CITY COUNCILS.

The Vacant Seat of the Eighteenth Ward—Mr. Duffield's Name Placed on the Roll—His Case Referred to a Special Democratic Committee of Five—Resignation of a Select Councilman—Renewal of the Street-Cleansing Contract—The Broad-street Railway.

Both branches of Councils held their regular stated meetings yesterday afternoon.

SELECT BRANCH.

Theo. Cuyler, president, in the chair.

Petitions, Communications, &c.

From Henry Bickley & Co., offering to cleanse the streets of the city for the sum of $68,000 per year.

A similar document was also received from Thos. Cunington and James Elliott offering to do the work for $5,500 per month.

The same, from Isaac Hineman, John Schaffer, and W. A. Baines, were also received.

Mr. ARMSTRONG presented several petitions from the tenants of the lower part of the city, complaining of dirty streets.

A communication from sixteen supervisors, relative to the same matter, was also presented by the same gentleman, and read.

Mr. MEGARY doubted the right of Councils to receive a communication direct from the supervisors. They should communicate through the Highway Department—this they owe as an act of courtesy, if for nothing more.

Mr. DAVIS thought the communication should be received and read.

A motion was made to lay the communication on the table.

Mr. MEGARY wanted to know whether the Chamber would be willing to receive a communication of complaint from one of the employees in the Department of City Property. He thought not; and why then receive a communication from the supervisors, who are under the control of the Highway Department?

After some further discussion, the communication was read. It alluded to the present street contractor as not having fulfilled the terms of his contract, and spoke of the streets of the city as being in a filthy condition.

A remonstrance of property-holders in Broad street was read, against laying a track in said street.

Resignation of a Member.

The resignation of Andrew J. Catherwood, Esq., Select Councilman of the Twenty-fifth ward, was here read.

Mr. WETHERILL moved it be accepted.

Mr. ARMSTRONG moved that, out of respect to the member, it be postponed for one week.

Dr. UHLER was in favor of accepting the resignation. The gentleman does not live in the ward which he represents, and has no right to the seat he holds.

Mr. WETHERILL said that Mr. Catherwood had stated to him that he desired to be no longer a member of Council. He assigned no reasons. The speaker was sorry that there should be any debate on the subject. There was not a member in the chamber who had more fearlessly performed his duty than Mr. Catherwood.

The motion to postpone was then agreed to by a vote of 9 to 8.

A communication was read from 6 victuallers of Girard-avenue Market, asking for a reduction of the license fee from $10 to $5.

Mr. FREEMAN said that this was a serious motion, and rivals, in its haste, the resolution by which Mr. Duffield was expelled. The act of Assembly directs how this committee is to be created. It must be drawn. Is that committee to be appointed, so that each individual member of it will be an opponent of Mr. Duffield? The act of Assembly prescribes that this committee shall be appointed as in contested-election cases. Even if this be overruled, let there be a decency manifested. This is a matter of law, a matter about which there is considerable difference of opinion. Let it then be referred to the Committee on Law, if you will not submit to written law.

Mr. FREEMAN read from the Laws of the State to sustain his position: "No complaint of undue election or false return shall be acted upon unless presented within ten days after the organization of Councils." Now, Mr. Quin proposes to erect a partisan committee, and to that committee it is intended to present a paper, which is not sworn to, and whose allegations are not fairly sustained. We plead again, this afternoon, for decency. If the gentleman from the Eighteenth ward is really disqualified from holding his seat, the speaker's vote will be given in favor of the expulsion. We appeal to plead for order and decency. We appeal to you to create your committee properly, and investigate the charges with a proper understanding of the matter. This paper which it is proposed shall be sent to the committee as a basis of investigation, is believed to be a false statement. On that paper Mr. Duffield was expelled by a party majority, who will no doubt expel him now without any further proof than is contained in that paper. He recognized the importance of Mr. Duffield being present this afternoon in his seat, and he regretted that the seat was vacant. If he were here, he could make his own statement, and throw light upon this all-important matter. Let the subject be properly considered, and let justice be done.

Mr. LEIGH said that the action of the Democratic party today was singularly defiant of law, and they have shown that they do not fear a ride in a prison van. He thought it idle to waste words upon such men. They have adopted a programme which they are determined to carry out in spite of all regulations of law and order.

Mr. QUIN inquired if such language was in order.

The CHAIR. It is scarcely in order on a simple motion to refer.

Mr. LEIGH resumed. The point he intended to make was, that the court had directed that Mr. Duffield be entitled to all the benefits of a member of Council, and this order was defied. These men appear to have consciences, which God forbid that I should have one (laughter) [Laughter.] He contended that these unworthy practices would recoil upon the offenders.

Mr. QUIN again called the Chamber to order.

Mr. LOUGHLIN. I hope he may be permitted to go on.

Mr. LEIGH again, at some length, urged that the Council members proceed regularly and in order in the matter before it.

Dr. SIPES said that often a mountain produces a mouse, but he did not think until now that the mouse had got into the Common Council. It was very evident that high did not know what he was talking about. The gentleman from the Twelfth, in not obey the court, and in doing so, we find that our hands are tied, because the Republican members stay outside of the railing, nearly an hour after the time for the regular meeting. The Democratic members of this Chamber are law-abiding. It is a principle of their party to obey the judiciary. They have never advocated a higher law than what is recognized by the Constitution. It is the Republican party that override law. It is that party that would erect Bastiles, and suspend all law for the government of the people. Mr. Duffield's name is on the roll, in accordance with the decree of the court. If he is not here to answer to his name, it is not the fault of the Democratic party. If he is entitled to his seat, he will have it.

Mr. FREEMAN, after some further argument, moved to lay the resolution upon the table. [Not agreed to.

Mr. QUIN thought that the language used by the opposition was of such a character as to outlaw them in the public estimation. A man who is weak of courage is generally more tender on his weak points than men who are bold. He (Mr. Quin) did not talk about the consciences of others, I rather suspect his own conscience is all wrong. It is said that we turned a man out of the Chamber whom we believed not to be entitled to a seat. When the court said that that was wrong, the Democratic members submitted, and Mr. Duffield is considered a member, and the circumstances about his seat are to be considered in other light. Not one of us has questioned the decree of the court. When it may be remembered, we tell us that it is wrong to deprive a member of his seat without notice!—men who do not scruple to sanction every violation of law, that violation which drags men from their homes and confines them in dungeons for months without a hearing or trial. It is with bad grace that they should rebuke us, even if we had done all they allege. We are willing to have Mr. Duffield's case regularly considered by a committee, and yet the opposition raise a new cry. It appears that it is determined upon to make Mr. Duffield a member, whether he is qualified or not. If he is to be allowed here, the Federal Government can have as many of its creatures here as they wish. [Applause from the galleries, which was soon silenced by the Chair.]

Mr. LEIGH rose to a point of order. The laws are written, and we must carry them out. Even if laws are wrong, we must abide by them, if the court decrees them to be executed. He deemed it a high privilege to have an opportunity to submit to the decision of the judiciary.

Mr. FREEMAN said that we had nothing to do with the arrests of the Federal Government, and it is idle to bring that subject into this debate. He had not entered them; but that was not for us here to consider. What will the court do with the case of Mr. Duffield. By order of the court, the Democratic members of this Chamber are required to "restore Mr. Duffield's name to the roll."

Mr. LEIGH moved that a committee be appointed according to law, as in contested seats.

The CHAIR decided the motion out of order.

Mr. HARPER moved to appeal from the decision of the Chair.

Mr. QUIN moved to lay the appeal on the table. Agreed to.

The CHAIR stated that it was a rule of Council that all committees should be appointed by the president, unless otherwise ordered.

Mr. TREGO had always respected the decisions of the president, but this time he took issue with him. The point taken was, how could he rule a motion out of order, when that motion has for its object the appointment of a committee, by order of Councils.

The CHAIR decided that his objection to the appointment of a committee, according to the order of the Chamber, was not out of order at this time.

The motion to refer being still in order.

Mr. HARPER moved an amendment that a committee of six be appointed by the Chair, three of whom shall be members of the Democratic party.

The CHAIR decided the amendment out of order, because it contained a restriction on the privileges of the president.

Mr. HARPER then appealed from the decision of the Chair.

The appeal was laid on the table—yeas 24, nays 18.

Mr. BARGER then arose and desired to make a personal explanation. He had been attacked in Council, in the street, in the press, and even in the court, because he held the positions of councilman and member of the Legislature. He would say that he is not yet a member of the Legislature. If he is holding these two positions after the first of January, he was disqualified as a member of Council, and that fact should be legally set forth, he would vacate the office.

Mr. STIRK offered an amendment that the resolution of Mr. Quin be referred to the Committee on Law. Not agreed to.

Mr. LEIGH moved to adjourn. Not agreed to.

Mr. QUIN again called the previous question.

Mr. SIMPSON moved that the matter be indefinitely postponed. Not agreed to.

The resolution was then adopted—yeas 24, nays 14.

The Chair appointed as the committee Messrs. Quin, Loughlin, Wolbert, Paul, and Bumm. Mr. Bumm refused to act, and Mr. Cavin was substituted.

The committee is, therefore, entirely Democratic in its complexion.

Message from the Mayor.

A message was received from the Mayor, vetoing an ordinance authorizing the payment of a sheriff's bill for advertising the election proclamation. The ground of the veto was that the amount was larger than in previous years.

Mr. HUTCHMAN offered a joint resolution, providing that the next stated meeting of Councils shall be held on Wednesday next.

Several petitions were received in reference to the filthy condition of the streets, and the Chamber soon after adjourned.

BOARD OF CONTROLLERS OF THE PUBLIC SCHOOLS.—The Board held an adjourned meeting yesterday afternoon, and transacted the following business: A communication was received from the Directors of the Eighth section, asking the privilege of renting an additional school-room in the said section. Also, one from the same section asking authority to rent a school-room on Locust street, above Eleventh. One from the Fourteenth section asking privilege to rent a room for secondary school purposes in this section. One from the Seventeenth section complaining that the coal furnished that section contained about 20 per cent. of dust, which required an outlay to have it screened. The Directors suggest to the Controller's office to pay the contractor the amount of his bill unless he allows a deduction of the expense incurred for screening. Besides this, the coal is very poor in quality.

Mr. Leech desired to know who furnished the coal and the price paid for the same.

Mr. Hunsworth, from the Seventeenth section, replied, Hiram Ayres, at the rate of $5.25 per ton.

"Has the bill been paid?"

"Yes, sir."

A motion was made that the communication be referred to the Committee on Supplies to report to the next meeting. A communication was received from the Nineteenth section, asking the privilege to open a Secondary school in the place of a Primary one, for the said section. Referred.

A petition was received from the Twentieth section asking a reference of that subject, amounting in the aggregate to $475—of which $200 for rent and $275 for furniture. This reference is necessary under an act of the City Councils. On motion, the communication was referred to Councils.

ACCOUNTS.

The Committee on Accounts reported bills to the amount of $717.57 for current expenses. Ordered to be paid.

Mr. Potter, from the Committee on Property, to which were referred the bills rendered by F. A. & J. C. Black for painting school-houses in the southern section of the city, the "Weccacoe" and "Ringgold," reported in favor of paying the same. The school-houses, the report says, wanted painting very badly. The bills, amounting to the sum of $108, were ordered to be paid.

A resolution was offered, giving power to a committee to rent two rooms in the Tyndall Mansion for school purposes.

THE SYSTEM TO BE CHANGED.

Mr. Riche, from the committee to which was referred the system of instruction as adopted for the regulation of the schools, made an elaborate report on the subject. It was a long document. When about half read,

Mr. Fitzgerald said the document is voluminous, and so much as has been read seems to incorporate some very important measures. He would like it to be printed, and made the subject of discussion at the next meeting.

The report closes with a series of resolutions, completely revolutionizing the system upon which the schools have hitherto been based. The most important portions are that there shall not be admitted more than 120 candidates into the Central High School at the commencement, nor more than 60 into the Girls' High School. There shall be returned for examination not more than 180 from the male grammar schools, nor more than 100 from the female grammar schools. The average for admissions shall be 65 in a scale of 100. Pupils to be admitted into the High School shall live in the neighborhood of the grammar school from which they are sent. The examiners also assign the branches of education that shall be taught in the several grades of schools.

These resolutions will come up for consideration at another meeting, to be held especially for the purpose, on January 23 ensuing.

BOARD INVITED TO DINE.

A communication was received from the teachers and scholars of the Female Ringgold Grammar School, tendering the hospitalities of the school in Christmas week, and inviting the Board of Controllers to dine with them. The invitation was unanimously accepted.

TEMPORARY VACATION.

Mr. Fitzgerald moved that the Christmas vacation of the schools be extended to Monday, the 5th of January. Agreed to.

The Board ordered a bill of $15, for wood and coal, to be paid, and then adjourned to meet on January the 2d, to consider the report on the alteration of the system of instruction.

DEATHS AT ARMY HOSPITALS.—The only death reported yesterday was that of Thomas Kenney, Co. I, 44th New York, at the West Philadelphia Hospital.

THE CITY.

The Thermometer.

DECEMBER 18, 1861.			DECEMBER 19, 1862.		
6 A. M.	12 M.	3 P. M.	6 A. M.	12 M.	3 P. M.
38	45	46½	25	29	32
SW	SW	SSW.	NW	W by S	SW.

FURTHER ARRIVAL OF SICK AND WOUNDED SOLDIERS.—Early yesterday morning a train containing about five hundred sick and wounded soldiers arrived at the Baltimore depot. Among them those wounded at the late battle of Fredericksburg numbered forty, and were conveyed to the hospital at Fifth and Buttonwood. The remainder, convalescents from the hospitals in Washington, were principally sick. They were taken to the Citizens' Volunteer Hospital, opposite the depot, and, upon the arrival of the firemen's ambulances, were conveyed to the various hospitals. The following are the names of those who belong to Pennsylvania and New Jersey regiments:

PENNSYLVANIA REGIMENTS.

Jacob Racener, E, 153	Geo E Jenks, D, 50
J N Weckley, B, 1 Pa Art	W A Truner, H, 90
R J Miller, G, 23	Aaron Baker, H, 42
B Gantz, G, 5 Pa R C	Pat Kenney, B, 6 Pa R C
Sgt W C McCavley, D, 45	Josiah C Reese, C, 45
Lewis Freling, E, 150	Isaac Metzger, G, 153
Sergt A Smedley, B, 6 Cav	G B Krall, B, 130
Bugler Wm Fox, B, 6 Cav	A Warren, L, 1 Cav
Corp W Nelson, D, 6 Cav	J H Bevis, H, 116
J D Fucher, H, 132	Jas Hines, 114
W L Reimer, E, 142	John Murphy, D, 82
Jos C Bagley, F, 88	Eckert Kalb, D, 11 Pa R C
Corp John Miller, A, 84	Dennis Monaghan, E, 62
Pat Coyle, E, 150	Arch'd Potter, D, 67
J McGrath, B, 116	James Lamb, K, 12 Cav
James Davis, D, 141	Chas Mulvany, I, 1 Rif
Sergt Geo Fitz, E, 9 Cav	Chas Fleck, 116
John Mayer, H, 12 Cav	C Fitzgeral, F, 149
Jos McCullin, B, 90	L Dubree, F, 62
C Euler, A, 126	Samuel Ward, E, 26
Geo Brown, B, 11	Jas J Jones, D, 126
David Irving, G, 5	Jas A Schofield, A, 3
J Doyle, A, 126	Caleb Tibbetts, H, 20
Corp A Bergey, K, 93	G W Chambers, E, 30
Wm A Peterson, D, 84	John Honeier, A, 106
Chas A Rose, D, 118	F W Nilt, E, 106
Levi Rhodes, E, 118	Moses Flood, H, 6 Cav
A Fitsmyer, K, 6 Res	Corp J P Bessilion, D, 72
William Davis, E, 81	John Keelan, B, 133
Nelson Anderson, D, 111	Louis Brinkmann, D, 99
John Wells, F, 68	Wm Millaken, P, 1
Lawrence R Nugent, C, 6 Cavalry	John C Austin, G, 123
Robert Small, D, 72	Geo T Taylor, A, 1 Res.
P G O'Connell, B, 115	Corp Jas Raisner, D, 26
Cp Thos Power, A, 115	Jesse Major, I, 12 Cav
Dennis Oaks, G, 93	John Smith, C, 13
Jas Cunningham, E, 71	J B Allen, H, 53
Bugler John C Coniff, C, 7 Cav	H H Bartell, H, 26
John F Fisher, D, 118	Jas S Hanna, K, 115
Jacob Keiser, C, 131	Corp Jas Hunter, L, 112
Corp J E Horton, H, 45	Chas Kendall, H, 26
J Clow, G, 16 Res	J W Smith, I, 118
Sergt W P Becktell, G, 118	Thos Singiser, E, 6
W Breckenridge, K, 73	Henry Graham, D, 2 Res
Wm Cummings, I, 3 Res	A D Kohler, C, 135
Saml Betts, F, 62	Wm H Ross, C, 145
John Cagley, F, 137	John Stewart, I, 127
Joseph Grey, A, 5 Res	J H Banks, G, 137
E McMichael, G, 137	Geo Backman, E, 137
John Callihan, E, 137	George Trump, E, 137
J T Lambert, D, 137	Alonzo Whitehead, D, 141
Wm McKibbon, C, 137	Jeremiah Shuman, I, 137
Andrew Wise, F, 137	Geo Adams, A, 88
— Geisen, O, 137	B McAllen, A, 88
Jas W Schultz, A, 26	John Sherwood, B, 4 Res
Wm Engels, H, 7	Elijah Williams, A, 7
A Pruvendyke, G, 15	John Hoffman, H, 26
Thos McGuire, A, 1	J H Vanordan, H, 25
J Bateman, F, 24	Peter Vanordan, E, 25
R Marshall, C, 3	J L Batz, D, 20
— McColliff, I, 12	J D Laing, F, 24
C Ogden, I, 24	L Singer, B, 24
T O'Connor, K, 29	Michael Duddy, B, 6
Allen Brown, D, 6	W Chedester, B, 7
N C Taylor, K, 24	Jas Kelly, F, 81
David Jess, K, 24	J T Bates, E, 24
Isaac Beach, F, 24	Wm Reeding, G, 24
J H Gaudy, G, 24	Wm Hutchinson, K, 24
A C Fowler, D, 24	Corp Jas Garrison, E, 24
Samuel Kerr, B, 24	R T Huntsinger, H, 24
J H Irelan, E, 24	M McLaughlin, D, 28
W D Shire, E, 24	Isaac Emmons, A, 28
W H Fowler, D, 24	Thos J Seeley, A, 24
Wm H Warley, E, 27	Wm H Smith, C, 11

It should seem hardly necessary to subjoin the reminder that the resources of that most generous of institutions, the Citizens' Volunteer Hospital, have been, of late, completely drained. Charity, hourly and daily, supplies its requirements, and the demands upon charity as continually exhaust these supplies. Philadelphia has acted most magnificently upon occasions of charitable occasion. A worthy object has only to be mentioned to insure the sympathies. When one remembers the noble ladies, who, moving in circles of wealth and of nature's nobility, have consecrated their days to the maintenance of the Citizens' Volunteer Hospital, we cannot doubt for a moment that that maintenance will ever fail in kind or in degree. To all interested in the soldiers' cause, (and what loyal heart is not?) we commend the charitable case regularly considered by this hospital. Donations of every kind are needed. They will be received at the hospital by the president, T. T. Tasker, secretary, T. L. Gifford, or any of the managers.

PHILADELPHIA CITY GUARDS.—Yesterday the Philadelphia City Guards, 157th Regiment P. V., Colonel William A. Gray, struck tents at Camp Pulestun. At eleven o'clock they left by steamboat Reybold for Fort Delaware, accompanied by Bergfeld's band. The regiment has been ordered there by the Secretary of War, for garrison duty. The following are the officers with the detachment: Lieut. Col. Frederick E. Crosman, in command; Major Thomas R. Addicks; Captain A. Levine, company F; First Lieutenant Wm. W. Peddie, company A; First Lieutenant William Rigley, company B; First Lieutenant John Scott, company E; First Lieutenant William F. Crane, company G; First Lieutenant Charles R. Addicks, company I; Quartermaster A. D. Harlan.

Col. Gray remains at his residence, with the other officers, to remit the balance of the regiment, and the men will be sent to Fort Delaware as fast as mustered in, which is much to their advantage and comfort, as they will be quartered in barracks in this cold weather.

THE LATE DR. W. D. BRINCKLE.—At a meeting of the Pennsylvania Horticultural Society, held a few days since, the following resolutions were adopted:

Resolved, That this society deeply mourn the decease of their late fellow-member, Wm. D. Brinckle, M. D., whose connection with it during many years has brought honor to the society.

Resolved, That, although ill health has for some time deprived us of the benefit of his knowledge and experience, yet we regard him as the Nestor of Pomological science in America. In sympathy in all that pertains to his favorite pursuit.

Resolved, That this society show some mark of appreciation of the labors of their eminent fellow-member by attending his funeral in a body.

Resolved, That a copy of these resolutions, signed by the officers, be furnished to the surviving members of the family, with the assurance that the Pennsylvania Horticultural Society deeply sympathize with them in their bereavement, and will ever hold his name in affectionate remembrance.

SHOCKING ACCIDENT.—A little school girl, named Catharine Webb, was seriously burned yesterday morning, in the public school-house in Palmer street, above Vienna, by her clothes taking fire from the stove. As might be expected, the scholars were thrown into the greatest consternation, and it was only by the great presence of mind on the part of the teachers they were prevented doing harm to themselves. The child, whose clothing took fire ran about in the wildness of terror, and her screams caused the scholars generally to do the same. One of the teachers was slightly burned in her efforts to extinguish the burning clothing of little Miss Webb. The sufferer was conveyed to her home, in Otis street, below Girard avenue, and medical attendance was brought speedily into requisition. It is very much to be hoped the injuries will prove mortal. There should certainly be a peculiar wire railing or screen around the stoves in the public schools.

THE 119TH PENNSYLVANIA REGIMENT, (GRAY RESERVES.)—On the first of this month, this troop left their camp near Stafford C. H., marched seven eight miles to camp near King George C. H., and then to the Rappahannock, four miles distant. They witnessed the heavy cannonading of the 10th, and the erection of the pontoons, and bridges during the night of the same date. On the 11th (Thursday) they crossed, and threw out skirmishers, engaging the enemy's pickets, and were exposed all that afternoon. On the 12th they advanced in line of battle some one hundred yards, and remained in that position all day supporting the 1st Maryland Battery, (Snow's.) On Monday, at 4 o'clock A. M., they were relieved, marched to the river side for rest, their loss being but slight. The encampment, and fighting was fearful, and also the sights and hardships falling to their share since they crossed the river. There was no heavy firing on Monday.

COLLIS' ZOUAVES.—An officer in Colonel Collis' Zouaves, 114th Regiment P. V., remarks, in a letter, that crossing the river, last Saturday morning, he found that the other two brigades of the division had gone into fight to support the Pennsylvania Reserves (General Meade), exposed to a fearful fire from rebel batteries. The latter, on the command being given, made a terrific and irresistible charge. The rebels, after vainly endeavoring to withstand the charge, and after being reinforced, were compelled to give way. Major Chandler was struck by a piece of shell, and knocked from his horse. Colonel Collis seemed to be everywhere at the same time, and the 61st Georgia will have cause to remember him as long as they live. Each and every man behaved nobly, for each did his duty, his whole duty, and nothing but his duty.

SUICIDE BY HANGING.—A few days ago, about seven miles and a half on the Philadelphia turnpike, and in the barn of Mr. John Foulke, a man forty-five years old was found hanging. An inquest was held on the body by Justice George Cunningham, death by hanging himself being the verdict rendered by the jury. The man was dressed in light attire, had a light complexion, and wore sandy whiskers. Part of two of the fingers of the right hand was severed. He had $8.25 in money, and two promissory notes—one assigned by Walter Hubbard for $96, dated October 28, 1862, and the other by Andrew Geary, dated West Chester, March 30, 1862, both payable to Patrick Dunnigan.

SAFE.—Lieut. James W. Latta, Company C, Ellmaker's regiment, a member of the bar of this city, was in the fight last Saturday at Fredericksburg. We are glad to notice that, though exposed to all the dangers of the field, he came out of it as unscathed in body as he was brave in the engagement. Lieut. Latta commanded his company, and was complimented by Colonel Ellmaker for the able and prompt manner in which he led his men into the fight. By his brilliant conduct on this occasion he has not only won the confidence of his superiors, but proved himself as able a soldier as he was a lawyer.

DEATH OF LIEUTENANT CLAY.—In the list of killed in the terrible battle before Fredericksburg we regret to notice the name of First Lieutenant Fletcher Clay, of the 145th Pennsylvania Volunteers, eldest son of Joseph A. Clay, Esq., of this city. Lieutenant Clay was an officer of much promise; of full stature and remarkably fine personal appearance; and was greatly beloved by his companions-in-arms. Such events as this are among the saddest produced by war.

RUNAWAY AND ACCIDENT.—Yesterday afternoon, as Mr. Joseph Abrams, a resident of the Nineteenth ward, was driving his horse and wagon in the vicinity of Washington and Main streets, the animal became frightened, and dashed down the avenue at a fearful speed. Mr. A. was thrown out, and so seriously injured that his life is despaired of. The wagon was smashed to pieces, and the horse was so much injured as to be useless.

A NEW SLEEPING CAR.—The calls of the Government and the demands of travel have at last been complied with by the Pennsylvania Railroad company. Two new sleeping cars, of the first style, have just been manufactured for them, and will be placed on the through-trains. They are at present over at West Philadelphia for inspection.

A HANDSOME PRESENT.—At the last stated meeting of the Globe Fire Company, Mr. Jacob Rech presented to the members of that company a handsomely-finished ambulance, for the conveyance of sick and wounded soldiers. The gift is highly creditable to the donor.

PAYMENT OF BOUNTIES.—The city bounty of fifty dollars per man has, we learn, been paid to Company A, 16th P. V. (Board of Trade Rifle Regiment), commanded by Colonel Chas. Ernenwein. Early next week Companies C, F, and H, being now nearly full, will receive their bounties.

THE POLICE.

[Before Mr. Alderman Beitler.]

A Narrow Escape.

Yesterday afternoon a carter was brought before Alderman Beitler by an officer who had arrested him on sight for driving a cart over a lady at or near Front and Walnut streets. It seems from the testimony of a conductor of a car on the Chestnut and Walnut-street line, that he had stopped the car for the purpose of letting two ladies get out. Just as one of them had alighted, the carter came passing along, and the alighting passenger did not observe either. She struck against the shaft and fell, and, before the cart could be stopped, the wheel passed over her lower extremities. Under these circumstances, the officer took the carter into custody. The lady was very kindly attended to by a gentleman in the vicinity. It was found that the wheel had passed over the greater part of her dress, but did not do her any serious personal injury. This being the case, the carter was discharged. It may be as well to state in this connection, that people getting out of cars at street corners should at least cast a glance up or down the street. Drivers of vehicles generally, when they see a passenger car stop to let out a passenger, should be careful how they drive if alongside of the car. Conductors should be careful not to start a car until passengers have fully alighted from or gained the platform, in getting off or on. It was only by the simple chance of luck that the lady above mentioned had not received, perhaps, a serious or even fatal injury.

A Hazardous Operation.

Stephen N. Goodwin, a soldier belonging to a camp located a short distance from Philadelphia, was arraigned before Alderman Beitler, yesterday morning, on the charge of malicious mischief. It seems, from the evidence adduced, he appeared on Chestnut street on Wednesday afternoon. He was very much intoxicated, and being unable to take care of himself, a police officer conducted him to the station-house. He became pretty well sobered by nine o'clock, when he was liberated by Lieut. Henderson, of the Reserves. Goodwin promised to go at once to his home in Camden, and, to the best of his word, he proceeded to Sixth and Chestnut streets, where he was attracted by the brilliant glare of an illuminated restaurant. He entered the place and desired something to drink. He was refused. In a few moments he stepped to the corner of the restaurant and went through a number of military tactics, though he had never been in battle. He was finally put into the street, when he stopped for a moment, as though contemplating the sad misfortune for the want of a "fip" under certain exigencies. Presently he pulled his hat down over his face, and made a desperate dive through a pane of glass in the door. The crash caused some consternation. The soldier escaped with a few cuts about his face and neck. He was re-arrested and taken to the lock-up, and after the hearing yesterday was sent to prison.

[Before Mr. Alderman White.]

A Similar Case to the Above.

George Williams was arraigned yesterday before Alderman White on the charge of malicious mischief, in breaking the glass door of the public house of John Keen, in the vicinity of Front and Spruce streets. The evidence against him was clear. On Wednesday night, Williams came to the place and demanded some liquor. The proprietor thought he had enough already, and refused to give him any more. He then went into the street and stormed the tavern with brickbats and other missiles, and smashed a number of panes of glass.

The alderman asked the accused what he had to say to the charge.

"Please your honor, sir, I came from New York."

"Well, what have you to say about breaking the windows of this man's house?"

"Yer honor, I was drunk, and didn't know what I was doing."

"Well, you should be careful how you get drunk with ardent spirits. No man has a right to drink a drop of himself as to endanger the lives or property of citizens. A man who goes out, six, might kill a dozen persons, but it is no satisfaction, nor would it soothe the sadness of surviving relatives, nor would it a crazy, drunken man did it all. If I thought that back to New York, make up yourmind to the fact you get more. If Philadelphia whisky makes you break glasses—why, New York whisky will make you commit murder. You are required to enter bail in the sum of $400 to answer at court."

Confiscation Revoked.

Captain Burns, whose canal boat was seized a few days since, because a large quantity of blasting powder was on board of it, has had the combustible material removed from the hold, and gone with it to the coal region. The authorities gave him a patient hearing, and though it was a clear infraction of the law, yet it was one of those instances that sometimes occur of being beyond human control. The sudden cold snap of weather caught the boat at the Schuylkill-canal locks. The ice made so fast that navigation on slack-water came to a full stop very suddenly. As the powder was very much wanted, and as the government and the captain and owners of the powder had no intent to violate the law, and as the authorities of Philadelphia did not desire to obstruct the coal trade, the restoration was made.

LEGAL INTELLIGENCE.

Supreme Court at Nisi Prius—Mr. Justice Thompson.

THE DOUGLAS-MITCHELL CASE—THE CASE WITH THE JURY.

Douglas vs. Mitchell before reported. This interesting case has at length drawn to a close, after having occupied nine days in its trial. Mr. Hirst opened his argument yesterday morning a little minutes after 10 o'clock, and concluded it shortly after 1 o'clock. Justice Thompson then charged the jury, carefully and fully going over the evidence in the case, and about 3 o'clock they retired, with permission to seal their verdict and bring it in this morning. The interest in the case continued unabated from the opening to the rendition of the verdict, to the close of the judge's charge yesterday morning.

Justice Thompson then called the week's list, in order to learn what cases were ready for trial. A number were answered to, and Sheriff Thompson was sent for, so that a special venire might issue to secure jurors for the cases remaining to be tried, the present panel being exhausted. In the meantime, the judge stated that but twenty-one out of the whole panel had been returned served by the sheriff, the others having been returned *non est inventus*. He was afraid that by compelling the hearing during the deputy sheriffs to neglect the return of jurors through favor, and he expressed a hope that particular care would be taken in the future to secure those drawn. Sheriff Thompson said that he had already given his attention to the matter.

A special venire for fifty jurors was then issued.

Supreme Court of the United States—Washington, D. C.

WEDNESDAY, Dec. 17, 1862.—On motion of Hon. B. R. Curtis, Aubrey H. Smith, Esq., of Pennsylvania, was admitted an attorney and counsellor of this court.

On motion of Hon. R. H. Gillet, Hon. Wilfred Saulsbury, of Delaware, was admitted an attorney and counsellor of this court.

No. 86. The Mississippi and Missouri Railroad Company, appellants, vs. Jacob Ward. The Argument of this cause was continued by Mr. Lincoln for the appellee.

Adjourned until Thursday at 11 o'clock.

IS NEW YORK MILK ADULTERATED BY MIXING WATER WITH IT.

In the Supreme Court of New York, in the case of Jacob Fauerback, appellant, vs. the People, a question of some importance has been decided. The defendant was arrested, tried and convicted before the Court of Special Sessions, under the act to prevent the adulteration of milk; the charge against him being that, at the time of his arrest he was adulterating the milk with water which he had in one of the cans in his wagon.

His counsel objected to any evidence of weakening milk by water, on the ground that the statute did not include water.

Judge Ingraham, in delivering the opinion of the court, held that it admitted of some doubt whether mixing water with milk was intended by the terms "to adulterate milk." The evident intent of the statute was, as is stated in the title of the act, to prevent the traffic in impure and unwholesome milk. Whether the addition of water to milk without any other ingredient is a noxious compound, he thought is certainly not so clearly settled as to enable a court so to find, without some evidence to establish that fact; at any rate, there should be evidence furnished to the court, to satisfy them that the addition of water is such a character as would adulterate the milk or render it impure or unwholesome. That it was not for the court to say that such an effect would be produced by adding water, without any evidence to that effect, if the Legislature had so intended, they would have made the act prohibit the mixing of any mixture whatever being made with the milk, and that, whether the effect of such a mixture was to make the original article, is a question of fact to be decided upon evidence, and not to be held as a matter of law.

As the evidence in the case did not show what quantity of water he had, for what purpose it was to be used, or what the employment of the prisoner was, or what was his intent in mixing it, whether for sale or not, the conviction was not warranted, and the judgment was reversed.

RECORDER HOFFMAN, OF NEW YORK, ON ARBITRARY ARRESTS.

On Monday last, Recorder Hoffman, of New York city, discharged the Grand Jury on the subject of arbitrary arrests. It is a matter of regret, it appears to be wonderfully exercising the minds of the Republican bar of New York city, and this is the second instalment on the same subject that we have had from that quarter.

The Recorder says: "Whoever, within this State, arrests a person charged with an offence alleged to have been committed therein against the laws, either of the State or of the United States, is bound to convey the person arrested, without delay, before the proper magistrate, or other judicial officer of the State, to be dealt with according to law. Any seizure of the person of a citizen for any other purpose is without authority of law, and any detention or confinement of a person so arrested, for longer time than may reasonably be required to convey him before such magistrate or officer, is also without authority of law. The removal of any person from this State into any other State or country, to answer to any charge of having committed here an offence against the laws of either the United States or the State, is without the authority of law. And every person, whether he be an officer or private individual, who shall seize and confine any such person, whomsoever, charged with having committed any crime within the State, with intent either secretly to confine or imprison him here, or to remove him out of the State against his will, acts in violation of the statute. I have just read to you and remember himself liable to imprisonment. Upon the trial of such indictment, the fact that such seizure, confinement, and removal was by order of the President of the United States, or of any member of his Cabinet, or any officer of the Government, will constitute no legal defence. Neither the President nor any member of the Cabinet, or other officer (not judicial), has any lawful authority to order the seizure or imprisonment, or removal from the State, of any citizen of the State, for any offence whatever, committed, or alleged to have been committed, within its borders. I need hardly add that the arrest and imprisonment of any person not charged with any crime, no matter by whom, or by whose order, the same is made, is in violation of the Constitution and the laws. The Constitution of the United States declares that, in criminal prosecutions, the accused shall have a speedy trial by jury, in the State or district where the crime shall have been committed; and the seizure of any person, and his removal against his will from his State or district, is in violation of this provision of the Constitution, and, in the eye of our statute, without lawful authority."

EDUCATION.

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SHERIFF'S SALES.

SHERIFF'S SALE.—BY VIRTUE OF a writ of Venditioni Exponas, to me directed, will be exposed to public sale or vendue, on MONDAY Evening, January 5, 1863, at 4 o'clock, at Sansom-street Hall, All that certain three-story brick messuage and lot or piece of ground, situate on the south side of Spruce street, at the distance of eighteen feet eastward from Schuylkill Third street, in the city of Philadelphia, containing in front or breadth on the said Spruce street, about twenty-four feet,