THE CITY COMPENSATED.

The Corporation vs. The Second Avenue Railroad.

The Proposed Extensions of the Road-Com sation Awarded by Commissioners Appointed by the Supreme Court-An Exhaustive Report-The Compensation Abated to One-Third of One Per Cent of the Gross Receipts in Consideration of Circumstances.

The three Commissioners, Messrs. William R. Martin, Rufus M. Stivers and J. Nelson Tappan, mointed by Judge George C. Barrett, in the Su-me Court, on the 5th of June last, to sppraise preme Court, on the sth of June inst, to spyrame and determine the compensation, if any, to be phid the city corporation by the Second Avenue Rall-read Company for the privilege of laying four branch. tracks, pressented a most exhaustive report at a eting of counsel for the city and the railroad npany, at half-past three o'clock yesterday after-on, at 40 Wall street. After a most careful analyis of the value of the road, the value of the man-huse, the fact of its being a border line et, and after a comparison with the statistics yet, and after a comparison with the statistics of other roads, the commissioners conclude that 2½ per cent of the gross receipts of the dity railroad companies for passengers would be a just annual compensation to the city for the privileges enjoyed by them; that an investigation of other roads would lead to a higher percentage; that in-assmuch as the proposed extension of the Second Avenue line is 20 per cent of the main the compen-sation for these extensions, at the above rate, would be 66-100ths of 1 per cent of the gross re-ceipts. This, in view of the circumstances of the road, thee commissioners have abated to one-third of 1 per cent. of 1 per cent.

of 1 per cent. In the matter of the application of the Second Avenue Railroad Company for the appointment of three commissioners to fix the compensation to be paid to the Mayor, Aldermen and Commonality of the city of New York for certain rights and pavlieges granted suid company by the Legislature of the State of New York. By an order in this matter made at a special term of this Court Hon. George C. Barrett, Justice, on the 5th day of June, 1872 Messers. William R. Martin, Ruins M. Stivers and J. Neison Tappan were appointed commissioners to appraise and de-termine. The matter was heard on the first day of June

were appointed commissioners to appraise and de-termine. The matter was heard on the 21st day of June, 1872, and on several adjourned days until the 21st of December, 1872. I. An agreement made the 15th December, 1852, between the Mayor, Aldermen and Commonaity of the city of New York and Denton Pearsail and eight others gave permission for the construction of the road now known as the Second Avenue Railroad. It limited the lars to five cents below Forty-second Street and reserved power to the Common Council to regulate the fare for the entire length of the road, when it should be completed to Harlem Elver.

liver. Others of the city railroads were in like manner

But is used about the same time. But is was subsequently decided in a litigation terminated by the Court of Appeals that the city corporation had ne power to make the grants con-tained in these agreements. Davis vs. Mayor, &c. (December, 1856), 14 N. Y.,

tained in these agreements. Davis vs. Mayor, &c. (December, 1856), 14 N. Y., to. Minau vs. Sharp (September, 1863), 27 N. Y., 211. The act of 1864, chap. 141, p. 323, by its third whom any railroad in any of the cities of the State had been in part constructed to complete the same, and to that end the grants, licenses and resolutions under which they had been in part constructed we confirmed. To the authority of this agreement and this set the Second Avenue Railroad has been con-tracted and the grants, licenses and resolutions and to that end the grants, licenses and resolutions and to that end the grants, licenses and resolutions and to that end the grants, licenses and resolutions and to that end the grants, licenses and resolutions and to that end the grants, licenses and resolutions and to that end the grants, licenses and resolutions and to that end the grants, licenses and resolutions and to that end the grants, licenses and resolutions and to that end the grants, licenses and resolutions the second Avenue Railroad the second the second the second the first section of the altroad which are pecified in the first section of the act. By the third section they are required to make compensation to the Mayor, Aldermen, and Commonalty of the City of New York for the appointment of three commis-sections they are required to make company shappy to the duty imposed upon us. Since we apprese the mean determine that the company shappy to a nominal, but a substantial sum as compensa-tion, there is a propriety in stating the grants, for the courd Avenue Railroad, before the set of the first track transing from the northerity end of the renk tracks running down by Second avenue, by the strent of the street, and by Twenty-sham square, Pearl street and Peck slip to the East word, there is a propriety in alternet and the first would be and allen streets and the first would be and allen streets and the first would be point of separation at the Second avenue to Twenty-third stree

ers vane and is reckoned as a material element in Their iranchise. For what they thus receive it is just that they

Takin ranchise.
For what they thus receive it is just that they should make compensation.
Will for what they give the city corporation make compensation.
The main receive compensation.
The main receive compensation of the People vs. Kerr, above cited, that the case of the City corporation the screets was not of a character to be protected by the constitution and initiations upon the size of the city corporation of the constitution, that is, that it. It is that the legislature and upon the streets, and that the city corporation were not entitled to compensation and/or the provision of the constitution, which orbits the taking of private property for public use without just compensation.
The state of the size of the city corporation were not entitled to compensation and/or the provision of the constitution, which orbits the taking of private property for public use without just compensation.
The state are the ownership thereof was public its of the streets of the streets of the disting of private property of the people, and that the Legislature as the representative of the treet was at her of the streets of the disting power to autorize one of the streets of the disting the proceeded on the idea that the construction of a railroad in the street, was at here of the owners of oraginal object and was were not its idea that the construction of a railroad in the street, was at here of the owners of oraginal object and was the distinct of the the construction of a railroad in the street, was at here of the owners to compensation.
The waves in the take were the owners of ison distinct purpose estirely foreise from its original object and was the distinct purpose estirely foreise from its original object and was the owners to compensation.
The owners in that case were the owners of ison domining on the street, were the owners of oraginal object and was the disting the owners of a street was at a poperty of the street, subject to the easement of a public its of th

of the street, subject to the ensemble of a public lighway. Buch a railroad was held to be an additional burden upon the fee, on the ground that the rail-road company isd an exclusive right to the use of their tracks while the cars were pussing, which prednade other vehicles, and that this was incon-sistent with the public essement. This conclusion was reached by applying the rules established in reference to steam railroads to horse railroads, without discrimination except a difference in de-gree of use.

reference to sceam railroads to horse railroads, without discrimination except a difference in de-gree of use. Although a perusal of the dissenting opinion in that case will leave a doubt whether such a doc-trine would be applied to horse railroads in the city of New tork, it may be regarded as a rule of law that a horse railroad in the streets of a city is a need and to some extent an exclusive use, a bur-den upon the owner of the fee, and entitling that owner to compensation. In the case of the streets of the city of New York, the owners of the lands bounding on the streets have no estate which entities them to this compen-sation or any part of it. From them the city has acquired an estate in ice, in trust for the people of the State, "that the same be appropriated and kept open as public streets forever." The power of regulating the use of the streets, including railroad grants, is vested in the Legisla-ture, and the city corporation holds its estate sub-ject to this power, and because their estate is so subjected they are not entitled to the compensation provided for all other owners. The Legislature, therefore, in making new grants to city railroads may, as in this case, impose as a condition that compensation shall be made to the city corporation.

to city railroads inar, as in this case, impose as a condition that compensation shall be made to the city corporatios. The city corporation thus has a clear and dis tinct legal right to compensation—for the new burden imposed on the fee and for the exclusive was taken in the construction and operation of a horse railroad, and also on the ground that they have, at their own expense, or by a local assess-ment on the property bordering on the street, graded and paved it, and thus sapplied the railroad company with a graded road-bed; and that this has pecuniary value, and is a material portion of the value of the company's franchize. "VII. This cetate of the city corporation in the street in trust for the public use is property—valu-able property. In its graded state it has cost some-thing, and has been paid for, not by general taxa-tion, but by mulicipal assessment. Upon this graded street the railroad company acquire a valu-able essement—a right of way from the people through the Legislature. It is not a gift of the people. They charge the railroad company to make compensation to the city coporation. "Will By the construction and operation of city railroads, the companies on the one hand and the city corporation and the people on the other (and compensatory. " A convenient transit through the city is gained

The convenient transit theore of the other, gain any advantages in their nature reciprocal and compensatory. A convenient transit through the city is gained for the people. This is of the greatest consequence. The growth tends to bring the whole island into ovacant iand up to the city in trade, population, wealth and taxable property depends upon it. This is of the greatest consequence. The growth tends to bring the whole island into ovacant iand up town, but of improved land down town owner. It brings all the land on the island under taxation at high values, instead of learning the land down town owner. It brings all the land on the island under taxation at high values, instead of learning the land down town subject to taxation at high values and that up town at low values. But this convenient transit attracts population the brough and the way travel on the railroads and ensures their profits.

1. That the rate of fare is limited by the people at

profits of the company, or rather, what would be practically more convenient and equally just on its stoss receipts from travel. The annual payment would then accord with the company's business, and would keep in proportion to the value of the franchise and to the private gain and profit of the

XII. If a general rule were now to be applied to all the railroads in the city their statistics for many years past serve to show what would be just between them and the city and not burdensome to them.

We have at hand the statistics for three years past, and they show these facts ;--



iples which have been stated and of and allegations of the restated and of

company with more moderation than it would be if The second seco

MRS. WHARTON.

Mrs. Chubb on the Purchase of Tartar

Mrs. Chubb on the Purchase of Tartar Emetic-Dr. Williams' Testimony-His Belief that Strychnis Was Adminis-tered to Van Ness. BALTIMORE, Md., Jan. 17, 1873. In the trial of Mrs. Wharton, at Annapolis, yes-terday, the direct and cross-examination of Mrs. Chubb was continued and concluded. The princi-pal portion of the testimony of this witness re-lated to the purchase of tartar emetic by herself at the request of Mrs. Wharton at the time General Ketchum and Van Ness were lying ill in Mrs. Whar-ton's house, and was a reiteration of her testiton's house, and was a reiteration of her tests mony on the former trial of the prisoner,

Dr. P. C. Williams was the next witness. He attended General Ketchum and Van Ness during their illness and was one of the most important witnesses on the trial of Mrs. Wharton for the mur der of Ketchum. In his testimony yesterday he detailed the condition in which he found Van Ness when first called to see him at the prisoner's house on the afternoon of June 24, 1871. Witness

when first called to see him at the prisoner's house on the afternoon of June 24, 1871. Witness found Van Ness lying on the floor, his body and limbs very rigid, his head thrown back, and having frequent convulsions. The Doctor gave a minute description of the symptoms of the patient was partially relieved by the administration of chloroform and chloral. The condition and symptoms and treatment of Van Ness were very similar to those of General ketchurn, as testified to by the same witness on the former trial. Witness stated that Van Ness was so much bet-ter Sunday morning that he concluded to withdraw from the case, leaving the patient in the hands of Dr. Chew; next saw Van Ness was so much bet-ter Sunday morning that he concluded to withdraw from the case, leaving the patient in the hands of nucles; next saw Van Ness on Tuesday morn-ing, about one o'clock, when he found him much woras: his voice inaudible, pulse feeble, much nauseated, and so debilitated that witness was stariled at the change; in reply to a question from witness as to the cause of this sudden attack Van Ness replied that he had taken beef tea, which leit a metailic taste in his mouth, followed by a sharp burning pain in the throat, which extended to the stomach. Witness then detailed in full the symp-toms attending Van Ness, the remedies applied and his partial recovery. At ten o'clock Tuesday moraing his professional relations with Van Ness ceased, and he was leit under the treatment of Dr. Chew.

ART MATTERS.

Leavitt's Art Gallery Last Evening. Last evening a private view was enjoyed, at Leavitt's Art Gallery, No. 817 Broadway, of a small, but interesting and excellent collection of paint-ings belonging to the late Mr. Joseph H. Higginson, of Brooklyn. It is the largest collection of paintings by American artists that has been on exhibition for sale in this city since Mr. Avery's memorable American budget was disposed of. Almost all the contributions are by American artists, though there are a few foreign ones. About a dozen pictures have been added to the original stock. The gallery will be thrown open to the public this morning and remain so until next Thursday, upon the evening of which day the sale Mill commence, terminating on Friday evening, January 24. There are 180 paintings, exclusive of those which were added. Among the most attractive are the following :--"You Can't Have Them," by S. J. Guy, extremely

rich in color, and representing a little girl leauing with one hand on a rock and with the other holding a bunch of flowers out of reach of a fawn stretching after them. The little one's naked shoulder is shown by the fallen chemise, and the playful earnestness of her face and figure contrasts delightfully with the demure wistfulness of the timid animal: This picture is the gem of all the Guys to be found in the collection.

David Johnson's "Fisherman's Haunt" shows a secluded nook in the forest, full of the grays and sectoded nook in the forest, full of the grays and greens in which Mr. Johnson delights, with a lonely fisher plying his rod in shadow-shrouded water. "The Rainbow" is another bright bit by Guy, con-taining those effects of light and raindrop, the signing shadows and the uncertain radiance which

spring from a summer Storm. The genius of Church is powerfully feit in "A

Passing Storm," in which the hush that settles upon landscapes expectant of a tempest is won-derfully expressed. A huge jutting crag catches a solitary ray of light; the storm clouds are piled together with a massive energy, and the picture is pervaded with that sombre self-repression and that jurid caim which are so frequently to be ascribed to forest and river over which a storm is broading. N. S. Mount's "Poser," representing two rustic

workers, evidently nonplussed by some problem suggested by a mischievous boy, while a negro chuckles enjoyably in the background, finds place here.

A melancholy interest attaches to the late J. F. A melancholy interest attaches to the late J. F. Kenset's "Near San Francisco," full as it is of the breadth and freedom, the sense of space, the close study of nature which that gifted artist's work so frequently indicates. Brevoort's "Sunset in the Street" lights up what might be a Spanish or a Havanese thoroughfare with red and yellow radiance. A. T. Shattuck has some finely painted sheep. The sheep are individualized, and the artist has succeeded in the by no means easy task of making the wool resemble what it was intended to look like.

J. W. Casilear has given a quiet poetic amplifica-tion to those lines of Byron, Above me are the crags, the palaces of nature.

CREDIT MOBILIEB

Proceedings of the Wilson Investigating Committee.

Continued Examination of Thomas C. Durant-No Member of Congress Employed as Counsel by the Credit Mobilier-More About the Help to Harlan-Congressmen Not

Bribed, Directly or Indirectly-How Dividends Were Secured-Construction of the Boad.

WASHINGTON, Jan. 47, 1873.

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A WEIG AD STR

The Wilson Select Investigating Committee met at half-past tweive o'clock. Hon. Mr. Perry, of at half past twelve o'clock. non. Mr. Perry, of Cincinnati, the counsel employed by the govern-ment, was welcomed by the committee and took his seat at the table with them. The chairman said he had received from the Secretary of the Interior the report of the government Commissioners, in which the Wyoming coal contrast is dis-cussed, and also the names of the government directors of the Union Pacific Railroad, from its organization to the present time.

THE EXAMINATION OF THOMAS C. DURANT

show the precise expenditure and profile. Mr. Perry, the government counsel, also took part im-the examination. The witness, in further testimony, said it was one of the requirements of the organization that statements on dividends should be made out; witness and sor calts to attra bar masses or congress at matorial A converse. by the Credit Mobilier; the finaself employed the Hon. Mr. Janckes in some suit in Rhode Island; did not know whether Mr. Janckes was a member of Congress at that time or not; General Batter came with Mr. John B. Alley at the stockholders meeting in October, 1957; also representing Cakes Amas in the preparation of the representing the dustion whether any masses to conduct any member of Camponer of the Credit Mobilier, the witness whether the Credit Mo-bler or the Union Facific Railrond, or sup person con-nected there with, hd timpished any member of members of Congress The witness answered which was an individual matter: he paid \$10,000, \$3,000 ceth time, by check, directly to Mr. Harlan; his private or the Credit Mobilier; the checks were drawn on any she had accounts in several banks there; the contribution of the Gredit Mobilier, the checks were drawn on any and the Gredit Mobilier; the checks were drawn on any and had contribution as the had largen interests in the severation of this mantan MA ASEEP TH TO CONTRESS TESES TESES and there and the finance of the matter to the condit the ad largen interesting on the severation of the condition of the data i

he had accounts in several banks (here; the contribution of the money was voluniatly on his part; previous to this mattar map assess the had large interests in lows. By the Chairman-Wasir to aid him in being elected United States Senator 1 A. It was to aid in the State election; I wanted to have Senator Harlan elected; I dil unt tell him the motive of my contribution; I had a large interest in lows. It was to aid in the State election; I wanted to have Senator Harlan elected; I dil unt tell him the motive of my contribution; I had a large interest in lows. It was was interrogated at length as to the pay-ment of which some of the conflates for the Legislature were opposed; I was satisfied that Harlan should win a Winces was interrogated at length as to the payment of the general expenses of the company by him, for which he gave vouchers; some of the money was paid to company and settling other disputed matters; they were are appoint of the Johave Ratificad Company and settling other disputed matters; they were and settling other disputed matters; they were trans to the Onlar Varion, who was pecuniarily interest on the Johav of Laron, who was pecuniarily interest on the bave on the claim of the money to Stew-art and Hay to pay over to Pearson, who was pecuniarily interested in the Laevenworth and Pawne Ratificad diversity or indirectly: witness cave the money to Stew-art and Hay to pay over to Pearson, who was pecuniarily interested in the Laevenworth and Pawne Ratificad. During the examination witness said Oakes Ames asked

and they gave witness vouchers or receipts; he presumed that Stewart and Hay could explain better than he could. During the examination witness said Oakes Ames asked im about the ifems of the accounts; witness said to Ames, "What do you want with the accounts they have been examined by the Board previously appointed and pased upon officially and paid;" "I want to see whether any money has been paid to members of Congress;" witness asked, "Why do you want to know whether any money has been paid to members of Congress;" to which Ames replied. "Y want runs vo FAY if made if the second of the account of the see whether any money has been paid to members of Congress;" to which Ames replied. "Y want runs vo FAY if made if the second of the accounts of the organization, to which witness replied that in a second the runs of the second of the accounts of the organization, to which witness replied that the matter was never brought before and never rejected by the committee. If was known by them that he had given these checks. He was asked a question concerning, them, and replied that is was subors explosed through the had he had given these checks. He was asked a question concerning, them, and replied that "If was subown subors a starts." He accounted for the moneys expended through him, closely interrogated as to the expenditure of money by stewart and Hay. He did not peleve one dollar was sepent to induce or secure lepisation. By M. Shellabarger-Did they satisfy you that all their expenditures were lepitimate to A. I thought so, but

while the step of the point of separation at the Second avenue.
The extensions given to them by the first section if of the set of 1872 are as follows:An extension from Chatham street through Worth street to Broadway, by double track.
An extension from Second avenue, through Sator piace, to Broadway, by double track.
An extension from Second avenue, through Bighty-sith street, to avenue A and thence by avenue A to the Astoria ferry, at the foot of Ninety-second avenue, through Vouble track.
An extension by a single or parallel track from the Second avenue, Houston, Forsyth and Division streets to Chatham square, with a side track from the corner of Grand and Forsyth, through Grand, Chrysile and Division streets to Chatham square.
A some side and single tracks around their stam square. me side and single tracks around their sta-

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5. Some not and single tracks atoms the solution of the solution of the solution of the streaks and avenues of the city, and by this they have gained the following rights, privi-

2 This right of way over a street or avenue already graded. These have been gained by the Second avenue road, and by many others, without any cost or ex-pense to the companies. This right of way over a graded street has been supplied to the companies by the city Corporation. That Corporation holds an estate in the streets and avenues in trust for the public use. The land in the street has been acquired by the Corporation for such use, and has been puid for; and the cost as well as the expenses of grading and paving have been assessed upon the property in the vicinity, or it may, in some instances, have been borne in part by the city itself. assessed upon the property in the vicinity, of a may, in some instances, have been borne in part by the city itself. IV. This right of way over a graded street has

raiue. This is shown by the recent sale of the rights, privileges and franchises for building a railroad in fwenty-third street, from river to river, for 150,000. (Laws 1860, chapter 823; Laws 1872, chap-ter 521.) These two miles of road were worth what t would cost to build and equip it, and that sam beside. It was the calculation of the purchaser that the profits of the road would pay interest on the whole sum.

the whole sum. It is shown also by the recent sale of a like fran-chise in 125th street for \$67,000. (Laws 1870, chap.

the in 125th street for \$67,000. (Laws 1870, chap. 504.) In many of the city railroads the value of the fran-chise at the time the company was organized, or the sum paid for it to the original grantees, was in-cluded in making up the amount of capital stock and bonded debt. The cost of laying a double track on a graded bed, and of the real estate and annionant, can be readily compared with the offiand bonded debt. The cost of laying a double track on a graded bed, and of the real estate and equipment, can be readily compared with the off-cial statements of the bonded debt and capital stock of such company. It will be seen that in many, if not all of them, this manchise has been counted at a considerable sum; that is, that the debt and capital stock largely exceed the actual cost of the road, land and equipment, and that this excess represents something; if represents the value of the property over its cost, and that is the franchise. This will continue to be the case after adding to the cost of laying the tracks at the outset, the ex-made necessary in many cases by the changes of grades and the building of sewers. If the company were obliged to purchase a right of way through private property in this city, the cost would be so great that surface roads by horse power could not be run profitably. Utusde of citles railroad companies purchase fights of way, and which gives them an exclusive en-joyment. Builts the city they receive it on a street which

rights of way, and own them by, an estate for which they pay, and which gives them an exclusive en-ownent. But in the city they receive it on a strest which the city corporation hold for the public use. This public use was construed in the People vs. Kerr (1983), 27 New York, 185, broadly enough to include one of these railroads as a public use, though this construction has since been qualified. The railroads in this city are to some extent and not a public use, but take and hold for an exclusive enjoyment, and thus become a burden on the land, to apublic use, but take and hold for an exclusive enjoyment, and thus become a burden on the land, to apublic use, but take and hold for an exclusive enjoyment, and thus become a burden on the land, to apublic use, but take and hold for an exclusive enjoyment, and thus become a burden on the sind, to apublic use, but take and bold for an exclusive modes this qualided public use, also for their own sain and profit. They take possession of the pust and practical operation of the thing, be-ing in some respects an exclusive use and serving to enrich a corporation. They obtain their rights and privileges over a way already graded for them, and this right of way

Inst the rate of arte is infinited by the people at an amount favorable to themselves. The parallel roads through the city are not left to free competi-tion for travel, but low rates of fare are fixed.
 Obviously a scale of fares so low that it is cheaper for a man to ride than to walk is greatly in the in-terest of the people. It is one mode of compensa-tion by which the people derive a great benefit. If there were reserved power to make a further reduction of fare for the good of the people, so that this reduction and the compensation we are con-sidering were two ways of reaching the same re-sult, a serious question would be presented. Be-tween the two the former mode of compensation might prevail. But it does not appear that this power has not been fully exercised. There is no reserved right further is reduce the rates of pas-senger fare. Taking it, therefore, at its present scale, the railroad companies are making memory their met profits are sufficient to pay an interests on an amount of capital and bonded debt large enough to include something for the value of the franchas.
 That the construction of lines of steam transit.

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d be a percentage on the

facts and principles which have been stated and of all the proofs and allegations of the parties, which have been fully and carefully laid before us, and ably and fairly presented in argument. The range of evidence has been broad, and nothing bearing on the general question has been excluded. From such a consideration we have come to the determination that two and one-hall per cent of the gross receipts of the city railroad companies for passenger travel would be a just and fair annual payment to the city corporation for the rights and privileges granted to and enjoyed by them. This is the minimum rate. If a decision as to all the railroads had been required, we can see that our investigations might have led to a higher percentage.

Hist our interaction of the second avenue Railroad Com-kill Although we are not called on to decide this question as broadly as we have above stated it, still a survey and examination of the facts and principles that bear on all and each of the city railroads, and such a conclusion as we have reached, have been necessary in order to apply a just measure to the Second Avenue Railroad Com-

The would be unjust to apply to them a rule that did not in principle apply equally to the other city railroads, or a measure of payment that did not meet the facts common to them all alike. On both sides the case has been presented to us in this

meet the facts common to them all alike. On both sides the case has been presented to us in this aspect. XIV. The compensation to be determined is for the value of the new extensions of the Second Ave-nue road, and not for their main line. There is room for difference of opinion whether these extensions are more or less important and valuable than any other portion of equal length of their main line. At two places down town they lead to Broadway, the main central thoroughfare of the dity, and up town to an important ferry. They will not be run as branches of the main road, but cars running over the main ime will diverge down town-some of them to Asior place, some to Worth street and others to the East River, and likewise diverge up town to their two terminal points on the Harlem River. The road has heretofore been, in fact, a barder road, running from the East River at Peck slip, where it passes several ferry landings, up along the east side of the city to the Harlem River. Alone of all city railroads it does not ap-proach or cross Broadway. The two lines which run parallel with it on the Third and the Fourth avenues both start from Broadway, and give it a share of the travel from that thoroughare, though not at very valuable points. Then these extensions are operated by the com-many it will not be practicable to discriminate be-of the main line. A proportion must therefore be of the main line. A proportion must therefore be of the main line. A proportion must therefore be of the main line. A proportion must therefore be of the main line. A proportion must therefore be of the main line. A proportion must therefore be of the main line. A proportion must therefore be of the main line. A proportion must therefore be of the main line. A proportion must therefore be of the main line. A recogning and the learch

tion. This proportion will be most fairly arrived at by taking the length of the extensions and the length of the whole road, and holding the value of the ex-tensions to be the proportion of their length to the total length. This results as follows:-

The main line has of double The main line has of single Equal to double track	track 23,740
Total length in double tra	ck

Total length in double track...... 14,752

has had between it and Broadway two competing and successful roads. This compensation is to be awarded against this road alone. Out of all the city raitroads, with the exceptions above stated, none are subjected to this purpoint, nor are they liable to make such a com-pensation, unless they hereafter obtain extensions of their roads or renewais of their contracts or charters, and it should be then imposed as a condi-tion. The rale should be applied against such a

communication, a copy of which was published, however, subsequently, in the Cuban organ in this city, *La Revolucion de Cuba*. General Jordan then wrote the following letter a few days ago to the

can only regard them as deliberate in their many electrons. As for your pretension that the version which you gave of my words agrees with what I said. I have only to ob-serve that you will scarcely find any one either so stupid or so bigoted as to believe that I would take into my con-fidence the first Spannard whom is chanced to meet—one whom I had never seen before—and impart to him view of the Cubana and of their comjest wholly contary to what I have been saying and writing over my own sig nature in the same connection for nearly three years The idea, is simply preposterous, and I may as well add that I shall not occupy any more of my time in thus afair. Respectfully, your obelint servent. THOMAS JORDAN.

In reply to this letter the Spanish editor, under the heading of "Rectification," published a report, telegraphed from Havana by the Associated Press, in 1869, to the effect that General Jordan had offered to sell the patriot forces to the Spanlards when General De Rodas was Captain General of

offered to sell the particit forces to the Spaniards when General De Rodas was Captain General of Contact of the Spaniards when General De Rodas was Captain General of Contact of the General Bordan was shown a paper for the General Rodas at Havana and challenged have the second statement to pass through the censor's office and be telegraphed on to the United States, the teter, it is reported, reached the hands of the Captain General of the Spaniar of statement to pass through the censor's office and be telegraphed on to the United States, the teter, it is reported, reached the hands of the Captain General out no reply was vocchaded. An APAR BO F Scitsova. The deficit of the Spaniar off shaderos, recognized the saddress, recognized the single shaderos, recolved to recombine the single shaderos, recolved to recombine the shader the insults received at the Spaniar off shader resolved to recombine the single shaderos, recolved to a Castilian. The period selected to a for this mission was a Cuban gentleman who have she be shaderon and told him that I was the should to a suit him, for the shader she to the returned and again maisted that ne should receive the returned is the should not suit him, for by the signt of selesors herided to shader she tried to shader she would make the science is track of anger, and spin would not suit him, for by the signt wound. Meanwhile I had thrown the letter to the science is tried to shader the science is the science is

AN OCEAN STEAMER BEACHED.

The Arcadian, of the Allan Line, Cut Down by Ice and Ran Ashore.

BALTIMORE, Md., Jan. 17, 1873. The steamship Arcadian, Captain Wilson, of the Allan line, which left this port on Wednesday last for Hallfax, with 1,250 tons of coal on board, was stopped near Fort Carroll, eight miles below the city, from obstructions by the ice. Yesterday after city, from obstructions by the ics. Testeruay after-noon Captain Wilson, discovering that the ship had been cut through by the ice, attempted to bring her back to port with the assistance of the iceboat, but finding it impossible the Acadian was beached about five miles below the city. Her fore hold is full of water. She lies in a favorable position, and will be immediately pumped out and floated.

shallow water. George H. Hale has a well painted vase of flowers. The waxy texture of the camelias is particularly

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THE BURNED CHURCH.

Loss by the Destruction of the First

Congregational Church in Chicago. CHICAGO, III., Jan. 17, 1873. The total cost of the First Congregational church which was burned last evening, including the Western, of Toronto; Home, of New York; Howard, of New York; National, of Hartford, \$5,000 each; of New York; National, of Hartford, \$5,000 each; Girard, ol Philadelphia; St. Paul, of New Orleans, and Mutual, \$4,300 each; Continental, \$4,000; Fair-field, of Connecticut, \$2,100. The remainder is in Western companies. There was \$5,000 insurance on the organ, divided among eleven companies. The pastor's valuable library of 1,000 volumes, which was in the study in the basement of the church, was also saved by the fire patrol. The cause oi the fire was a defective due. At a meeting of the trustees of the church hast night, immediately after the destruction of that edifice, it was resolved to the immediate steps for rebuilding.

THE PATERSON WEAVERS' STRIKE.

The Silk Workers Agree to a Proposition for Forty-five Cents a Yard, and Will Resume Work.

Resume Work. PATERSON, N. J., Jan. 17, 1873. The strike of the silk weavers was ended to-day, after two months' duration. The weavers struck after two months' duration. The weavers struck because their employers proposed to reduce their wages from fifty cents to forty cents per yard for weaving plain goods. The Messrs, Tilt, the largest weavers in the country, to-day agreed to pay the men forty-five cents per yard, and other employers agreed to pay forty-six cents per yard. The men agreed to go to work next Monday on those terms.

pointed a Government Director or the Union Pacific Rail-road 7 A. 1 did not. By the Chairman-Do you know Onero J. Poppleton, of Nebraskaf A. 1 do. Q. Do you not know that Poppleton was a candidate for member of Congress against the present memory Mr. Tafet A. I do not. Poppleton was in the employ of the Union Pacific Railroad Company between 1866 and 1869, looking arter its lands. In the further examination the witness said the Credis Mobilier

Sitewart and Hay. He did not believe one dollar was spent to influence or secure lepisation. By Mr. Shellabarger-Did they satisfy you that all their terpenditures were legitimate A. I thought so, but I may make the secure security of the security of Did they present such papers or vouchers to show that the money was legitimately expended, and not to inducnoe legislation 7 A. I was satisfied at that time the expenditure was legitimate. By Mr. Shellabarger-Did you ever come to Washing-ton with Mr. James Brooks in order to have him ap-pointed a Government Director of the Union Factific Kall-

Mobilier GAVE GARES AMES & CONTRACT for building 235 miles of road at a cost to the rall for building 238 miles of road at a cost to the railred pany of between two and three millions of dolla than the actual cost of that portion of the road will already been built, baid for and accepted by the

The Charman asked was it not the fact that the differ-ment. The Charman asked was it not the fact that the differ-ence between the cost of the 25 miles of road and tho amount for which it was let under the Oakes Ames con-tract constituted the assets out of which the dividends were declared to stockholders of Crishit Mobiliert A. 15 was.

were declared to stockholders of Crisili Mobilieri A. It was. By Mr. Hoar-If that money had not been thus divided would is not have been the property of the Union Pacific Raliread Company? So the trustees took the property the Union Pacific Raliread had on hand and divided its among the stockholders of the Oredit Mobilier? Witness said that such was the effect. The witness was closely examised as to all the facts in relation to contracts and transfers. On being asked why the Union Pacific Raliread Company could not constructs the read without giving the contract to Oakes Ames, he said the company had not means enough to do so. A contract could not be made with Oakes Ames, he said the company had not means enough to do so. A contract could not be made with Oakes Ames without giving him the benefit of the puriou of the read itready constructed and paid for by the raliread com-pany. The stockholders of both the Usion Pacific Raliread V4,000 or 30,000 of stock of the Usion Pacific Ralireat Company. By Mr. Hoar-Suppose the read was built economically

<text><text><text><text><text><text><text> The committee then adjourned until ten o'clock to m

SING SING CONVICTS CAPTURED. The Englewood Protection Society Capture the Escaped Convicts from "U

the River." ENGLEWOOD, N. J., Jan. 17, 1873.

ENGLEWOOD, N. J., Jan. 17, 1973. The three convicts who escaped from Sing Sing yesterday, named respectively Daniel Bland, John Marion and Andrew Relly, were captured about two o'clock to-day by Marahall Hills, detective, of the Englewood Protection Society, assisted by a citizen. This was effected about one mile below Englewood.

THE HOOSAC TUNNEL BAILBOAD.

A bill has been introduced in the Massachusetts Legislature for the consolidation of the Fitchburg,

Vermont and Massachusetts and the Troy and Bo

ton Railroad companies, the consolidated corpora-tion to be called "The Hoosac Tunnel Railroad Company." Including the State Interests in the Hoosac tunnel, the road will form a continuous line from Boston to Troy, with a capital of \$25,000,000

BOSTON, Mass., Jan. 17, 1873.