VARNEAR, (rep.) of N. Y., argued against the resolu-nd declared he was not even satisfied that the body and declared he was now even success to be offered had been committed.

McChany, trep.) of lowa, one of the members of the all committee, made an argument in support of the ution. A good deal had been said in this debate of ings to popular clamor. He did not regard this as a er of popular clamor. The popula were excited by

and in legislative bodies and on the buildial beach, and they felt that if corruption not into Compress and undertook to shape and control legislation their libertles would be in danger. In conclusion he said that every member of the select committee had only desired to discharge his duty faithfully and according to his oath. If the House to could find all those men acquitted it was for the House to decide, but he, for one, felt it would be an unfortunate thing for the country if the House should pass over without any punishment the cases of the two gentlemen amed in the resolutions now under consideration.

Mr. Comnos, of Missouri, made an argument against the resolution.

amed in the resolutions now under consideration.

Mr. Commos, of Missouri, made an argument against the resolution.

Mr. Hawley (rep.) of Conn., next addressed the flowes, the said he was inclined to book upon the report of the select committee with sepect. He thought it deserved the support on regard to the first resolution, he quested at least on the support of the support of the support of the first resolution, he quested at least one had a sum and again repeated on the witness with the support of the suppor

congress was master of the situation, above all corporations, above all corrupting influences the loved some of the men whose names were involved in this matter, but he had no irfend whom he would no vote to censure or to expel if he had been found to have been tampering with the national honor. (Applause of the floor and galleries). He saluted the Chevaller Bay and

ard.

Mr. Cox, of New York, reminded Mr. Hawley that during the last election he had declared at a public meeting that there was no ownership of 'reidit Mobilier stock in the part of Senator Wilson, while the evidence now showed there had been. He would like to know how his indignant friend from Connecticut came to make that statement.

statement.

Mr Hawley said that whatever he might think of the purpose of the question, he would answer it squarely. He had risen on the stage in Hartford, after half an hour's conversation with Scantor Wiscon, and he had risen to the with Scantor Wiscon, and he had a hour's conversation with Scantor Wiscon, and he had a howledge, innocent of any complication whatever, directly or indirectly, and in the first flush of his indignantion he had seed the world to prove that he was so complicated. If the evidence since showed that he was sa mistaken it was not his fault. He had said what he believed.

eved.
Mr. Cox—All right.
Mr. Hawkey stated in conclusion that he would

Mr. Brats, of Missouri, made a legal argument against the resolution.

Mr. Riveniz, of Maryland, described himself as begirt
Mr. Riveniz, of Maryland, described himself as begirt
Mr. Congr., of Michigan, assailed the committee itself
for having outstepped its powers and lost sight of its
deties. The committee, he said, had been instructed
whether any member of the timply to inquire whether any member of the House had been bribed; and a most lame and impotent conclusion the committee had reported, that old Oakes Ames, by some certain process, was guilty of an intent to bribe somebody, the committee did not ouse, at ten minutes past eleven o'clock, ad-

RAPID TRANSIT.

When We May Hope to See the New Gilbert Plan in Operation-Circular from the Managers-From the Battery of the Road Promised to Be in Operation by Next Winter.

The managers of the Gilbert Elevated Rapid Transit scheme are out with a circular announcing to the public what they have done and what they propose to do. They speak of other rapid transit schemes, which, if favored, would probadly defeat this one, thus giving York no rapid transit at all. also refer to statements which have been made at public meetings, saying that they were to charge public meetings, saying that they were to charge ten cents fare. This, the managers state, is partly untre, and that five cents will be the fare charged between the hours of five and eight o'clock in the morning and in the evening. They say that what the company most desire is that the Legislature and public be correctly informed of what is going on, in order that the company may have the en-couragement of the public in this great undertak-ing. They then proceed to go into details, as fol-lows:—

lows:—

In the first place the route has been located by the Commissioners—signed and sworn to—one of whom is now the honorable Governor of the State. Plans have been seasing for this road, which, when built, it is considered by eminent engineers and capable judges will be one of the finest in the world, It will be strong, light, airy, no impediment to the streets through which it passes, no obstruction to the light or buildings on streets, will not interfere with travel upon the streets or upon the streets or upon the streets will be built so strong that trains can be run upon it with perfect safety at thirty miles an hour. Stations will be located every half able upon the entire route, both upon periect sarety at thirty miles an hour. Stations will be ocated every half rule upon the entire route, both upon the east side and west side of the city. The road will be built entirely double track, so that trains passing down from Harlem River upon the east side of the city round the east side of the city round the west side of the city, and down trains upon the west side of the city, and down trains upon the west side of the city, and down trains upon the east side of the city will become up trains upon the east side of the city will become up trains upon the cast side of the city will become up trains upon the east side of the city, following each other at intervals or about 8 we minutes during the entire day, and as many cars as necessary to accommodate the public. Gontracts have already been entered into by the company with three of the best from establishments of the country for the building of the first ten miles from Bewing Green to sigh Bridge upon the west side, and it is intended as soon as this can be completed, or perhaps when well under way, to put the line on the west side under centract for construction in the same wy. The spans of the structure are to be 66 feet in length and 64 feet in the clear, capable of sustaining a weight of 400 tons to each span of 64 feet; the heaviest weight that can be placed upon cach span practically would be two thirty-ton locomotives, which would be sixy tons to the span leaving a factor of safety over and above the weight that could be put upon the span practically wons to the span leaving a factor of safety over and above the weight that could be put upon the span practically wons to the span leaving a factor of safety over and above the weight that could be put upon the span practically constituted. weight of 400 tons to each span of 64 reet; the heaviest weight that can be placed upon cach span practically would be two thirty-ton locomotives, which would be aixly tons to the span, leaving a factor of safety ever and above the weight that could be put upon the span of 360 tens. Every piece of iron that is to go in the structure is to be tested up to 20,000 pounds to the square inch without setting; it is to be tested up to 17,000 pounds to the square inch without setting; it is to be tested up to 17,000 pounds to the square inch with a heavy sledge hammer; each piece of fair from is to be tested also 12,000 pounds to the square inch in tension and 8,000 pounds in to the square inch in tension and 8,000 pounds is to the square inch in tension and 8,000 pounds is to the square inch in tension and 8,000 pounds is to the square inch in tension and 8,000 pounds is to the square inch. Under the contract any piece of from not coming up to these tests without setting is to be rejected.

The capital stock of this coupany is already taken by about thirty of the most prominent capitalists and business men of New York. The first live and one-half millions of the bonds have been negotiated in London. The money is to be provided and placed in New York in trust for the company within the next ninety days, to be paid to the company as the work progresses upon the line. The subscriptions to the capital stock are all to be paid in oash at par, so that the company at the present time have their arrangements completed for nearly eight million dollars toward the construction of the first ten miles of yoad, and all to be in hand in about three or four mouths. There are at present at work in the different manufactories about two thousand men preparing the iron and getting it ready for this structure. It is expected that the iron can be got ready tor at least five miles of the road by August or September, and for the the miles by detoier or November, meluding the platforms and stairways, and everything tensions and stairways, and

BROOKLYN KAPID TRANSIT.

The First Instalment Paid in. The work upon the road for rapid transit will no doubt be commenced in a short time, as the 5,000 shares of the Steam Transit Company have all been taken up, and yesterday the first in-stalment of ten per cent on the shares was paid in at the Nassau National Bank. The following are a few of the stockholders who paid in their first instalments yesterday:—

instalments yesterday:—

Edward C. Litchifield, ten per cent on W. E. Doige, ten per cent on John Lefferts, ten per cent on S. R. Chittenden, ten per cent on E. R. Chittenden, ten per cent on Abraham Vanderveer, ten per cent on J. S. T. Stramaham, ten per cent on J. S. T. Stramaham, ten per cent on Demas Barnes, ten per cent on Alexander M. White, ten per cent on A. S. Barnes, ten per cent on M. H. Taylor, ten per cent on J. R. Kennedy, ten per cent on J. R. Kennedy, ten per cent on W. M. Dun, ten per cent on W. S. Dunn, ten per cent on W. M. Evaris, ten per cent on W. M. Evaris, ten per cent on Besides the above there was a lieuten. Besides the above there was a large number of minor subscriptions paid in.

THE JULY MUEDER IN THE JERSEY WOODS Arrest of the Alleged Culprit.

Yesterday there was secured in the Essex County Jail, at Newark, one James Avery, a pedier, of Caldwell township, who is accused of being the murderer of one George Kohlman, whose dead murderer of one George Kohlman, whose dead body was found last July in a wood in the above township, where it had iain most probably for a week or ten days, with two pistol bullet-noles in the head. An inquest held at the time resulted in nothing, except that somebody had murdered the man. Since then suspicions have pointed to Avery as the murderer. He is said to have been jeabous of the attentions Kohlman paid Mrs. Avery. The latter has had a fearfal quarrel with her husband, it ended in separation and in her giving the authorities such information against her husband as they deem sufficient to warrant the arrest. Avery is held for the action of the Grand Jury.

Barnuel Simmons was sent to Believic Hospital yesterday by Captain Trans, of the Eighteenth precinct, suffering with hemorrhage of the lungs, he was living at the Putnam House, on Fourth avonue, when the mcknoss struck hum.

THE COURTS

THE SCANNELL-DONOHOE TRIAL

Further Testimony as to Insanity-The Prisoner's Half-Sister on the Stand--- A Scene in Court--- Evidence of a Physician.

EX-BOSS TWEED AGAIN

Four Indictments for Forgery-The Bollar Warrants-Tweed Gives Bail in \$18,000-More Indictments to Come.

Daniel Drew and His Erie Speculations.

A NICE FUGACIOUS CASE--A LAW PUZZLE.

Libel Suit Against a New York Spanish Editor.

BUSINESS IN THE OTHER COURTS.

Further testimeny was given yesterday in the Scannell trial for the defence. The plea of insanity is the one great object counsel seeks to establish. One medical witness only was examined. Other professional men will be put on the stand to-day. The trial is an exceedingly slow and uninteresting one. It will occupy several days to come yet.

Ex-Boss Tweed is again in arms against a sea of troubles. He appeared with his counsel yesterday in \$18,000 on four indicaments for forgery. Rumor has it that other indictments are pending. Under these circumstances his neglected Senatorial duties, or what action the Senate in Albany may take hereanent, must sit very lightly upon his broad In Part First of the General Sessions vesterday the

jury convicted two men for a reckless use of the knife. Henry Meyer, who inflicted a number of wounds upon the hand and arm of John Dodd with a sharp knife, was found guilty and sentenced by Recorder Hackett to the State Prison for four years, His Honor remarking that, so far as the Court had the power, the unnecessary use of pistols and knives would be severely punished. Henry Schaffer was convicted of indicting two stabs upon John Able—one in the abdomen and the other in the chest—which, fortunately, did not result fatally. He will be sentenced on Friday. A number of prisoners pleaded guilty to burglary and grand larceny, and were sent to the State Prison. Nicholas Berger, of West Houston and Green streets, was yesterday committed for examination by Commissioner Betts, on a charge of dealing in fitty-cent counterfeit stamps. It is alleged that a considerable quantity of counterfeit money was found in the possession of the accused.

Yesterday the suit of the United States vs. the Distillery in Rockland county known as New-man's distillery, with land attached, was continued in the United States District Court before Judge Blatchford and a jury. The suit is brought to con demn the distillery and the land, on the ground that illicit distillation had been carried on there to a considerable extent in fraud of the government. It seems that the owner of the distillery has disappeared, and a legal point has been raised to the effect that, as the owner of the land was not owner of the distillery, and was not aware of the alleged illegal purpose for which the distillery had been used, the land cannot be confiscated. The case is still on. It will be remembered that a criminal prosecution had been instituted against the foreman or the distillery.

A suit has been instituted in the Court of Com-

mon Pleas against Daniel Drew, to compel him to pay \$10,000, which, it is claimed, he agreed to pay for certain information received in regard to alleged forged certificates of Eric Railway stock placed in the European market. Mr. Drew denies ever having made any such agreement. As the case could not be finished on the short calender was set down on the general cale it will probably come to trial some time next month.

Another chapter has been added to the Villaverde De Couto libel suit matter. Upon an allegation that the latter was preparing to leave the United States an order for his arrest has been granted by Judge Fancher, of the Supreme Court. This order will doubtless lead to a thorough ventilation in the Courts of all the facts in the case.

Something more than an ordinary legal conun drum was presented yesterday to Judge Harden, holding Supreme Court, Chambers. One Powers, it appears, is a fugitive from justice from Chicago. and since his arrival here has been arrested for playing the role of pickpocket on one of our city car lines. The conundrum is whether he shall be kept here for trial or be sent back to Chicago to answer the prior offence. It is very likely a decision in the matter will be arrived at to-day.

Application was made yesterday before the same Judge for the discharge of Maurice Jones, Charles Pryor and another party, arrested on a charge of violating the lottery law in selling gift enterprise tickets at No. 656 Broadway. Their counsel claimed that as the concert tickets were sold and the lottery tickets given away there was no violation of the law. Judge Harden regarded this too thin. and refused to grant the application.

THE SCANNELL-DONOHOE TRIAL

Medical Testimony as to the Insanity of the Prisoner-Seannell's Half Sister on the Stand-The Testimony Yesterday Unimportant.

The trial of John Scannell for the murder of Thomas Donohoe was resumed yesterday in the Court of Oyer and Terminer before Judge Brady. There was the usual attendance of spectators, and the order and quietness which have marked the whole course of the trial within the court room and its approaches prevailed. Several ladies were present yesterday, attracted by the unhealthy, morbid feeling, the consciousness of which detracts so much from their presence at such scenes and on such occasions. Dur-ing the examination Miss Kittle Scannell, haif sister to the prisoner, was put upon the stand. In testifying to the affectionate and fatherly care which she said the prisoner ever evinced towards the family after their father's death and the change which came over him after his brother's death, when he became morose and peevish to all,

change which came over him after his brother's death, when he became morose and peevish to all, Miss Scannell burst into tears and was unable to proceed. Scannell also was overcome and wept and sobbed. He was permitted to retire with one of his counsel for a short time. On his return into court the witness was no further interrogated and she withdrew. The first witness called was OTIS J. WILSON, who testified to many strange and eccentric acts on the part of the prisoner prior to and subsequent to the shooting of Donohoc.

Henry Hart, a barber, testified in relation to the question of insainity, that the prisoner one day came in for two shaves within a short time of each other; the witness believed him insane.

PRISONER'S HALP SISTER ON THE STAND.

Miss Kittle Scannel, half sister of the prisoner, testified that ever since the death of her father, her brother, the prisoner, had been like a father to them all; prior to the death of Florence he never acted rudely to any of them, but was always uniform in his kindness and good treatment of them; after that he became morose and peevish.

At this point of the testimony of the witness the prisoner burst into tears, and his convulsive weeping, which continued for some time, completely interrupted the proceedings and excited great sympathy among the audience. The wife and brother of the prisoner were also visibly affected. Counsel asked that the prisoner be permitted to retire for a little time to enable him to recover from what was evidently a nervous hysteric shock, which he was unable to control. The Court granted the prisoner and one

of his counsel then withdrew, but in a few minutes returned into Court. The witness was not fur her

of his counsel then withdrew, but in a few minutes returned into Court. The witness was not further examined. THE MEDICAL TESTIMONY.

Dr. Oakland Payne, surgeon in charge of St. Elizabeth Hospital, examined by Mr. W. F. Howe, who has the medical portion of the defence in charge, testified:—I have been acquainted with the prisoner for many years; was physician to his family; previews to the shooting of Florence Scannell the prisoner was in very good health; after the shooting saw him at Hellevue Hospital; at that time his manner was wild and excited and his complexion was pale and haggard; he then began to waste away visibly, and he became frittable and incoherent; I have frequently met him in the street at one and two o'clock in the morning, and asked him why he was not in bed; he answered, "What is the use? I can't sleep;" one day he accompanied me to St. Elizabeth Hospital; and while there he hehaved very strangely, and said he saw his brother in every bed; from his manner, appearance, acts and conversation I judged him to be decidedly insane, and had toid his friends so a hundred times, and recommended them to place him in an asylum; this opinion was expressed frequently from the time Forence was shot to within a few months of the killing of Bonohoe.

By Mr. Phelps—In monomania the mind through its organ of brain is always diseased, yet this disease, though aiways present, is only manifested when the mind acts in a particular way.

Q. What was the active principle of his monomania? A. The killing of his-brother.

Q. In what way did his monomania develop or exhibit tiself? A. In his manner, which it is almost impossible to explain; in his irritability, changes of disposition, coarseness, sleeplessness, which he never exhibited before the killing of his brother; a monomania could speak and converse on other subjects rationally. Defendant's counsel then put a hypothetical question of great length—being a compendium of the prisoner's character before the shooting and dealth, and then his suddenly changed manner

white and stared at me in a wild manner; he did not answer me.

Cross-examined—Talked with him about half an hour; he ran from one subject to another; told him I wanted four horses; he said I could pick them up easily; after I spoke to him about Flor-ence he stared at me for a few moments and then walked away; he did not come back; I thought his manner very strange; he appeared to me to be insane.

The hour for adjournment having arrived, the case was then adjourned until this morning.

THE RING FRAUDS.

Tweed Gives Bail-Four Indictments Against the Ex-Boss-Bonds Entered Into to the Amount of \$18,000-The Bollar Warrants.

There was an interruption yesterday in the Court of Oyer and Terminer during the proceedings in the Scannell trial. It was occasioned by the appearance of ex-Boss Tweed and his counsel who came prepared to give bail for Tweed's ap pearance on his approaching trial on four indict ments, charging him with forgery. Beyond the ments, charging him with forgery. Beyond the mere interruption there was no excitement, and the periceting of the bonds and the appearance of Tweed himself and his retirement with his iriends passed off very quietly. Tweed gave bonds on the four indictments for forgery in connection with the Bollar warrants.

Mr. Brendon became his bondsman. The amounts of bail fixed were \$7,000 on one, \$6,000 on another, \$3,000 and \$2,000 cach on the other two cases. It is understood he will be called upon in a day or so to give bail on twelve other indictments.

DANIEL DREW AND HIS ERIE SPEC-ULATIONS.

Alleged Forgery in Europe of Eric Certificates and How Mr. Drew is Said to Have Reaped the Benefit of It-Suit to Compel Him to Pay \$10,000 en Account of Benefits Received.

In the latter part of last May Daniel Drew, the veteran Wall street "bear," is said to have had on hand contracts to deliver 55,000 shares of Eric Railway at fifty-five per cent. At this time the stock stood at seventy per cent, with-to borrow the vernacular of Wall street-a decided upward tennacular of wall street—a decided upward tendency. Matters looked squally for Mr. Drew. At this time D. Weymiss Jobson, as he avers, had an interview with Mr. Drew, and told him that for \$10,000 he would lay before him important information, which, when its truthfulness was established, would cause a great depreciation in Erie stock.

"What is your information?" asked Mr. Drew.
"That Erie Raliway certificates have been forged to a large extent in Europe," answered Mr. Jobson.
"Prove this," said Mr. Drew, "and you shall have \$10,000."

have \$10,000."

It will be understood that we are giving Mr.
Jobson's story. As the latter gentleman's narrative continues, he at once communicated by cable
with his various correspondents in London, Paris,
Vanna, Rarlin and other leading cities in Europe; with his various correspondents in London, Paris, Vienna, Berlin and other leading cities in Europe; and the information he received was that not only such certificates had been forged, but a man, named Bertholf, had been arrested in Berne, Switzerland, charged with the forgery. An extract from Douglas Jerrola's Weekly, was shown to Mr. Drew to this effect, and the fact published forthwith in most of the city papers. This announcement caused, so continues Mr. Jobson, an immediate decline in Eric from seventy to forty per cent, the result of which was that Mr. Drew pocketed a good round sum in the shape of profits instead of being a large loser, as he would have been otherwise. Mr. Jobson called on Mr. Drew for the promised \$10,000, but the latter failed to see it. Though taken aback somewhat Mr. Jobson was not to be put off in this summary way, but at once instituted a suit against Mr. Drew to compel fuffilment of his contract. The case, the trial of which was put on the short calendar upen the statement that it could be tried in an hour, came up for trial before Judge J. F. Daly, of the Court of Common Pleas.

Mr. Jobson's counsel, in opening the case, elaborated the facts as stated above, and Mr. Jobson himself repeated the allegations in his testimony. Mr. Drew was called as a witness on his own behalf. He denied in toto having made any such contract as alleged, but stated that Mr. Jobson dicall on him several times and insisted on annoying

Mr. Drew was called as a witness on his own behalf. He denied in toto having made any such contract as alleged, but stated that Mr. Jobson did call on him several times and insisted on annoying him with various interviews. Before the testimony of Mr. Drew was concluded the prescribed time of an hour had elapsed, and the Judge ordered his jurther examination to be discontinued and the case set down on the general calendar, which was done. It is probable that the case will reach a trial next month.

A NICE LEGAL POINT.

Important Question as to a Fugitive from Justice-Priority of Crime as a Basis of Prosecution.

James Powers, alias James Weed, not long since

got into difficulty in Chicago, the nature of th difficulty being a triffing charge of felonious assault and battery and highway robbery combined. Powers, under these circumstances, deemed it ex-pedient, after procuring bail to answer this charge, pedient, after procuring ball to answer this charge, to give the Garden City the cold shoulder. He came to New York; but his bondsmen, regarding the case shaky, concluded to follow, and so, procuring a bench warrant, pursued the fugitive. Powers had been arrested on this warrant by one of Plakerton's detectives, but learning of the pursuit, called on a politeeman, and desired to be taken before the Superintendent of Police, and this request being complied with, he was taken by the order of the latter omicial before Police Justice Ledwith. Meantime a charge had been preferred against him of playing the role of pickp-cket on a Sixth avenue car and stealing a \$100 bill from a passenger, and the case had been taken before Judge Dowling, a warrant for his arrest having in the meanwhile been placed in the hands of Captain Byrne. The latter arrested him upon this warrant, and yesterday, on a writ of habeas corpus procured by his counsel, Mr. William F. Howe, the prisoner was brought before Judge Harden, holding Supreme Court, Chambers.

Ex-District Attorney Garvin appeared and insisted that the Judge should discharge Powers from arrest and make an order directing that he be taken back to Chicago.

His Honor opposed the application, on the ground that if such a course were to be taken it would be easy for any criminal to at once put himself under bail and then hold that out as a prohibition against his arrest for any genuine crime. He asked if the ex-District Attorney would contend that a Judge of the Supreme Court had the power to dismiss the warrant of a magistrate without investigation?

Mr. Garvin claimed that the point was an important one, and ordered that the prisoner be remanded till further argument could be had in the case to-day. to give the Garden City the cold shoulder. He

THE VILLAVERDE-DE COUTO DIF-

FICULTY. Pains and Penalties of Espousing the Cause of the Cuban Patriots-A Libel

Suit and How the Case Stands. Señor José Perrer de Couto, editor of El Cronista the Spanish organ of this city, has been subjected

to some further legal proceedings in the libel suit instituted against him by Civilo Villaverde and his wife, Emilie. The original litigation was begun in 1871. In that year Schor Villaverde and wife came to this city as agents of the Cuban patriots. They brought contributions of jewels and plate of considerable amount, which were to be sold and considerable amount, which were to be sold and the proceeds devoted to assisting a liberating expedition then fitting out for Cuba. A short time afterward a leading article appeared in Et Cronista, charging an improper diversion of these funds. Shortly following the publication of this article a suit was instituted against Sefior De Couto, claiming \$10,000 damages. The defendant answered the complaint by attorney, and no order of arrest was issued or asked for. The case up to this time has not been reached on the calendar. It being currently reported that Sefior De Couto designed embarking for Spain, an order of arrest was granted by Judge Fancher, of the Supreme Court. This was executed and ball was furnished in \$1,000. The sureties are James Clyne, of Brooklyn, and Thomas Ritter, United States Revenue officer, 178 Second avenue.

or De Coute states that the article in question Senor De Coute states that the article in question was written wholly without his procurement; that an individual called at his office after he had left and when a sub-editor was in charge, and that he was refused permission to insert an article written by himself, but the sub-editor prepared the article claimed to be libellous. He further avers that he would not have suffered it to appear if he had seen it, and was very much incensed when he read it next day.

BUSINESS IN THE OTHER COURTS.

SUPREME COURT-GENERAL TERM.

Question as to Whether a Lawyer is Guilty of Contempt of Court.

Before Judges Ingraham, Fancher and Davis. After the hearing of the argument in this Court yesterday, in the suit of Ounsley vs. The Vermont Flanders, one of the counse, it he had written a letter to Judge Ingraham in regard to the case.
"I did write a letter," promptly answered the

"I did write a letter," promptly answered the counsel.
"Well, that letter," pursued Judge Davis, "the Chief Justice considers not only an insult to himself, but the other members of the Court consider it an insult to them."

Mr. Clark, the clerk, was directed to issue an order to show cause why Mr. Flanders should not be punished for contempt in writing the letter. This letter was one finding fault with his case being dropped from the calendar, and characterized such course as "a personal outrage." On the hearing upon the order to show cause, the facts in the case will probably be all developed.

SUPREME COURT-CHAMBERS. Decisions.

By Judge Harden. Frances Housbow vs. Charles Honsbow.—Report of referee confirmed and judgment of divorce granted. Blum, Jr., et al. vs. Northern Transportation Company.—See decision.

SUPERIOR COURT-SPECIAL TERM. Decisions. By Judge Freedman Herman va. Simon.—Motion granted. White vs. Talmage.—Order granted. Vender Minden vs. Elsas.—Motion denied. Larned vs. Mead.—Order granted.

Myers vs. Stevens.—Same. The People in the Relation of Emanuel Myer vs ouis Hartman.—Same. Simon vs. Levy.—Same. Lecompt vs. Malpert.—Motion granted.

COURT OF COMMON PLEAS-TRIAL TERM-PART I. Damages for Falling Down. Before Judge J. F. Dalv.

Charles Hoffman, in October, 1870, called at the pork packing establishment of Link Brothers, on Hudson street, to negotiate for the purchase of some pigs' heads. In the rear of the store was an elevator, with no railing or other guard about the opening, and it being rather dark, Mr. Hoffman did not see it, and fell through to the floor below, injuring a leg, and also receiving severe internal injuries. Suit was brought in this Court for \$5,000 damages. The case was tried yesterday and resulted in a verdict of \$1,000 for the plaintiff.

COURT OF COMMON PLEAS-TRIAL TERM-PART 2. A Savings Bank in Court.

Before Judge Loew. George Owens had \$140 on deposit in the Green wich Savings Bank. After the deposit he had a shock of paralysis, and on calling for his money and presenting his pass book, as he could n make an intelligible explanation and sis signature was not the same as before, the bank would not give him his money. Owens accordingly instituted suit for the money, and the same came up for trial yesterday in this Court, resulting in a verdict in his lavor.

MARINE COURT-GENERAL TERM.

Present, Chief Justice Shea and Judges Gross and Joachimsen.

William M. Jester vs. Ephraim K. Abrams .- A motion was made in this action yesterday morning to punish James O'Hara, the city marshal attached to this Court, for gross misconduct in the execution of his official duty? It appeared that on the 6th of January last the plaintiff recovered judgment against the defendant, and on the same day placed an execution in the hands of O'Hara for the collection of amount, due on rent, and on which a judgment was issued. The marshal levied upon and removed sufficient property to satisfy the execution. On the 13th of January last the marshal told the plaintiff's attorney that the property would be sold the next day. Subsequently it appeared that on the day named he returned the property levied upon to the delendant. It was charged by the plaintiff's attorney that the defendant had bribed the marshal to return the property, and that the act of the marshal was corrupt and fraudulent, and that the plaintiff by his misconduct had been greatly damaged. Affidavits were read on behalf of the marshal denying the misconduct charged against him. The Court said that in consequence of the numerous complaints against the city marshals in this city, it would refer this matter to J. Howard Wood, the deputy clerk of the Court, to take the testimony relative to the matter.

Judge Howland Sworn Into Office.

After the General Term had concluded the busicollection of amount, due on rent, and on which a

After the General Term had concluded the busi ness on the docket Henry E. Hewland, the newlyappointed Judge of the Marine Court to fill the vacancy caused by the death of Judge Tracy, was vacancy caused by the death of Judge Tracy, was sworn into office before the full bench, Chief Justice Shea administering the outs. Judge Howland was warmly greeted by his new fellow judges, and he as warmly responded to their congratulations. The number of judges is again complete, and there is work for all. The only drawback to an efficient application and discharge of the duties before them lies in the want of proper accommodation. The judges of this branch of the judicature of the city are certainly cabined, cribbed and confined for want of room to hold their courts. In a few days there will be judges holding four parts or branches of the Court besides General Term. To meet the press of business on the various calendars some immediate steps should be taken to give the judges more desirable room and accommodation.

COURT OF GENERAL SESSIONS-PART I.

Tenement House Quarrel-An Irishman Stabbed by a German-The Teuton Sent to Sing Sing Prison for Four Years. Before Recorder Hackett.

After the transaction of considerable routine business yesterday a jury was sworn to try Henry Meyer, who was charged with felobious assault and battery. The complainant, John Dodd, swore that on the 31st of May last the defendant, without any provocation, cut him in the hand and arms with a provocation, cut aim in the hand and arms with a knife. It appeared, from the testimony adduced on both sides, that Dodd, an Irishman, and Meyer, a German, lived on different floors of a tenement house in East Thirty-second street with their families, and that a dog belonging to Meyer used to frighten Dodd's children. Upon the day in question Mrs. Dodd threw a little piece of wood at the animal to allow her little girl to pass down stairs without being molested, whereupon Meyer visited her apartments and commenced to beat her. The children screamed, which attracted the attention of their father, who was in the basement. While he was secending the stairs Meyer met and stabbed him in the arm, inflicting severe, but not dangerons wounds. According to the prisoner's version of the afiar Dodd and his wife attacked nim with clubs and beat him on the head, and that he used the knife to delend himself. This testimony was not corroborated, whereas the story of the other side of the house was confirmed by the evidence of the policeman. The jury rendered a verdict of guilty of an assault with a dangerous weapon with intent to do bodly harm.

His Honor the Recorder, in passing sentence, said that the reckiess use of dangerous weapons must be stopped, and that, so far as he had the power, he would do so. Meyer was sentenced to the State Prison for the period of four years. knife. It appeared, from the testimony adduced

Another Stabbing Case.

As soon as this case was disposed of Assistant District Attorney Russell presented another case of stabbing to the consideration of the jury. The accused was Henry Schaffer, who was charged with stabbing John Able, on the 19th of August, with a shoemaker's knife. The testimony showed that the prisoner and his wife went to the apartments of Able, at the corner of Fifteenth street and avenue B, on the day in question to demand the return of a cup and saucer which they charged Able's wife with stealing. Schaffer remained on the sidewalk while his wife was up stairs, and as he stood there Able came along and ordered him away, using opprobrious cpithets. The complainant said that thereupon Schaffer drew out a knife and staobed him in the abdomen and near the heart. The wounds were so severe that he was confined in the hospital over a month. Schaffer calmed that Able had threatened ten days before to kill him, and that on this occasion the complainant struck him first. The jury rendered a verdict of guitty of an assault with intent to do bodily harm. Schaffer was remanded for sentence.

A Batch of Prisoners Sent to the State

TARRE THEY WHILE

A Batch of Prisoners Sent to the State Prison Upon Pleas of Guilty of Burg-

lary and Larceny. Isaac Brinckerhoff pleaded guilty to burglary in the third degree, he having on the 4th of May last entered the restaurant of William Rogers, No. 534 Broome street, with a false key, and stolen a clock

James Beatty, who was indicted for petty larceny from the person, also confessed his guilt. On the 15th of February the prisoner took \$7 60 out of the

15th of February the prisoner took \$7 60 out of the pecket of the complainant in a saloon at the corner of Oliver and Chatham streets. Brinckerhoff and Beatty were each sent to the State Prison fer four years and six months.

William Green, whe was charged with having, on the 28th of May, 1872, stolen a pockethook containing \$25 from the person of Henry J. Mabbett on the platform of a car of the Beit Railroad, pleaded guilty. He was sent to the State Prison for three years and six months.

Thomas Devine, against whom an indictment for burglary in the third degree was found, pleaded guilty to an attempt. The clothing store of Hall & Brummell, 619 Broadway, was burglariously entered and three coats worth \$70 stolen, one of which was found in the possession of the prisoner by an officer.

David Buckley pleaded guilty to a similar crime,

tered and three coats worth \$70 stolen, one of which was found in the possession of the prisoner by an officer.

David Buckley pleaded guilty to a similar crime, he having been jointly indicted with David Murphy for breaking into the feed store of Nelson Underwood, 996 Taird avenue, on the 11th of september, 1868, and stealing two dollars in copper coin.

James Campbiell and John Keily, who, on the 11th inst., stole a case of boots valued at \$50, the property of George W. Nicholson, pleaded guilty to an attempt at grand larceny.

Samuel Williamson, charged with stealing, on the 16th of this month, a pocketbook containing \$31 from the pocket of Bridget Durnin's dress, in St. Peter's church, also pleaded guilty to an attempt. It seems that he immediately repented of his deed, and returned the money. He ran out of the church and was captured.

These prisoners were each sent to the State Prison for two years and six months.

Michael Quinn pleaded guilty to an attempt to commit burglary in the third degree, the indictment charging that on the 25th of January he endeavored to break into the premises of James Somerville, in Eighty-sixth street, The sentence was State Prison one year.

Francis Johnson, a colored boy, pleaded guilty to stealing \$69 worth of jeweiry from Margaret K. Carrier. As the prisoner was under sixteen years of age the Court sent him to the House of Refuge.

COURT OF GENERAL SESSIONS-PART 2. The "Dummy Laborer" Case-The Prisoner Convicted-Remanded for Sen-

Before Judge Sutherland. The case of Patrick Carroll was resumed yester-day morning. The jury having taken their seats the defence called their witnesses; these were only two in number, John and Elias C. Noe; the first two in number, John and Elias C. Noe; the first the general superintendent, and the latter one of the foremen on the "big pipe works." The testimony of the former was to the effect that trey had seen Carroll at work, but they could not swear positively that he had been all the time at work and had honestly earned the \$27 which he had attempted to get by representing himself as Patrick Burns. John Noe was also forced to state in cross-examination, that he had advanced \$400 as security for bondsmen for the prisoners, though he expressly denied having any special interest in the case.

The counsel for both sides then summed up, Assistant District Attorney Rollins laying stress upon the importance of the issue involved.

The Court then charged, and the jury returned a verdict of guilty. The prisoner was remanded for senience.

sentence.

Henry Wagner, indicted for burglary, was found guilty of petty larceny, and was sentenced to six months' imprisonment in the Penitentiary.

COURT OF SPECIAL SESSIONS. Arraignment of the Cock Fighters-Bergh's Appeal.

Before Judges Shandley, Coulter and Cox. Charles E. Carman, 230 West Forty-seventh street, and John Feitner were brought before the Court of Special Sessions yesterday to be tried for the crime of aiding and abetting in a cock fight. Mr. Carman, who is a very respectable-looking gentleman, was placed at the bar. Mr. Henry Bergh appeared in person. He stated to the Court that ne had notified the District Attorney and expected him to be present; but as he was not there he asked permission to conduct the case for the prosecution. The permission was granted.

Mr. Bergh—This gentleman was arrested last Friday night, at the stables Forty-ninth street and Broadway, where he keeps a cock pit. I know him very well, and I knew his father before him. He is an intelligent man, and because he is an intelligent man I wish the Court to make his sentence as severe as possible. He knows what he is doing, and I would like to make him feel the power of the law—what it is to be guilty of such inhuman and barbarous practices. A man like him ought to be unished more severely than Kit Burns, who knew unished more severely than Kit Burns, who knew no better. It is an outrage upon the community of New York that such men as he should be allowed

no better. It is an outrage upon the community of New York that such men as he should be allowed to go free.

After delivering this tremendous philippic Mr. Bergh, whose whole frame had been worked up like the frenzy of a Bowery tragedian, resumed his seat. Then the athietic form of Counselior Price arose. Mr. Price contended that it was not a public exhibition; that the cocks were raised by defendant and fought in his private stable.

Mr. Carman settled the dispute very quietly by pleading guilty. The Court fined him \$50, which was cheerfully paid, and Mr. Carman went on his way rejoicing.

John Feitner was then arraigned. He had been arrested in the same place and on the same night. Alonzo F. Evans and J. Hartfield, two of Mr. Bergh's aids, both testified to being on the premises and seeing some dead birds lying around, but they did not witness any light, but saw the defendant sitting on a coup with a dead bird between his legs from which he was taking the sreel garfs.

Sergeant Nugent Miller, who arrested them, was called to the srand and was asked did he see the fight. He replied in the negative, and as there was no case against the prisoner the Court ordered an acquittal.

A dilapidated looking individual named Thomas

acquittal.

A dilapidated looking individual named Thomas
Puggs, was then arranged for stealing seven herrings from a grocery store in Division street. The
value of the herrings was put at seven cents.
Judge Shandley to Puggs—How long have you
hear locked un?

Puggs—Seven days, sir. Judge Shandley—That's a day for each herring. Tou are discharged.

JEFFERSON MARKET POLICE COUAT. A Youthful Criminal.

Frederic Durr, a boy of thirteen, living at 223 Grand street, was brought before Justice Cox, charged with having run of with a horse, harness, buggy and buffalo robe, valued at \$375 in all, the property of Nathaniel M. Freeman, of 153 East Eighty-sixth street. The youthful delinquent admitted his guilt, and was locked up for trial in default of \$1,000 ball.

Grand Larcenies. Thomas Reilly, of 13 West Forty-fourth street, s coachman, was brought before Justice Cox, charged with the larceny of a for collar and pair of charged with the larceny of a fur constraint pair or cloth pantaloons, portion of the livery supplied to his servants by Thomas Clement Campbell, of 105 West Forty-ninth street. The prisoner stated that the property in question was purchased by him-self, but he was, nevertheless, held for trial at Gen-

Jane Curberg was charged with the larceny of a large quantity of wearing apparel, valued at \$69, the property of Mrs. Clara Devereaux, or No. 76 East Tenth street. A gauze veil, portion of the missing property, was found in the prisoner's possession. She was held for trial in default of \$500 ball.

COURT CALENDARS-THIS DAY. SUPREME COURT-CIRCUIT-Part 2-Held by Judge

SUPREME COURT—CIRCUIT—Part 2—Held by Judge Barrett.—Case on.

SUPREME COURT—SPECIAL TERM—Held by Judge Van Brunt.—Essues of law and fact—Nos. 189, 248, 47, 189, 211, 217, 195, 42, 234, 202, 218, 221, 222, 227, 232, 233, 237, 241.

SUPREME COURT—CHAMBERS—Held by Judge Harden.—Nos. 46, 63, 64, 65, 66, 68, 69, 74, 177, 179, 191, 197, 199, 216, 217. Call, 234.

COURT OF COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge Loew.—Nos. 1698, 303, 1850, 1866, 1866, 1965, 1266, 1912, 1964, 2066, 2007, 2008, 2010, 2011, 2012, 2013. Part 2—Held by Judge J. F. Daly.—Nos. 1767, 1768, 1982, 1967, 1917, 1928, 2000, 2001, 2003, 2004, 2005.

COURT OF COMMON PLEAS—EQUITY TERM—Held by Judge C. P. Daly.—Nos. 10, 58,

BROOKLYN COURTS.

UNITED STATES CIRCUIT COURT. Decisions Yesterday.

By Judge Woodruff.

William Dix et al. vs. The Steamship M. M. Cobel, &c.—A preliminary or introductory order in conformity with directions may be entered.

J. M. Marcaissen vs. The Steamship Westphalla, &c.—The libellant has a claim for demages with costs of appeal.

The Phonix insurance Company vs. The Steam-

boat Atlas, &c.—Award for the libellants one hall the damages reported. No costs, Thomas Bonaldson et al. vs. The Brig Anna, &c.— Decree for libellants, with sums awarded, with

costs.

George S. Townsend, respondent, vs. The Bark
Johannes, &c.—Decree for libeliant, with costs.

The Narragansett Steamship Company, appellant,
vs. The Steamboat Narragansett.—Libel dismissed,
with costs.

Peter Lyman vs. The Steamboat John L. Hasbronck — the dismissed, with costs.

ouck.—Libel dismissed, with costs.

James McKeag, appellant, vs. The Steamtug
merica.—Libel dismissed, with costs.

SUPREME COURT-SPECIAL TERM. Frederick Griffing's Protege.

Before Judge Pratt.

It will be remembered that an application was made by Rev. Jacob Thomas, pastor of a colored church in New York, for the custody of the octoroon, Kitty King, who is now living as the adopted daughter of Mr. Frederick Griffing, a wealthy cotton merchant, in Brooklyn. Mr. Griffing, eight years ago, got the girl from her mother in Alabama, and brought her on North, agreeing to edu-

years ago, got the girl from her mother in Alabama, and brought her on North, agreeing to educate and take care of her, which was done. Having no children himself he gave her the name of Eva Griffing, and she was always treated as a daughter. Are the man to be proceeding by virtue of a power of attorney from the girl's mother.

A few days since the case was referred to Lawyer D. B. Thompson, who was instructed to ascertain and report whether Eva was lilegally detained or restrained of her liberty. Yesterday Mr. Thompson made his report to the Court, giving it as his opinion that the writ of habeas corpus should be dismissed, and thereby deciding that the custody of the child belongs to Mr. Griffing. In concluding his "opinion" Mr. Thompson says:—"The question then arises, is it for the welfare and the interests of the child that it shall be taken from the custody of Griffing and given over to the mother in Alabama? And here the fact that the mother is ignorant and poor has no weight whatever. It may be that the child will be better provided for, and better educated by others than the mother, but no matter how destinute and ignorant that mother may be, not the wealthlest and best man in the world can keep her child from her by his assurance merely that he will give her better treatment, clothing and education than she could have with her hatural guardian. But it appears in this case that the child is the illegitimate of spring of a white man and colored woman; that at the time the mother gave her away she had little or no natural affection for her, and expressed a desire that the might never see her again. Her reputation for chastity was then bad, and there is no evidence to show that she has since reformed. It might be the ruin of the mother and the best interests of the child for her to be remanded to the custody of her mother. The child is of sufficient age and intelligence to indicate her desire, and her inclination is to remain with the respondent. I am, therefore, of the opinion that the writ should be dis writ should be dismissed."

In her testimony before the referee Eva said that her mother told her that her satter was "a white gentleman," and that when she went away with Mr. Griding her mother also expressed a desire never to see her again.

Alleged Fraudulent Railroad Estimate.

Before Judge Tappen. Elnathan Sweet, Jr., and others are sning the

Northern Pacific Railroad Company and Henry R. Payson and others, contractors. The plaintiffs, as sub-contractors, contracted with Payson and others for the preparation of the road bed of the Dakota division, about 115 miles in length, and coppleted the work. Some of plaintiff's associates settled with Payson on estimates by the sub-engineers, and reported to the chief engineer. The balance of the Sweet party protested and brought this suit to set aside this settlement, charging that the work was fraudulently under-estimated to the amount of almost one nundred thousand dollars. Plaintiffs asked for an injunction yesterday to restrain the railroad company from paying any money under the alleged fraudulent estimate. The defendants deny any collusion or fraud. The Court reserved decision. others for the preparation of the road bed of the

Decisions. By Judge Pratt.

J. A. Ruthven vs. Ann Gardner.—Default opened

on Stipulation, &C.

A. Hart vs. A. G. Wheeler,—Motion to set aside report of referee denied.

E. L. Sanderson vs. H. C. Bowen et al.—Motion to dismiss as to all parties granted. No costs.

T. Gieman vs. P. Dunn.—Default opened on payor costs.

O. B. Daly vs. J. B. Daly.—See decision in papers.
M. D. Lent vs. E. A. Dinham.—Motion granted so as to discharge tis pendens denied as to allowance.

No costs.

COURT OF APPEALS.

ALBANY, N. Y., Feb. 25, 1873.

The following decisions of the Court of Appeals

were made to-day:—
Judgments affirmed, with costs—Wheeler vs.
Houston, Houston vs. Wheeler, Jacgar vs. Kelly,
Roberts vs. Berdell. Roberts vs. Berdell.

Judgments affirmed—Watson vs. The People,
Miller vs. The People,
Judgments reversed and new trial granted, costs
to abide events—Hogan vs. City of Brooklyn,
Knowlton vs. Fitch.

Judgment of Supreme Court and order of County
Judge reversed and proceedings dismissed—The
People ex rel. Irwin vs. Sawyer.

Order granting new trial reversed and judgment
at Special Term affirmed, with costs—Meehan vs.
Forrester.

Forrester.
Appeal from order dismissed, with costs-Appeal from order dismissed, with costs— Roberts vs. Berdell.

Motion granted and cause remanded from Com-

Court of Appeals Calendar. The following is the Court of Appeals day cal-endar for February 26:—Nos. 632, 47, 610, 640, 641, 656, 23 and 112.

FOSTER AND STOKES. The Sheriff Formally Served with Judge

Davis' Stay of Proceedings-Foster Watched Night and Day. Up to twelve o'clock yesterday the Sheriff had re-ceived no official intimation of the stay of proceedings in the case of Edward S. Stokes. According to rule the Sheriff can take no cognizance of any rumor that a stay has been granted, except it is equirements. The under Sheriffs, who had charge of the prisoner, were notified of the stay almost as

of the prisoner, were notified of the stay almost as soon as it was granted; but the Sheriff, the proper person to apprise of the fact, up to the last moment was not notified. Yesterday Mr. Dos Passes, of counsel for Stokes, called at the Sheriff's effice and served the necessary notice, and Stokes is now saved from the consequences of the omission, which might have proved fatal if it had not been rectified. On Monday Deputy Sheriff Joel M. Stevens made out the invitations to the Judges, as required by law, to be present at the execution.

FOSTER.

On yesterday Deputy Sheriff Seebacher and Hanbury assumed charge of William Foster, who in the Tombs awaits the extreme penalty of the law, which is to be indicted on March 7. Orders have been issued by the Sheriff that one or other of them shall be in constant attendance upon the condemned man until the morning of the execution, each to remain on watch twelve bours out of the twenty-lour. The petition for a commutation of the death sentence has been extensively signed, and will shortly be presented to the Governor.

THE JEROME PARK GUN CLUP

THE JEROME PARK GUN CLUB.

The Jerome Park Gun Club met yesterday noon at Delmonico's, in Beaver street. A large number of gentlemen were present who are interested in the sport of pigeon shooting. The report of the Secretary and Treasurer of the club, Mr Howard S. Jaffray, giving the financial account of the club, was read and the result is as follows:—

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the C

Ira A. Paine's saiary account. Pigeon feed to sundry firms William Whitton, baskets and coops. Express on birds to Jerome Park. Advertising. Messrs. Ackerman & Greer. P. Mahoney, pigeon house. Pigeon coops, &c. James Cole, painting traps, &c. S. Knapp, rent of Berthoft's field.	. 276 . 19 . 8 . 3 . 59 . 45 . 37	07750047700500
Balance in hands of Treasurer	\$2,104 737	83 84
Total	\$2,842	67
Balance handed me by ex-Treasurer Redmond. Annual dues for 1872 Annual dues and initiation fees combined	\$592 1,275 975	
Total	\$2,842	67

"GOD IN THE CONSTITUTION."

The programme for the National Convention in avor of the religious amendment of the United States constitution at the Cooper Institute to-day, embraces addresses by the following gentlemen:-In the alternoon the Hon, F. R. Brand, Dr. E. Cra-In the alternoon the Hon. F. R. Brand, Dr. E. Craven, Professor J. R. W. Sloane and the General Secretary of the National Association. In the evening, Professor J. H. McIlvaine, President A. A. Miner, Dr. Stephen H. Tyng and President George P. Hays will speak. Additional addresses will be delivered to-morrow—morning, afternoon and evening. It is expected that the Convention will be largely attended by the clergy and aymen of the different evangelical denominations in the United States.

COLPAX'S BONDS RECOVERED.

BALTIMORE, Peb. 25, 1873. The bonds of which Vice President Collax was robbed in Washington on Saturday were recovered in this city this morning.