The Press.

FRIDAY, JUNE 23, 1865.

NEW YORK FIRE DEPARTMENT.

Constitutionality of the Law Sustained—Peaceful Acquiescence of the Firemen.

We are glad to learn that on Wednesday the New York Court of Appeals, sitting at Albany, declared the new law, organizing a paid fire department, to be constitutional. The firemen have submitted quietly and respectfully to this edict, and it is confidently believed they will not throw any obstacles in the way of the workings of the new system. Only one company has exhibited any feelings of animosity. This is Engine Company No. 1. They draped their house in mourning, ran the apparatus out on the sidewalk, and put a notice on the door of "Rooms to let." Whether this is a mere facetious trick on the part of the company, or that they seriously meant to make themselves ridiculous is not known.

The Fire Commissioners have issued an address to the various companies, in which they incorporate some of the sections of the new act, which are as follows:

SEC. 5. The Metropolitan Fire Department is empowered and directed to possess and exercise fully and exclusively all the powers, and to perform all the duties for the government maintenance, and direction of the Fire Department of the city of New York.

SEC. 19. All members of the present Fire Department, regularly appointed, and in the regular discharge of the act shall be returned by the present Chief Engineer, under oath, to the Clerk of the Common Council of the city of New York, as well as such members who shall faithfully perform their duties until regularly discharged by said Commissioners, and not otherwise, shall be entitled to all the privileges and exemptions to which exempt firemen are entitled by the laws of this State.

SEC. 20. Immediately on the organization of said department, all persons who shall then be firemen in the city of New York shall be under the control and government of said Metropolitan Fire Department, and if they shall so remain until they are discharged by said department, shall be entitled to all the privileges and exemptions also set by the laws of the State of New York, the same as if they served out the full term as prescribed by the laws of the State of New York; and the said department shall have full power to discharge, by resolution, said firemen, or any portion of them, whenever they may deem proper.

BOSTON.

Considerable Fire—End of a Billiard Match.

BOSTON, June 22.—The drying room connected with the laundry of the Revere house took fire last night, but the flames were confined to the room in which they originated.

The billiard match for the championship of Massachusetts, between W. A. Tobin and R. E. Wilmarth, of Boston, was played at Humsted Hall last evening. It resulted in the transfer of the championship cup from Tobin to Wilmarth, who won by 1,601 points to 1,438.

THE STATE.

IMPORTANT LAWSUIT.

WILLIAMSPORT, June 22.—Before the Circuit Court of the United State for the Western District of Pennsylvania, now in session at this place, the case of the Mayor and Aldermen of the city of Baltimore against the Connellsville and Southern Pennsylvania Railroad Company, and others, has been argued for the last two days by George Sharswood, J. H. Lathrop, and Reverdy Johnson, for the plaintiffs; and by ex-Chief Justice Lowrie and George P. Hamilton, for the defendants.

DESTRUCTION OF BANK NOTES.

HARRISBURG, June 22.—The notes of the Petroleum and Venango County Bank, incorporated under the State general banking law, amounting to $195 000, were destroyed by fire this morning by direction of the Auditor General. These banks are now doing business under the national banking law.

THE CITY.

THE SAFEGUARDS OF PERSONAL FREEDOM.—Last evening Concert Hall was well filled by an audience assembled to listen to a lecture on the above subject, by Hon. Wm. D Kelley. He said that the Emperor of the French opened his life of Cæsar by the remark that in the beginning states rule and fashion the people; in the end the people rule and fashion chiefs. This remark has been well proven in our own experience. Having closed successfully the greatest war of history, we are about to enter upon another. We are to decide in our Council and Senate Chambers whether the results of the war are to be enjoyed by the people of this generation, or by those of future generations, far removed, after, perhaps, more terrible times of bloodshed. We have been fighting an enemy, in which the question involved was one of physical strength and endurance. The enemy with whom we contend to-day is more subtle; his weapons are already piercing our hearts; his castles and strongholds are in our midst. The enemy we are fighting to-day is the pride of race—the hatred of every race but our own, and if we cannot conquer him we cannot maintain our own freedom, or transmit it to our children. What are not the safeguards to personal freedom? They are not found in laws or constitutions nor in legislative or constitutional provisions. These, in themselves, are as futile as the summer breeze. These give expression to sentiment. You may, by these, occasionally enforce an awarded right, but you cannot guarantee those rights. There is in every State and county, a law against riot. It not only requires you to abstain from riot, but it requires each property to use force to prevent it if possible. The laws of the land charge as next to the protection of human life, one right of free speech and of the press, the Constitution also guarantees to the citizens of one State citizenship in every other State. Now let us look back. In the city of Boston, be remembered, when young men, seeing a crowd collected in front of a printing office, and tore the sign from the front of the building, and brought out from it a man upon whom they intended to commit violence. That man was William Lloyd Garrison, and the authorities put him in jail to prevent violence being committed upon him. His crime was that he exercised his right of thinking, and expressing blasphemous. He surely did not reap much benefit from the Constitutional rights guaranteed to him by these privileges. He was glad to say that Pennsylvania set the example of voluntary and unrecommended abolition of slavery, and she stood on the historical page as the foremost in the vindication of personal freedom. There is, he was glad to say, but one blot upon her escutcheon, and that was Dunlap. Buchanan was a Pennsylvanian. The right of citizenship is guaranteed by the Constitution on every part of American soil. South of the Potomac and Ohio there are hundreds of square miles of territory, yet there is not an inch of it upon which the speaker could have safely set the foot since 1856—that's Constitutional law! You might take the Constitution in every pocket of your clothes down there, and read it to them, but it wouldn't do much good. There was a mission sent down there to work. He did work for some time, until he unfortunately said that slavery was a good thing, and set out down the path of white labor. For this remark he was taken out into the field, stripped to the waist, and whipped by two negro men until all his flesh was torn from his back. He was then taken through their cities, and exhibited as a Northern Abolitionist, and he barely escaped with his life from the hands of the speaker that he had pleaded his constitutional rights to them, yet it didn't do much good. What then, are the safeguards to personal liberty? They are popular sentiment and common usage. The colored people of America number about five millions; the white people about twenty-five millions. He did not speak for the two, but for the twenty-five. "We hold these truths to be self-evident that all men are created equal." They did not mean equal in stature, or in their list of physical abilities, but they meant that all were created so intellectually equal. If the equality of man had been recognized all over the country, there would have been no war of 1861. It was true that made it dangerous to travel in the South; it was true that five Pennsylvania boys had mobbed Wm. Lloyd Garrison. Let us see how we join in demanding that the State shall accept our prejudices as its laws. No intelligent lawyer will deny that the well-behaved person who pays his fare in a car can be deprived of riding in that car. You also demanded that the negro be deprived of his legal rights in that respect. The great majority of the people of Philadelphia would rather see the colored people of Philadelphia refuse to give one man to work on the erecting our army, instead of the eleven regiments which they did give, than see them ride with them in the street cars. The position of the people of Philadelphia was hypocritical. She would allow every stranger and dissolute who must money enough to pay the fare, ride in the car, but would put the colored clergyman hastening on his errand of mercy aside.

Had the speaker been President Johnson in the matter of the reconstruction of Virginia, he would not have excluded the colored men from equal rights with the white. The late Constitutional Convention of color, and whatever restrictions of citizenship were made, should be made to all, without distinction of color. He would take the black into our political positions. There were two persons from whom he had to choose; one interposed his life to take and send my property from a peaceful home and destroy it. The other was a man more powerful than Micawber, who had done everything in his power to ruin and destroy. We must take the brothers of Breckinridge and Davis, or the honest, God-fearing black man. As God was his judge, he never would vote for any representative of any reconstructed State unless an aristocratic constitution. The negro question will, in the future, be the question of the foremost in the country what slavery has been in the past. The girls of our schools were deprived of Cleveland's reader because it had on it a foot-note against slavery; and the city of Philadelphia was put to the expense of buying inferior books to please the Secretary who comes here to buy goods. So it will be hereafter if any book publisher put in his book a word in favor of negro equality. We have been enslaved as much as they; and if we would be free, peaceful, and happy, we must do justice to all mankind.

THE RECENT SHOOTING CASE—FURTHER INVESTIGATION BY CORONER TAYLOR.—Coroner Taylor, yesterday, resumed his investigation into the case of Alexander Kirby, who died from a pistol-shot wound, alleged to have been received at the hands of Thomas Carroll, a few nights since, on board a canal boat, near the lock at Fairmount. The following additional evidence was elicited:

John Patterson, colored, sworn, testified that he knew Carrol, but did not know Kirby; I had hired Carrol to watch my boat; a man came up to my door with a note from his master; this was on Saturday, June 10 h, last; I took the line off the mare's back, and gave it to Carrol to carry to her on board the boat; he carried it aboard, and came up to my house for a box of matches; this was about ten o'clock at night; I told Carrol to be sure and keep a strict watch on the liner or they would get stolen; being as I lost two-hundred-dollars worth last year; Carrol said he had nothing to protect himself; I got him a revolver; (revolver shown) that is the pistol; Carrol stopped in the house five or ten minutes; I told him all the lines were on deck; he left me, and went aboard; about one and a half o'clock Carrol came to my door, and told me there were some men down there to rob him; that one of them had jumped down into the cabin, and put the lights out; I got up as quick as I could, and on the road going down Carrol said there was another man with the one who jumped into the cabin, who grabbed him by the throat; I had a light from another man's boat, went into the cabin, looked at the men, and when I came out of the cabin I asked Carrol where the other man was; he replied he had run away; I made no further inquiry; I went to Twenty-first street and hallooed for the police; then went to Callowhill street and still called for police, and they came to my assistance, and asked me what the matter was; I told them there were thieves on the boat; they came down, went into the cabin, and took Kirby out; the police asked me what I knew; I told them I gave Carroll the pistol to protect the boat; they came down and told me that he had shot any one till he got down stairs, at my house; I told the police that a man had been robbing my boat and was shot; the anchor was not brought on by me until the next day.

Robert Patterson sworn. I saw Carroll and Kirby on Saturday, June 10th; at that time I thought Kirby was a stranger; I heard Charles Marshel say to Kirby, "why he did not bring that anchor back?" he said, "to h—l, do you think I'm going to lug that over on my shoulders?" I had a fighter alongside of my brother John Patterson's pocket down. The prisoner professed to be drunk, but did his face with his coat collar.

The prisoner said he was drunk, and knew nothing about the matter until the next morning. Verdict, guilty of assault and battery. Sentenced to two months.

ABOUT A HYDRANT.

Samuel Fleming pleaded guilty to committing an assault and battery on Isaac Armstrong, a lamplighter. The latter testified that he went to get a drink of water, and was met by defendant, who struck him in the neck. The witness acknowledged to having told the defendant that he never stole copper out of the Navy Yard.

A witness testified that Fleming said he cripple Armstrong should go to the hydrant, as the cripple replied that he never stole copper out of the Navy Yard. There was a dispute between the occupant of the building and others about the use of water from the hydrant.

Mr. Fleming stated that he was a quarter-master at the Navy Yard, and was constantly having balloons at by the Confederates, when he was shooting at goats she would shoot his horses. Finally, a goat entered the premises, which Mr. Lukens seized, and cut off one of his tails, when he was assaulted in the house. Mrs. Wooster followed up and attacked Mr. Lucens, who held her to prevent cutting injured. Mrs. Wooster, on the other hand, swears that Mr. Lukens struck her. Verdict, guilty, as to both. Sentenced to pay the costs.

THE POLICE.

[Before Mr. Alderman Beitler.]

LARCENY OF POUR WATCHES.

A man, giving the name of James Harris, was arraigned at the Central Station, yesterday afternoon, on the charge of the larceny of four watches the property of Mr. Wm. Thompson. The theft occurred on South street, above Fifteenth street. The defendant had potatoes for sale. A count moon yesterday afternoon, and, seeing where he was, Mrs. Smith, and desired to sell her some potatoes. She replied that she did not want any, and he took his departure. The next-door neighbor's house for a few moments. The potato man returned to the shop of Mr. Smith, and just as he was leaving therefrom the latter came out of her neighbor's house, and saw him leaving the store.

"What are you doing there?" said she.

"I was looking for potatoes," replied he.

"I believe you've been stealing," responded Mrs. Smith.

The suspected individual sought safety in flight. Mrs Smith joined in hot pursuit, and alarmed the neighborhood. Police officers flanked the fugitive, and he was captured. Four watches were found in his possession.

YOUNG HORSE THIEF.

Bernard Fineberger, a boy aged seventeen, pleaded guilty to stealing a horse. Mary Miller testified that the horse had been stolen from the stable adjoining to Camden, where the boy attempted to sell it for $40. Sentenced to six months in the County Prison.

AN OUTRAGEOUS CASE.

Martin Bier, a German, was charged with maliciously destroying clothing. Charles McDonald, a boy, testified that he and two other boys were sliding on the step adjoining the prisoner's house, when out and closed the bulk-window, and then poured vitriol on his step. The two other boys sat down on the step and escaped with but little injury. Bier was up stairs looking out the window and laughing at them.

Officer Hoffman arrested Bier, who stated that, before the aldermen, the boys testified that Mr. Bier poured the vitriol over them.

The prisoner's counsel, in an earnest appeal in behalf of the defendant, saying that if he believed he was guilty of so monstrous a crime, nothing would induce him to defend him. He was a defendant to be a decent man, and one who would scorn such an act. The jury, however, disagreed with the counsel and found Bier guilty. Sentenced to six months in the county prison.

HONORABLY ACQUITTED.

Charles Hope, John Kelgley, and Francis McQuade, were charged with the larceny of a watch and chain. A man named Martin Daley was indicted with the others but was not present.

Charles Hoy testified that the watch, trunk and hold down in a store. He did not believe either of the three defendants had anything to do with it. The case was abandoned, and a verdict of not guilty rendered.

ABOUT GOATS.

A trial was had upon cross bills, in which George Lukens sues Elizabeth Wooster, and vice versa. Mrs. Wooster is the owner of a goat, and keeper of William and Nancy goats, some of which were in the habit of frequenting the premises of Mr. Lukens. He notified the lady that she must keep her goats from his premises or he would shoot them. Mrs. Wooster's Teutonic blood arose at that, and she ran a word to Mr. Lukens that if he saw her goats she would shoot his horses. Finally, a goat entered the premises, which Mr. Lukens seized, and cut off one of his tails, when he was assaulted in the house. Mrs. Wooster followed up and attacked Mr. Lucens, who held her to prevent cutting injured. Mrs. Wooster, on the other hand, swears that Mr. Lukens struck her. Verdict, guilty, as to both. Sentenced to pay the costs.

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Gustave Ehrig, Esq., made