DISCREDIT MOBILIER.

James Brooks Again Rises to Explain to Poland's Committee.

COLFAX LOOKING OVER HIS PAPERS.

His "Friend and Counseller" will Prove that the \$1,200 Came from "Another Source."

HOAK AMES' ERRATIC MEMORY.

The Distinguished Patriot Wants Garfield to "Get Off Easy."

A SETTLEMENT WITH KELLEY.

Ames Trustee for the Vice President and the Others.

HOAX OFF TO RAISE \$600,000.

Proceedings of Wilson's Committee-Joseph B. Stewart Refuses to Testify-No Newspaper Correspondents Involved-Horace F. Clark Examined.

Judge Poland's special committee to inquire into the distribution of Credit Mobiller stock among mbers of Congress resumed its session this

members of Congress resumed its session this morning.

Mr. James Brooks appeared before the committee. Mr. Brooks desires to make record of the fact that in the printed exhibit of the Supreme Court of Pennsylvania, January term, 1868, No. 19 equity, in the suit of McComb vs. The Credit Mobilier of America, was filed and sworn as list of the Credit Mobilier stock-holders, dated December 12, 1807, and in that list is "Charles H. Nelison, 100 shares, 50 shares," and that, therefore, nearly three months before Mr. Brooks became a member of Congress or government director, it was a matter of notoricly in the bighest court of Pennsylvania that Mr. Nelison owned 180 shares in his own name and right.

Mr. Brooks also desires to make a matter of record the names of all the government directors when he was one of them, such names as tion, deorge Ashmun, of Massachhusetts; Hon. James S. Rollins, of Missouri; Hon. Jesse L. Wilson, of Indiana, and ion, Benjamin Wade, of Ohlo, and others, and the facts on the record in the Union Pathers, and the facts on the record in the Union Pathers, and the facts on the record in the Union Pathers, were in accord with him (Ar. Brooks) as to the American States Senator, Hon. E. Morgan, of New York, was President of the road, and the late United States Senator, Hon. E. D. Morgan, of New York, one of the trastees of the bonds of said company.

Mr. Brooks also calis attention to his resolution of the October meeting, 1872, of the Union Pacific Railroad directors; in which he demands the revocation of the Wyoming Coal Company contract, and that his resolution prevailed with but one dissenting voice.

In Answer to questions

of Judge Merrick Mr. Brooks testified that his fesolution with the paper authorizing the issue of fifty shares additional; never saw it until yesterday; witness claimed the fifty shares additional is never saw it until yesterday; witness claimed the fifty shares additional as a right for Mr. Rooks) had with Mr. Durant; witness supposed his name was appointed a government d

and did; the check book, already exhibited, showed no ach check was given.
Sidney Dillon was recalled, and testified that he kept onemorandum of his transactions; he remembered saning the \$5,000 to Mr. Neilson, who gave him collate-al, consisting of Union Facilic stock and bonds; suposes the money was repaid by Mr. Neilson; has not the lock or bond in his possession now.

Ex-Representative Robert S. Hale, of New York, apeared before the committee and stated that he was resentate.

peared before the committee and stated that he was present as and, first, he desired to say, on behalf of Mr. Colfax, that he was now engaged in making a thorough examination for all his papers and letters, and upon concluding such examination he would appear before the committee to examination he had it, and he would also ask that some witnesses be examined. Mr. Colfax had requested the speaker to say that as to the \$1,230 check deposited to his credit, as appears by the books of the Pirst National Bank, he would show that that was derived from another source. Mr. Bale said he desired to put a question to Mr. Swain, and he would then ask the indulgence of the committee until Mr. Colfax should complete the examination of his papers.

Mr. H. C. Swain was then recalled and examined by Hr. Bale, as follows:

Mr. H. C. Swain was then recalled and examined by Mr. Hale, as follows:

Q. State whether your books show any debits to Mr. Coliax's account on the 224 of June? A. Hey do.

Q. What are they? A. I can't detail them all; among others a check for \$1,030, paid on that day.

Q. Have you that check? A. I have. The witness here produced it, and it was read as follows:

"Washington, D. C., June 22, \$68.

"First National Bank—Pay to sell or bearer \$1,060.

"Still YLER COLIAX."

Q. How was it paid? A. I think by a draft on New York. Witness then produced the draft on the Central

York. Witness then produced the draft on the Central National Hank of New York, payable to the order of Schuyler Colfax, and endorsed payable to A. H. Couner, of Indianapolis. Witness testilled that the draft was subsequently paid in New York.

Mr. Ames—The day he deposited \$1,200 he drew out \$1,000 and remitted the New York? A. Yes.

Mr. Ames—Or course. (Laughter.)
Mr. Hall—I shall desire to call Mr. Colfax and other
vitnesses as soon as he makes a reasonable examination of his papers.

Judge Poland-Very well, sir; you shall have the op-

witnesses as soon as he makes a reasonable examination of his papers.

Judge Poland—Very well, sir; you shall have the opportunity.

Judge Poland—Very well, sir; you shall have the opportunity.

Judge Poland then asked Mr. Ames if the books and papers he expected had arrived.

Mr. Ames replied that they had not. The mails were behind, but he expected them.

Judge Poland then read the following check:—

BOAKS CHECK FOR PATTERISON.

"Washingtos, Jan. 22, 1868.

"Sergeant-at-Arms United States House of Representatives, pay to J. H. Patterson or bearer eighteen hundred dollars and charge to my account.

"J. 800.

"OAKES AMES."

"British and charge to my account.

"J. 800.

"A British and Charge to my account.

"J. 800.

"A Dividends on thirty shares of Credit Mobilher shock.

Q. Did you take a receipt from him? A. I did; you have it already, I believe.

"Washingtos, Feb. 14, 1863.

"Received of Oakes Ames \$320 for three bonds of Union Pacific Railroad Company, sold me, being dividend of eighty per cent in bonds or sheck of Credit Mobilher of America, heid by him as trustee on my account.

To this was appended the following:—"2.400 bonds at 97, 32.251; interest paid, \$100.

To this was appended the algures were made at the time the receipt was ritten by Mr. Patterson."

To this was appended the following:—"2.400 bonds at 97, 32.252; interest paid, \$100.

To this was appended the following:—"2.400 bonds at 97, 32.252; interest paid, \$100.

To this was appended the following in the receipt was river by Mr. Patterson or himself; the receipt isself was written by Mr. Patterson or himself; the receipt isself was written by Mr. Patterson.

Mr. Ames when stated that Mr. Patterson would like to appear before the committee to make some further explanations, and he would be glad if the would de so.

Mr. Ames was then examined at some length in regard to some checked the sound by Mr. Patterson.

Mr. Ames was then examined at some length in regard to some checked the sound to make some further explanations, and he would be glad

THE PAYMENT OF THERE HUNDHED AND TWENTY-NINE DOLLARS TO ME. GARFIELD
was made by check or whether you paid him in money I
A. I don't know; if I did pay him in money I drew it
from the Sergeant-at-Arms on a check.

Judge Poland—On June 2! there was a check for \$272.79
given by you on the Sergeant-at-Arms. There is no name
on it. Can you say to whom that was given I
A. No, sir: I don't know as I can; it may have been to
pay a bill or something else.

Q. There is another to pay a draft of \$1,200; to whom
was that given I A. I don't know; I suppose it was a draft I got on New York or Boston.

A. Hone know i surple any money from you by a check on the Sergeant-at-Arms? A. I think he did.
Q. Did you find anything on the books given to Mr. Dawes? A. On my memorandum I have Mr. Dawes \$609, less \$200.
Q. You think you paid him \$400. Was it by a check on the Sergeant at-Arms? A. I can't tell; the books will show: I think I paid it by a check on the Sergeantat-Arms. Arms.

Q. You say you hold stock and certificates of bonds due on Credit Mobilier? A stock and certificates of bonds due

Q. You say you hold stock and certificates of bonds due on Credit Mobilier? A. Yes, siz.

B. Has there been any divisient paid on Union Pacific St. Has there been any divisient paid on Union Pacific St. Has there been any divisient paid on Union Pacific St. Has there been any division of the parters of the winner of the pacific St. Has the pacific Pacific Pacific Pacific Pacific Pacific Pacific Pacific

Q. Do you think Mr. Allison ever returned to you any part of the money you paid over to hint A. He returned

me the stock.

Witness had no recollection of Mr. Allison returning him the \$3.29 dividend; had no recollection that he included that amount in a draft on New York in the settlement of another matter; had had no correspondence with any of these gentlemen, except Mr. Patterson, since the investigation had becar in progress; had conversations with saveral of them.

Q. Well, sir, what the committee want to learn is whether, in conversation with any of these gentlemen, they have stated the matter to you differently from what they stated before the committee? A. Well, I don't know.

you that he regarded the transaction between you and him as a loan? A. Oh, I can't remember; I have had two or three conversations with Mr. Garfield: he wants to put the transaction on the basis of a loan to says when he came back from Europe he was excluded in the says when he came back from Europe he was excluder about him come to a loan; I can't remember all the says when he came back from Europe he was excluder about him chees there have been all the says when he came back from Europe he was excluder about him the says when he came to be a loan in the says when he came back from the says when he came to the says about the best of the never asked me to lend him any money.

Q. Well, go on, Mr. Ames, and give us his statement.

Cameful. Or Garffeld, be reputation.

Mr. Ames—Oh! I can't remember all these conversations about going to Europe, &c.; the conversations it had with him would be indurious to him, and I am a bad man to repeat conversations; it will injure his reputation.

Q. Did he make any request of you to omit any statement in regard to iff A. I am not positive about that; my impression is that he wanted me to say as little as I could, that he might get off as easy as he could.

Q. Have you a memorandum relating to the transaction between you and Mr. Garffeld?

A. Yes, sir. Mr. Ames then produced a piece of paper upon which were the following figures—1,300, 1,00, 400; total; 2,400—and testified that the figures were made by Mr. Garffeld; the first 1,000 reterred to Union Pacific total; 2,400—and testified that the figures were made by Mr. Garffeld; the first 1,000 reterred to Union Pacific total; 2,400—and testified that the figures were made by Mr. Garffeld; the first 1,000 reterred to Union Pacific total; 2,400—and testified that the figures were made by Mr. Mr. Merrick—I will have been to the conversation of the transaction between you? A. Yes, sir.

Mr. Merrick—I want derested to whome to state that we want you to state all you know.

Mr. Merrick—I want derested to the best of my memory all I kn

Q. And the statement you made to him in substance is the one you made to us? A. Yes, sir.

Mr. Ames further testified that he had a conversation with Judge Kelley about the transaction; Mr. Kelley said he called it a loan, and had so stated, and said to withess the wanted to pay that loan; witness replied he did not so consider it; Mr. Kelley said he would give me a check on his bank, and wanted to know when he should date it; it told him it would make no difference; he gave me a check; that was before this investigation commenced, and I tore it in half and handed it back to him.

Q. What did he say when you tore it in two and handed it back? A. Both of us appeared to be satisfied with the transaction. (Laughter.)

Q. Was it done in a moment of passion? A. No, sir; it was done very good-naturedly; I did not consider that he owed me anything, but I owed him and told him so; he did not deny it.

Q. He wanted to call it something else? A. That is the way I understood him; he wanted to be clear of the runsaction.

way I understood him. In transaction.

Mr. Ames said it was important that he should leave here for his home to-night. The final payment on his extension of time came due February 4, and he had to raise \$600,000 by that time. The committee could get along without him now, as the question of bribery had been settled, and all the committee wanted to know now was whether he or somebody cisc lied.

Adjourned until to-morrow morning at ten

THE WILSON COMMITTEE.

Joseph B. Stewart Recalled and Examined-What was Done with the \$250,000!-Mr. Siewart Refuses to Answer the Questions Put to Him-No Newspaper Correspondents Bribed-Horace F. Clark on the Prospects of the Union Pacific.

WASHINGTON, Jan. 29, 1873.

The Wilson Committee met at half-past eleven O'clock, when Joseph B. Stewart was recalled.

The chairman reminded him of his former testimony; that he stated that Durant and Hallet had paid him a very large amount of bonds, said to exceed two hundred and filty thousand dollars, and that from one hundred and filty thousand dollars and that from one hundred and filty thousand dollars of this amount was in Union Pacific bonds, and that this was in the latter part of June, 1864. The witness was then asked to state the names of those to whom he paid them or any part thereof. Witness said the question assumed what was sumed that he received as pay this amount; he did not state that it was paid to him.

The Chairman—in your former testimony you said that Durant and Hallet together paid you a large amount, to exceed \$259,000 in bonds.

A. Instead of paid you should say I received; I stated in my former testimony I received the money and bonds exceeding two hundred and fifty thousand dollars from Durant and Hallet; that I received the money and bonds as counsel to adjust matters for my client, acting sometimes in a fiduciary capacity and sometimes so received in discharge of such duty as counsel, and that it had no reference and had not by me been applied to any one connected with the government in a legislative or executive capacity, and that the matters performed by me as counsel to his committee.

The Chairman—I ask you to state to whom you paid the o'clock, when Joseph B. Stewart was recalled.

bonds of the Union Pacific Railroad Company or any proceeds thereof?

A. I will not speak of dealings with my clients.

Q. You rofuse, then, to state to whom you paid or delivered the bonds of which you have spoken or any part thereof? A. I repeat and now state I will make no statement about the business of my chents.

Q. Do you refuse to state to the committee to whom you delivered the bonds or state what you did with them? A. To do so would place me in a position in which I do not desire to be placed.

Q. I will give you another opportunity to answer. Do you could be answer? A. I have answered as I mean to after our business of the state of the

you refuse to answer? A. I have answered as I mean to answer.

After further colloquy Mr. Hoar moved that Mr. Stewart be informed by the Chairman that in the opinion of the committee a refusal to disclose the names of the persons to whom he delivered the bonds or money is not protected by the legal privilege of counsel and client.

The Chairman—I state to you, Mr. Stewart, the committee having had this matter under consideration, it is their opinion that this is not such an answer as you have a right to withhold. A. I presume I have the same rights here in my kamination as I had it the discharge of my duty as counsel, negotiator and unpure; for me to answer the question would be to create dissatisation among parties and destroy confidence now existing between them; you have no right to inquire into subjects pertaining to private affairs.

The winess having been asked as to what kind of reaning to private affairs.

The winess baving been asked as to what kind of and Mr. Hay received, said, to the best of his judgment, years of the same description and part of the bonds is the same description and part of the bonds. I would be a same description and part of the bonds is a same description and part of the bends in herefolder, asked, the effect would be to create its effect.

At am satisfied such would the refer to the effect.

Biff you deliver the house of the part of the effect.

Q. Do they live in Washington? A. I decline to answer. In reply to remarks by Mr. Shellabarger the witness raid he left it to be his cuty to his clients to refuse to answer the questions.

Q. Then, you adhere to your position? A. I cannot use language planner than I have already used.

James F. Wilson here said he had telegraphed to J. M. S. Williams to the effect that Mr. speine yesterlay had testified that Williams told spence to give Wilson a check for \$10.00, March 4, 1871, and asked williams. Told you do it at that time or any other? To which telegraph Williams replied, "I never gave him directions to give If a that thee or any edger? To which telegraph liams replied, "I never give him direction give any portion of the \$125,600. Do not believe you have thing to do with it. My recollection is that I believe from of the committee, had the whole direction

you any portion of the \$1.00,000. Do not occeeve you had anything to do with it. My recollection is that Dodge, chairman of the committee, had the whole direction of it."

The committee then requested the gentlemen to retire, as they wisned to hold a private consultation, evidently with reference to the refusal of Mr. Stowars to answer the questions propounded.

After the adjournment of the House the committee resumed its session, and examined forace F. Clark, the President of the Union Pacific Railroad Company. Be testified he had held the office since March 6, 1872; was never connected with the Credit Mobilier; made a report to the Secretary of the interior in September last; it was prepared at the office of the company in Boston; from what appeared on its books, and believing it to be substantially correct, he made the formal oath to that effect. He was then examined with regard to the flems which make up the total indebtedness of the company. The floating debt was about \$2,00,000 in notes, held wholly by the present of rectors for different amounts; he had heard of a single note given by the company to the fordit Mobilier for \$2,00,000, but as the condition on which it was given has been discharged, he telt satisfied comit it from bills payable; it being no part of the in debtedness of the company.

The witness was asked by the Chairman what would be the effect on the railroad company if the support of the persons who have been lending it money should withdraw from it and the government exact the payment of interest, as contemplated by the bill which passed the House a day or so ago. The witness replied that the company is such a case would not be immediately able to meet its obligations.

He was asked a number of questions involving conjectural orinions as to the nuture prospects of the road. He believed that with the constant increase of population in Utah, Montana, Colorado and other sections there would necessarily be a large increase in the traffle of the road.

Mr. Hoar asked the witness whether, it t

At this point the committee adjourned until ten o'cleck to-morrow. ANOTHER WITNESS FOR THE WILSON

COMMITTEE.

Mr. Edward Simmonds, Superintendent of Rolling Stock, Speaks a Piece-More Swindling Exposed.

The Wilson Investigating Committee, at Washington, can have another witness to throw some light upon the workings of the Union Pacific Railreporter called yesterday upon Mr. Edward Sim

reporter called yesterday upon Mr. Edward Simmonds, of 349 Broadway, who was connected with the railroad from March, 1865, to March 1871, in the capacity of Superintendent of Rolling Stock. The reporter asked:—
"What was the character, Mr. Simmonds, of your duties on the Union Pacific Railroad?"
"It was my business," he replied, "to look after the rolling stock of the road; to receive it and report on it to the company."
"Where was your office?"
"At No. 20 Nassau street."
"When did you first receive rolling stock for the road?"
"Shortly after the close of the war I received

road ?"

"Shortly after the close of the war I received a number of second hand locomotives, which were sold to the company by P. G. Butler, of Boston. They were brought mostly from the South, and were repaired by Barney Moore & Co., of Cincinnati. They were sold to the company as first class engines by Butler. A first class engine at that time was worth from sixteen to seventeen thousand dollars. When I saw these engines I wrote a report to the company, a copy of which I have at

home, and told them what these engines were like—tint they were dear at \$5,000 and untit for any decent road."

"Who was P. G. Butler?"

"He was a relative, I think a nepnew, of General Ben Butler, and he held stock in the Crédit Mobiller."

"What was the result of your report?"

"It was never attended to. Second hand rolling slock, cars and engines continued to be received and the full price allowed for them. I went down to Alexandria in the Fall of 1866 to look after some stock Butler had there for the Union Pacific road. I found a worn-out government engine, several cars, switch stands and other truck."

"Did you know of any other sort of second hand stock bought for the road and charged at first class rates?"

"Yes, there was a good deal bought and paid for of a very inferior kind, but I cannot just now recollect. At another time, when, like Oakes Ames, I reiresh my memory, I may be able to recall some other matters."

LITERARY CHIT-CHAT.

THE Athenoum vigorously denounces Mr. H. A. Page's recently published "Life of Hawthorne" a a literary imposture. "When we have said that the book is utterly worthless we have said nothing. It is much worse than this. The task which Mr. Hawthorne's wife feared to attempt a writer who disguises himself under an assumed name rushes in to undertake." The book, so far as the memoir is concerned, is cribbed from the note "Yesterdays with Authors," and from an old paper by George W. Curtis. There is not one fresh incident in the book, which is padded with some stories from "The Old Manse," reprinted, with the titles fraudulently changed by Mr. Page.

Mn. Ruskin has at length consented to allow the two volumes of his "Modern Painters," which have

been long out of print, to be reprinted. MESSES. BLACKWOOD have in press a book of poems by Owen Meredith (the Hon. Robert Lytton). DR. ADOLF WUTTER'S "Christian Ethics," in two volumes, containing a history of ethics and pure ethics, has been translated by John P. Lacroix, and will be issued by Nelson & Phillips.

THE STORY OF BEATRICE CENCI has been again treated by the Canonico Antonio Torrigiani in a work entitled, "Clemente VIII. e il Processo Criminale della Beatrice Cenci," intended to refute Guerrazzi's novel. The work is written as an apology for the Papacy.

MR. WALTER BESANT has in press a new work on the French humorists.

THE REV. MR. ORWALD is to publish a book on the inexhaustible subject of the clergy, under the title of "Bishops and Deans."

THE Spectator prints a conversation with the late Bulwer-Lytton on Spiritulism after he had written "A Strange Story." He advised his interlocutor to have nothing to do with mediums or table-turning. "There is something in it," he said, "but nothing, in my judgment, to benefit mankind."

F. C. BURNAND, in "Happy Thoughts Hall," thus hits off the alliterative school of title-makers, who are making modern literature bristle with cheap sensations :--

Good Hebdomadal Alliterative Seriesfor Sundays, one vol. Mysteries for Mondays, ditto. Tales for Tuesdays, ditto. Wit for Wednesdays. Themes for Thursdays. Fun for Fridays. Sonnets for Saturdays. And then all, in a monthly volume, as Medleys for the Month.

MR. JAMES GRANT'S third volume of the bulky "History of the Newspaper Press" is even more roughly handled by London journals than the first two. It is described as notable for blunders and bad grammar.

THE SECULARISTS OR FREETHINKERS OF England have a literature of their own, among recent issues of which are the following:—"The Bible: What It Is," by C. Bradlaugh; "Christian Mysteries: a Dialogue Between a Missionary and a Chinese Mandarin," price 2d.: "Haif Hours with Freethinkers," 2s. 6d.; "Hume's Essays on Miracies," 2d.; "Sunday Rest," by Victor Schoelchee, 2d.; "The Scripturian's Creed," 2d.; "Moral Physiology," by Robert Dale Owen, 6d.; "Holy Scriptures Analyzed," by R. Cooper, 8d.; "The Uselessness of Prayer," 1d.

A NEW DIGEST OF "TELEGRAPH CASES Decided in the Courts of America, Great Britain and Ireland," edited by Charles Allen, of Massachusetts, is to be published by Hurd & Houghton.

THE PUBLICATION OF GUBERNATI'S "Zoological Mythology" is a symptom of the new revival of

letters in Italy.

Some Additions of Importance will be found in the new edition of Mr. Carlyle's "Life of Schiller," which will appear in February or March.

ROBERT BROWNING, in his last poem, sneers at

Byron, and ridicules his "There let him lay !" in the apostrophe to the ocean, which, of course, is shocking from the Lindley Murray point of view. A CORRESPONDENT in the Athenaum calls attention to the fact that considerable portions of Mr. Charles Reade's last novel are paraphras

Dean Swift's "Journal of a Modern Lady." MR. DENIS HOLLAND, editor of the Irishman newspaper, has just died at the age of forty-five. It is a Curious Fact that, while Austria exports

paper largely to England, Herr Lott, who has un. dertaken to print the Vienna Exhibition catalogue, has to go to England for the roll paper required for

A PROPOSED CUBAN EXPEDITION.

Patriotic Cubans Endeavoring to Raise a Fund to Invade Cuba from New Or-

A meeting of patriotic Cubans was held vesterday at 187 Pearl street, upon the call of Messrs. Leandro Rodriguez, Camilo Letro, J. A. Betancourt and Cayetano Mila, to discuss matters of importance in the Cuban struggle against Spain. After the meeting had been called to order Mr. Leandro Rodriguez was elected President, and Mr. C. Federico de Armas Secretary. The President, after thanking the meeting for the honor conferred upon him, spoke of the struggle being made for liberty, the spoke of the struggie being made for liberty, the abolition of slavery and the encouraging signs of the rimes, and concluded by saying that he begged to suggest that a minimum collection of \$10 be made among the Cubans in the United States and Europe to get up a large expedition to proceed to Cuba to help the struggling patriots. Mr. Rodriguez then stated that he estimated the collection in New York of from three thousand to four thousand Cubans engaged in the tobacco trade at \$30,000. He said, in conclusion, that the matter of "Caba Libre" was being immensely agitated by the New York Herald and other papers, and that a change of policy from the Washington Cabinet might be firmly noped for. Mr. C. E. Gato then followed, and dwelt upon the sympathy shown the Cuban patriots by the imhabitants of this country. Before the meeting adjourned it was soon as funds began to pour in for the expedition, and to consult what are the best means to be taken for the fitting out of said expedition and its point of departure. From current indications it is supposed that New Orleans will be the port chosen, owing to the friendship of the Louislama Legislature to the Cuban cause, and also that all the colored people there are unanimous for United States intervention. The following Executive Committee have been appointed:—Messrs. F. De Armas, Cayetano Mila and Enjamin L. Perez. An address will be probably issued to-morrow. abolition of slavery and the encouraging signs of

A BROOKLYN HOMICIDE.

Acquittal of the Accused.

James Sweeney, indicted for manslaughter in causing the death of Peter Cannon, of No. 364 Hicks street, was tried yesterday in the Court of Sessions and acquitted. The facts of the case were in brief as follows :- On the night of November 18, 1872, the as follows:—On the night of November 18, 1872, the deceased was in Sweeney's liquor store, corner of Hicks and Pacific streets. He was intoxicated and became disorderly and abusive. Sweeney ordered him to leave. He refused to go, and Sweeney forcibly ejected him. He returned and kicked against the door, whereupon Sweeney opened the door and struck him in the face. Cannon fell back from the force of the blow and struck his head on the sidewalk, causing a facture of the skull, which resulted in his death.

A BROOKLYN GRAIN SHOVELLER SUFFO-CATED.

Yesterday morning William Connolly, a grain shoveller, employed at the Union Stores, at the foot of Irving street, South Brooklyn, met with a terrible death. While the grain was being run into a bin on the first floor through a shute, Connolly who was engaged in shovelling it, was drawn in by the suction. One of his companions caught him by the arm and attempted to rescue him, but came near being drawn in himself. The macninery was stopped and Connolly was taken out, but expired a moment thereater. The deceased was forty years of age and had been employed in the stores for the past ten years. His body was taken to his late residence, 54 Court street, where he leaves a wife and three children.

The Tremast's, potents is a still, gray-haired many and the properties of the proper

ing, and they turned to each other and remarked, "il McComb is anything like Pisk, if is strange we never heard of him before?" Before Mr. Brooks had finished his harangue nearly every man, woman, child, doorkeeper and page about Congress held him to be more deeply implicated than any had believed. In view of these late exposures one is filled with astonishment to remember the audacity with which Brooks cited Hugh Hastings, editor of the New York Commercial Advertiser, in Washington, when Hastings charged Brooks with using his position in Congress to enrich himself in the Union Pacific Raliroad more than one year ago. And now we see the great disproportion between Mr. Brooks' audacity and his nerve. He looks like a sinking man, and attends the committee after throwing his head upon the table and putting als arms before it.

WHO PEAGHED UPON CONGRESS.

The assaults upon McComb have all been based upon the assumption that he has endeavored to "strike" the Crédit Mobilier for a large sum of money, helding in reserve the letters Oakes Ames wrote to him as a matter of intimidation. The inference is thus sought to be established that the present investigation is merely a part of McComb's blackmailing operation. How unjust this assumption is can be seen from a letter which has been quoted here, the original of which is now in my hand. The letters of Oakes Ames would never have been produced but for Ames himself, who attempted to bluff McComb, believing that the latter's sense of delicacy would prevent him from making these documents public. McComb had waited upon Ames and tendered the letters and the memoranda upon them, provided Ames would agree in writing to accept the verdict soon to be rendered from the Courts of Pennsylvania and make the suit final there without more litigation. Ames, whose obtuseness is now fully known, got the notion that McComb was sensitive about those letters, because he (McComb) had not put the originals be fore the Commissioner, but had filed copies merely. The confederates also thought th

Dear Sir.—On Thursday, the 23d, you have appointed to close the cross-examination of Mr. McComb, and to proceed with your evidence.

Allow me to remind you of promises made by your client at the prior meetings, many months since, to furnish or produce the papers or documents from copies of which he spoke, or referred to, or memoranda taken from them. Some at least were to be sent to me next day; none have been sent. He stated the other day they had been withheld for a purpose. I must ask that you will require him to produce at the meeting on Thursday, if you desire me to cross-examine, the following:—
Letter from Oakes Ames in reference to the distribution of 345 shares as girts to members of Congress;
His books showing the original entries and dividends, or sums, stated to have been received as dividends, or sums, stated to have been received as dividends-april, 1865, July, 1865; September, 1866; December, 1866, and January, 1898.

I would also like to have a copy of Mr. Ames' letter, April 13, 1807 (exhibit No. 2, A. W. N.). Very truly, To James E. Gowen, Esq. R. C. McMURTRIE.

THE UNTRIED MURDERERS.

What Recorder Hackett Has to Say About the Great Criminal Scandal—He Would Try All the Murderers in the Tombs in Thirty Days-An Alteration in the General Sessions Law Required-Prompt Action of the Legislature Necessary.

A reporter of the HERALD called upon Recorder Hackett yesterday at his chambers in Broadway. The speech the Recorder delivered on the previous day at the Board of Supervisors had been commented upon very freely by members of the legal profession particularly, and by the public generally, and it was with a view of obtaining a more explicit statement than that which was incidentally made on the previous day that this visit was sought. After a few observations on general topics the reporter said:-

"Recorder, I have called upon you more particularly in reference to a remark in your speech at the Board of Supervisors yesterday as to the untried

murderers now imprisoned in the Tombs."
"Yes, I shall be glad to give you any information ter up this scandal of our criminal law can be re-moved. The attention of the Legislature must be directed to it, and the section in the General Session act that is the great cause of this trouble could be repealed in one day. I merely alluded to those who care for this matter can refer to it. It is this:—'Writ of error from the General Sessions or the General Term of the Superior Court, from conviction of murder cases, or for one punishable by imprisonment for life is a matter of right.' Session laws, 1855, ch. 337, sec. 8; Laws of 1858, ch. 330; Waiter vs. The People, 32 New York, 147; 31 How., 140."
"You would ask for the repeal of that section and
thus practically give the General Sessions Court
the same appeal as the Court of Oyer and Termi-

"No, I would go further than that. Any appeal from the General Sessions Court, under this sec-tion, I would send to the Court of Appeals. Any Judge of the Court of Appeals should have power that Court. It is practically so now, as in the Foster case. Supreme Court Judges, who are not generally very familiar with criminal law, are applied erally very familiar with criminal law, are applied to for a stay, and in a case where it is a matter of the life and death of a fellow creature, if there is the slightest reason to believe that there has been an error, any Judge with humanity would grant the stay. I would go to the Court of Appeals at once, without the intervention of the Supreme Court. It may be said that this is supposing a very high class of judges on the General Sesions bench; but it say that that supposition, without saying anything about myself, is one that is very natural, and ought to be sustained. Associated with myself are Judge Brady and Judge Sutherland, and I think we are qualified for the trial of all the criminal cases that are likely to be brought before us."

criminal cases that are likely to be brought before us."

"In the present condition of crime in the city, Recorder, it seems scarcely likely that the Court of Oyer and Terminer can dispose of the large arrear of criminal business awaiting its attention."

"Certainly not. It was the practice in the days of Barnard and Cardozo to take great criminal cases up, such as Foster's, and it had the effect of turning public attention away from the ordinary civil business of the Court, in which these Judges were more particularly interested. The trouble is that these great cases, like that which are being tried now—Tweed's, for example—are made to last four or five weeks. It is a great consumption of public time, and is partially owing to the Judges being more familiar with civil business than criminal."

"You think, then Recorder, if this section of the law is repealed that the present arrear in the trial

"You think, then Recorder, if this section of the law is repealed that the present arrear in the trial of murderers could be disposed of very promptly?"
"I don't say it boastingly, but I have no hesitation in saying it, that give me effective assistance from the District Attorney's office, and an ordinary intelligent jury, although in New York there is great dimently in getting a jury to agree where a death sentence is involved, and I would try all the murderers now in the Tombs in thirty days."
"That, Recorder, is a consummation devoutly to be wished, and one which I should think the Legislature will only be too glad to aki in bringing about."
"One step has already been taken. On Monday we shall have two Courts sitting, and if the Legislature will repeat this section we can go on and try the murderers. It is a matter of simple justice to the men who are charged with this crime that they should be put speedily on their trial, and by the proposal that is made for the alteration in the law that which occurred in the Purcell case cannot be repeated."

repeated."
Expressing a hope that the Legislature would see the necessity of prompt action in this matter, the reporter thanked the Recorder for his courtesy and withdrew.

ART MATTERS. American Society of Painters in Water Colors.

The sixth annual meeting of this society was held on Tuesday evening in the National Academy of Design. The following officers were elected:-James D. Smille, President; J. C. Nicoll, Secretary; Louis C. Tiffany, Treasurer; R. Swain Gifford, Gli-bert Burling, J. O. Eaton, A. H. Wyant, Board of Control. Present membership, sixty. The treas-ury is in a hourishing condition.

SERIOUS ACCIDENTS.

Charles Sennett, aged forty-two, of 160 Leroy street, fell into the hold of the steamer Minnesota, lying at pier 46 North River, yesterday, and was seriously wounded about the head and back. He was at work on the vessel at the time. The police of the Twenty-eighth precinct had him conveyed

was at work on the vessel at the time. The police of the Twenty-eighth precinct had him conveyed to Bellevue Hospital.

John Grav, of 581 Greenwich street, fell into the hold of the steamer Stella yesterday and was injured about the head. He was sent to Bellevue Hospital.

jured about the head. He was sent to Bellevue Hospital.

Eisha Hall, thirty-four years of age, of 40 Hamilton street, Brooklyn, fell on the sidewalk in Eighth avenue, near Forty-eighth street, yesterday, while intoxicated and was severely injured about the head. The surgeon of the Twenty-second police district attended to the wounds and ordered the patient to be sent home.

Frederick Bragha, twenty-five years of age, a window shade painter, living on the corner of Stagg and Leonard streets, Brooklyn, fell from a window on the fourth floor of the house 42 East 112th street to the sidewalk, yesterday, and was dangerously injured. He was sent to fichevue Hospital by Captain Waish, of the Seventeenth Dielice.