope. Mr. Huntington said, in substance:—

"Yes, I have read the HERALD's despatch; I find that Egi, Robinson and Cooldt are indeed stockholders of our companies, but the first named owns three shares and the others not over ten; I venture to say in amount not over $2,000. The whole prosecution is incited by Alfred A. Cohen, of San Francisco, whom you may remember was dug out of the coal heaps in the Pacific Mail steamship scandal years ago. He turned up again in the Bank of California scandal, and it was claimed he had made a tool of poor Ralston in many affairs involving large sums of money. He came over here to New York a couple of years ago as the representative of the National Telegraph Company, with a presumably subscribed capital of $50,000,000, as a rival of Western Union, but was advised to go home by an old Californian—a friend of his—and he went. Now, to come back to his relations with the Central Pacific road; He was formerly in our employment, and we have very good reasons to believe that he received in commissions between $300,000 and $400,000 from persons furnishing supplies and material to the company, which sums should be recovered from him, and suits for which have been commenced. It is true we are offering bonds of our road in Europe and in this country, and the object of this attack is to force us to discontinue our suits against Cohen. We have authority from Congress to issue bonds to the extent of $40,000 a mile, and have a land grant besides, while a portion of the route has cost us $300,000 per mile, and is the finest triumph of engineering skill in the world. The Southern Pacific is finished to Dos Palmos.

The President of the Stock Exchange, Major George W. McLean, was seen at his office in Broad street, and told the writer that as yet the Stock Exchange had received no notice of the threatened protest from the Southern Pacific stockholders, but it might be expected by mail. It was reasonable to suppose from the despatch that the memorialists would select the post as the medium of communication with the Exchange.

HORTICULTURISTS IN COUNCIL.

The regular monthly meeting of the New York Horticultural Association was held yesterday afternoon at Science Hall, in Eighth street, Mr. John Henderson presiding. The Executive Committee reported that the proprietor of the Central Park Garden had offered the use of the garden free to the association for the purpose of holding its horticultural exhibition there next June. A vote was taken as to whether the association should accept the offer or take steps toward securing the Hippodrome for the exhibition, which resulted in favor of the latter. The Committee on Flowers reported that a large number of rare specimens had been sent to them during the past month, which they exhibited to the meeting. Among the specimens was a Hydrangea Hortensis Alba, which was sent from Japan by Mr. Thomas Hogg, and which is said to be the only one of its family in this country. There was also a very rare collection of Cape Heaths, containing twenty-seven specimens. At the exhibition in June, which will be the first annual one given by the association, prizes to the amount of over $1,000 will be given for the best specimens of flowers, fruit and vegetables.

RAPID TRANSIT.

The Defeat of the Husted Bill Considered Unimportant.

OPINIONS OF RAILROAD MEN.

Work on the Elevated and Gilbert Roads Still To Go On.

COMPTROLLER GREEN IN OPPOSITION.

The defeat of the Husted bill, whereby it was sought to accelerate the building and extension of the Elevated Railroad, without the necessity of the company at every step entering into costly and tedious litigation to repel the mass of injunctions and other legal annoyances of a similar nature, was at the first looked upon by a great many citizens as a matter of grave import. It was imagined that the throwing out of this bill would prove a fatal blow to rapid transit in this city. It will be seen, however, by the interviews had yesterday with prominent railway officials and others connected with the proposed new roads and extensions which are published herewith, that they are looking forward to no serious complications arising. They would have preferred that the bill should have passed, as it would, by its terms, have fully and decidedly prevented any such unnecessary and vexatious delays in the completion of the projected rapid transit roads as will now likely arise from the avalanche of injunctions that are likely to be fulminated against the companies. Both the Elevated and Gilbert roads have all the powers they require to carry out their plans, and although much time may be lost in legally contesting with oppositionists, yet both roads will be pushed toward completion as rapidly as possible. The Husted bill, had it become a law, would have been of immediate service to the Elevated Road, as it doubtless was intended to be, for it would have enabled the company to proceed at once with their works beyond the possibility of stoppage by injunction or other legal technicalities. With regard to those now pending in the courts, a successful termination is expected by the companies, as will be seen by the remarks of ex-Judge Emott and others given below. That the horse railroad companies will continue to throw every obstacle in the way of the rapid transit lines there is every reason to believe, but that they will finally succeed in thwarting the wish of the people is not anticipated. The President of the Sixth Avenue company gives his views on the question, but denies having been concerned in any attempt to use money at Albany to defeat Mr. Husted's measure. It however appears to be the general impression that the HERALD's despatch in reference to this point was correct.

The President of the Third Avenue company, and also the Secretary, were among those visited, but both these gentlemen declined to converse with the HERALD reporter at all, doubtless being averse to tell their opinions or what they know about the tactics pursued at Albany.

A RAPID TRANSIT COMMISSIONER'S VIEWS.

A HERALD reporter called on one of the Commissioners appointed in July last by Mayor Wickham. The gentleman, while unwilling to have his name used, gave his opinions on the defeat of Husted's bill. He could not see that the failure of the bill would in any way affect the completion of rapid transit. The commission of which he was a member were given the power to select the route of a road and the plan of its construction. This they did, selecting the Sixth avenue as part of the line, and the plan of the Gilbert Elevated Railroad Company, with certain modifications, as the most efficient. They were also empowered to make certain concessions to the New York Elevated Railroad Company under certain restrictions, by which that company was allowed to extend its lines so as to connect with certain ferries and steam railways. The restrictions prohibited extension of the line of the road across Broadway and Fifth avenue, and consequently their only recourse was across the Battery Park and a separate line up the east side to Third avenue.

According to the new clause of the constitution, however, which was adopted previous to the granting of this power to the commission, the consent of a majority of property owners along the line of any proposed road was necessary to its construction, with the proviso that the Supreme Court should have power to appoint three commissioners, whose decision should be final. In accordance with this law a canvass of property owners along the line of the proposed extension was made, and the majority opposed it. Application was then made to the Court, and a commission appointed by it. That commission decided in favor of the extension, and thus legalized it. The proceedings have been regular from the beginning and guided by able counsel to guard against danger of litigation.

GENERAL HORACE PORTER,

who is largely interested in the Gilbert Elevated road, was called upon and gave it as his opinion that the defeat of Husted's bill would have no effect on the progress of the work of that company. Their charter ante-dated the law requiring the consent of property owners along the proposed line of the road, and it was, as far as they are concerned, *ex post facto*. All opposition to rapid transit, he states, emanates from the horse railroads, and not from property owners. They claim an exclusive right to carry passengers over the lines of their roads, and if their charters are so construed we cannot run a line of cheap cabs or omnibuses. No such construction, he thought, could be sustained. It was simply the old question of the turnpike and railroad, which has been so often fought. The temporary injunction granted by Judge Speir will be argued this day week before the Superior Court, and the decision will seriously affect the question of rapid transit. Should the injunction be removed it will give life and energy to the enterprise; if not, and it is made permanent, the whole question of rapid transit will slumber for from five to eight years, as it would take that time to reach the United States Supreme Court.

SECRETARY JAMES A. COWING.

A reporter called at the office of the New York Elevated Railroad Company, No. 7 Broadway, to ascertain the feeling of the managers of that company concerning the defeat of the Husted bill. The first gentleman addressed was Mr. James A. Cowing, secretary and treasurer of the company.

"What effect, Mr. Cowing," said the reporter, "will the defeat of the bill have on the work now in progress on your road?"

Mr. COWING—It will not delay us much, I think. We intend to prosecute the work as before. We have 100 men working steadily between the Battery and Fifty-ninth street who are now constructing four turnouts. One of them will be a mile long—the one at Eleventh street—that is, there will be a complete double track running from Eleventh to Twenty-fourth street, on Greenwich street and Ninth avenue. There will be another turnout at Thirty-fourth street, another at Fiftieth street and one at the Battery. With these turnouts we will be able to run twice as many trains. We have a new dummy completed, and two more will be ready in a short time. There are also ten new cars building for us.

REPORTER—But what effect will the injunction at present existing have?

Mr. COWING—There are only two injunctions at present—the one on the petition of the Pacific Hotel proprietor and another procured by a man named Spader, which delays our work on the Battery. Spader's injunction will come up for a hearing on Monday, at the Special Term of the Superior Court, and we have every reason to think that it will be dissolved.

REPORTER—But were you not interested in the passage of the Husted bill?

Mr. COWING—Why, certainly! It would have done away with a great amount of tedious litigation, but its defeat will in no way deter us from prosecuting our work, for we feel confident that the people and the press are with us, and, as we are assured by eminent counsel, the law also.

REPORTER—Judge Daly's decision was rather unfavorable, though?

Mr. COWING—Yes, but the best legal talent think that Judge Daly made a mistake this time, though he is a highly honorable gentleman and learned in the law.

REPORTER—Mr. Cowing, do you believe that the horse car companies used money in Albany to defeat the Husted bill?

Mr. COWING—I have no doubt that money was used, but of course I have no positive proof to offer, and can say nothing definite about it; my impression on that point, however, remains very strong.

PRESIDENT MILTON A. COURTWRIGHT.

Mr. Milton Courtwright, the President of the company, was next spoken to. Mr. Courtwright's statements agreed in every particular with those made by Mr. Cowing. He said the work on the road would undoubtedly be prosecuted, and he did not expect the injunctions at present existing would amount to anything.

"Why," said Mr. Courtwright, "we have been served with injunctions before, and they have all been dissolved—one by Judge John R. Brady, of the Supreme Court, another by Judge Lawrence, of the Supreme Court, and another by Judge Blatchford, of the United States Court."

REPORTER—Will you go on with the work on the east side this year—that is, on the Bowery and Third avenue?

Mr. COURTWRIGHT—Yes, decidedly, and we expect to have the road completed as far as Forty-second street, if not to Fifty-ninth street, by the end of the year. No doubt we will be annoyed with a great many injunctions, through the influence of the Third Avenue Railroad, but the delay in consequence, we think, will be but temporary.

REPORTER—Do you think money was used in Albany in the defeat of the Husted bill?

Mr. COURTWRIGHT—That I cannot say anything about. It seems to be the general impression that there was.

REPORTER—Who are the principal stockholders in the company?

Mr. COURTWRIGHT—Well, there are David Dows, Daniel Torrance, Ashbel H. Barney, John F. Tracy, John H. Hall, William L. Scott, Alfred S. Barnes, John D. Mairs, Morris K. Jesup, Alfred A. Barnes, Morton, Bliss & Co., Babcock Brothers and William E. Dodge.

REPORTER—It is said that $25,000 was expended at Albany by the city horse car companies to defeat the bill. Do you not think that was a small amount to influence a Legislature, considering the amount of capital interested on both sides?

Mr. COWING (laughing)—Oh, I assure you I could not say anything about that. In fact, I have not before heard any amount stated; it was only general rumor.

REPORTER—Will the road be built above Fifty-ninth street on the west side this year?

Mr. COURTWRIGHT—No, I think not. If we could have a double track, as we wish, we would go on building the west side line to Yonkers.

COUNSEL JUDGE EMOTT.

The next person visited was ex-Judge James Emott, counsel for the New York Elevated Railroad Company, who was asked similar questions as to what effect the defeat of the Husted bill will have on the prosecution of the work by his company.

Judge EMOTT (emphatically)—The work will go on of course; these injunctions will be swept away as soon as they come up for argument. They are nothing but a bunch of captious objections and petty technicalities, and will not hold water. I think Judge Daly was misled in making the decision he did, because I think if he had examined the question deeper his decision would have been far different. If this Husted bill was passed of course it would do away at once with all this litigation, and on that account it would be a very desirable thing for the company, but its defeat will not restrain us in the least from going on with the work to its completion.

REPORTER—How many injunctions are pending against the road at present?

Judge EMOTT—Two, one the Battery case, which will come up on Monday before Judge Monell, in the Superior Court, Special Term, and the other the Pacific Hotel case, which will come up before the Court of Common Pleas next week. The Battery case is purely factious opposition. It is brought by a man named Jeremiah V. Spader, residing in Brooklyn, who owns a warehouse in Bridge street, two hundred feet from the Battery and entirely out of sight of it.

REPORTER—You have no fear, then, about the result of the litigation?

Judge EMOTT—None at all. Of course the delay will be somewhat annoying to the public, but we will eventually succeed. You can say as positively as you like that we are willing and able to fight all the objections they can bring.

PRESIDENT OF THE GILBERT ELEVATED ROAD.

A HERALD reporter visited the office of the Gilbert Elevated Railroad Company, to ascertain how far the action of the Legislature in defeating the Husted bill would affect, if at all, the future efforts of the company in carrying out its proposed enterprise. In the course of conversation Mr. Foster, the president of the company, stated that the defeat of the bill at Albany on Tuesday night would not in any way interfere with the objects in view, so far as the Gilbert Elevated Railroad was concerned. It had nothing whatever to do with the bill. He considered, moreover, that, despite all opposition, rapid transit was bound to come sooner or later.

THE PRESIDENT OF THE SIXTH AVENUE ROAD.

Mr. Butler, President of the Sixth Avenue Railroad Company, on being questioned in reference to the effect of the defeat of the Husted bill, conversed very freely on the subject of rapid transit generally, but said that the defeat of the aforesaid bill would have no effect whatever on the quarrel between the Gilbert Elevated Company and his own. The matter at issue between the former corporation and the property holders along the avenue would be adjusted judicially on or after May 11. The injunction now restraining the Gilbert people from continuing the construction of their road on Sixth avenue as proposed still remains in force, and counsel were to have shown cause why it should not remain perpetual on Tuesday last, before Judge Monell, but for some reason or other the hearing was deferred until next week. Speaking of rapid transit and the Husted bill, Mr. Butler said that so far as he knew no railroad company in the city had paid a dollar toward the bill's defeat. "So far as I am concerned," said he, "I am quite willing to make an affidavit before the notary, who is at hand, that I neither offered to pay nor contributed a dollar to any such purpose. In my judgment compensation to property holders for injury or depreciation by the construction of a rapid transit railroad is just. Take for example any house now worth a certain figure. Its value will be materially lessened by the erection of posts and laying of rails in front of it to accommodate persons who have no possible interest in that district. The solution of the rapid transit problem will be reached only when persons or companies about to construct a road to aid it are willing to pay property owners for the damage they receive by the creation of the new route. No one has any right to impair the property of persons in one section of a city merely to enhance the value of that belonging to others elsewhere."

PROPERTY OWNER'S VIEWS.

Property owners along the line of the Sixth avenue with whom conversations were had yesterday contend that the defeat of the bill in question has no effect on them whatever. Their dispute is with the Gilbert Elevated Railroad Company, and will be settled in the courts. So far as the question of elevated railroads is concerned some of the property holders do not think them likely to be beneficial to places located along such routes.

COMPTROLLER GREEN ON THE BATTERY ENCROACHMENT.

Comptroller Green, as the legal custodian of the real estate of the city, has endeavored to prevent the construction of the Elevated Railroad line over the northeasterly corner of the Battery Park, and at the first movement of the company he requested the Counsel to the Corporation to stop the work by an injunction or other legal measures. The Comptroller holds that the Commissioners of the Department of Public Parks have no power to appropriate any portion of the people's pleasure grounds for the private use and benefit of any person or corporation, and that the Park Commissioners in granting a license to the Elevated Railroad Company to run their line across the Battery have transcended their lawful authority. He is pleased at the failure of Mr. Husted's bill.

IMPROVED DOCK BUILDING.

The submarine construction of foundations for bridge piers, dock walls, lighthouses, coast fortifications and the removal of channel obstructions, such as rocks, wrecks, &c., will be rendered more feasible and less costly as improvements are made in the construction of coffer dams. The latest effort in that direction is illustrated by the new portable coffer dam now ready to be launched at the foot of 106th street, Harlem River. It appears to answer all the requirements of such a structure, and moreover suggests a solution of many engineering problems which have presented themselves in other forms than those connected with the construction of submarine foundations. The subject is important enough to be worth a careful investigation, because if the new coffer dam proves as useful as it promises to be many millions of dollars may be saved on the cost of government works and by municipal and private corporations.

The object of a coffer dam is to surround a space, the site of a proposed work, with an impervious wall by which the waters can be entirely excluded from the enclosure and the work of excavation and building carried on in the air, instead of being, as at present, conducted under a great pressure of water. The new coffer dam is formed by solidly framed wooden box walls, rectangular in section, and built with a flat bottom and deck, vertical sides, and of any length from 50 to 200 feet. A keel like that of a ship is attached to the bottom of each box wall which steadies it in the water when afloat, renders it easy of movement by towing from point to point, and fixes it firmly on the bottom when it is sunk in position. The box wall is fifteen feet wide from out to out, and its vertical sides are thirty-five feet high. Two of these wall boxes or caissons placed parallel to each other and from thirty to forty feet apart form the sides of the coffer dam, the ends being closed by A gates, as in a canal lock, the salients pointing toward the direction of the water pressure. These gates are h