LOCAL MISCELLANY.

CRUELTY AT THE CHILDREN'S FOLD.

A WITNESS WHO DID NOT SAY WHAT MR. COWLEY WANTED HER TO SAY—THE CHARGES OF INHUMAN TREATMENT REPEATED.

The charges against the management of the Children's Fold have been fully investigated by Theodore Roosevelt, Henry L. Hoguet and Mrs. Josephine Shaw Lowell, the Committee of the State Board of Charities, and the results are now before the board. It has been alleged that great cruelty has been practiced toward the children in the institution by the Superintendent, the Rev. Edward Cowley, and Mrs. Cowley. The conclusions reached from the investigation have not been made public, but it is known that a thorough inspection of the condition of the Fold was made, and that the inmates competent to testify were subjected to a rigid examination. Several persons who had been formerly in the institution were also examined. The action taken by Mr. Cowley to have his version of the matter presented to the State Board in connection with the committee's report has been confined to the writing of several letters to the President and Vice-President of the board and to members of the committee. Mr. Cowley claims that he has not been properly treated in the investigation, and that it will be unfair for the State Board to make its decision entirely upon *ex parte* statements. After requesting members of the State Board and of the committee to visit the Fold and personally examine into the charges made against him, he sent the following communication to the President of the State Board, under date of Jan. 10:

DEAR SIR: I have just learned that the State Board of Charities are to meet at Albany on the 12th inst., and that a report from the New-York committee in reference to the Children's Fold is to be made then. This has come to me very suddenly, and I have had no opportunity of making any explanations to said committee, after knowing their specifications. Some persons have so influenced said committee by injurious reflections and unfairly drawn affidavits, that I am informed an adverse report as respects myself is to be given. Hence I most respectfully and earnestly beg that your honorable board will consent to a full hearing of all the facts on our side before forming a judgment. We shall be able to show that an effort is being made to ruin me officially and to destroy the Fold. This hostile influence has been such for years as to prevent ladies and gentlemen from aiding the work by personal service and money. Such opposition has actually prevented $12,000 being given to the Fold, and has influenced some of the older inmates of the institution to make very exaggerated statements detrimental to me, which the said persons now regret, although they were promised protection and assistance. Spies have been used to secretly compass efforts which could be effected in no other way. In short, if the same means had been used against any similar institution in this city the most fearful consequences would have followed. It is not pretended that I have pursued the wisest course toward the opposition, but I do claim that not one man in a hundred would have done wiser, especially since I have had the personal management and burden of raising $4,000 annually for the support of the Fold within two years. I therefore respectfully renew my request that your full board will favor us with a hearing, in order that we as trustees may present matters which we deem important.

After reading this letter—which he had before refused to make public—to a TRIBUNE reporter yesterday afternoon, the Rev. Mr. Cowley called into his office one of the inmates of the Fold, Jennie Mills, a young woman of prepossessing appearance, and with a look of honesty and candor. Miss Mills had conversed with a reporter, when temporarily absent from the Fold, several days ago, and was represented as saying that Mr. Cowley had been very cruel to the children under his charge; that he had beaten and kicked her little brother, leaving a scar on his forehead; that he punished a small girl until her body was covered with black and blue marks; that he used opprobrious epithets toward the children, and frequently swore at them, and that he procured refuse meat from a boarding-house, which caused sickness among the orphans. Mr. Cowley stated to the reporter that Miss Mills was one of the persons referred to in the letter given above, who were led to make statements detrimental to him, "which the said persons now regret, although they were promised aid and protection." He now desired her to lay before the reporter the facts in the case. In answer to questions by Mr. Cowley, she cheerfully testified to the cleanliness with which the Fold was kept and the sufficiency of the clothing and food furnished to the children. When asked by the reporter if she ever saw or knew of any cruel treatment of the orphans, she was at first inclined to be evasive, and resisted by suggestions from Mr. Cowley, said she had seen Mr. Cowley punish the little ones sometimes. Upon being closely questioned by the reporter as to the whipping of her little brother, she admitted that she had seen Mr. Cowley beat and kick him, and cut his head with a shoe the blood ran. This admission was evidently unexpected by Mr. Cowley, who attempted to explain that the gash had been made by a mistake, the boy having dodged his head. The recollection of her brother's injuries seemed to inflame the witness, for she denied the possibility of this and began to go into details, which confirmed her testimony already published. Sitting immediately in front of Mr. Cowley, in response to questions by the reporter, she stated that Mr. Cowley frequently punished the children severely, using his heavy slippers and a "Dolly Varden" whip; that he often knocked them down, kicked them in a brutal manner, and caused lumps, blood and gashes upon their bodies; that he frequently stigmatized them as "bastards," and swore at them, and that on one occasion he swore at her. Mr. Cowley attempted to stop the girl's story, but she said she was bound to tell just what she had told before the investigating committee, "and you know, Mr. Cowley, it's all true," she added.

Mr. Cowley admitted that he had punished the children, but "only in a fatherly way, and doubtless must be mistaken about my using extreme severity." As to the swearing he said: "I don't remember cursing the children. I used some strong language toward Jennie as she quotes, but I didn't consider it swearing." [The language which Miss Mills quoted was direct, positive and unmistakable profanity.] Miss Mills concluded her statement of her interview by saying that Mrs. Cowley was severe with the children, but aside from striking their heads and boxing their ears with books, she invariably carried them over to her husband for punishment. Miss Mills is still at the Children's Fold, having been induced to return by the manager. The information given by her to the reporter was evidently not what was expected of her by Mr. Cowley, who bowed the reporter from the door with profuse explanations of the young women's "strange testimony."

NO RENEWAL OF THE RAILROAD WAR.

REPORTS OF HOSTILITIES BETWEEN THE TRUNK LINES DENIED.

The report in circulation yesterday that a serious disagreement had sprung up between the Baltimore and Ohio and Pennsylvania roads on the one hand and the New-York Central and Erie on the other, over freight rates to the East, and that fears of a renewal of the railroad war were entertained, is denied by representatives of the trunk lines. H. J. Jewett, President of Erie, said yesterday: "It is true that on Friday last the representatives of the Western roads met in Chicago and agreed to advance the freight rates on east-bound freights. On Saturday the Lake Shore road withdrew from the agreement, having decided not to advance its rates, and the Michigan Central followed suit, but on Sunday the latter road again consented to the advance. That is, however, altogether the affair of those roads and has nothing to do with the Eastern roads or the late agreement. The Eastern roads take the freight pro rata from them, and so, of course, we get an advance in proportion to the raise on the part of the roads putting up their rates and the same prices from the Lake Shore as before."

J. H. Ritter, general freight agent of the New-York Central, said that the differences between the Western roads were entirely their own affair, and any statement to the effect that New-York Central was at variance with the Pennsylvania and Baltimore and Ohio, or any body else in regard to this matter, was untrue. "By the terms of the agreement made Dec. 16," said Mr. Ritter, "the fixing of rates on all east-bound freights was left in the hands of the Western roads. Some of these Western connections are owned by the Eastern roads, and they want to put rates up, but the Lake Shore road thinks they are high enough, and declines to do so. That is all there is of it. Lake Shore can't be accused of cutting rates because it will not consent to advance them. It is a curious case, and I only remember one parallel. Some years ago the Lake Shore road thought that the stock rates should be advanced; the other roads declined to cooperate, so Lake Shore advanced its rate and let the others go, and in the end Lake Shore carried its point, as the others found the higher rate could be obtained and so raised their prices. The first we have heard of this matter officially was to-day, when we were requested by the Baltimore and Ohio and the Pennsylvania roads to use our influence to get the Lake Shore road to accede to the advance; but our reply was that we had nothing to do with it at all; our road stopped at Buffalo, and by the terms of the agreement the fixing of rates was left wholly with the Western roads."

A MOTHER'S ATTEMPT TO SHOOT HER DAUGHTER.

The tenants of No. 210 East Eleventh-st. were alarmed by the rapid discharge of a revolver in the hall of an upper floor late on Monday night, followed by the screams of a child. Officer McLaughlin of the Eighteenth Precinct was summoned, and discovered that the revolver had been fired by a woman known as Pauline Campbell, said to be the divorced wife of a well-known lawyer. Her daughter, age 10, stated that her mother took her from her bed and ordered her to go to a neighboring saloon for a bottle of gin. The child was not dressed, and declined to go, when the mother pushed her into the hall and threatened to shoot her if she disobeyed. Still refusing to go, Mrs. Campbell fired five shots from a small revolver in her possession. The woman was found sitting on the bed smoking, and evidently delirious from drink. She was arrested and arraigned yesterday before Justice Bixby at the Yorkville Police Court. A charge of disorderly conduct was preferred against Mrs. Campbell, and bail not being given she was committed for one month, and her daughter was sent to the Juvenile Asylum.

CRIME AND ITS COST TO THE CITY.

YEARLY REPORT OF THE POLICE DEPARTMENT—CONDITION OF THE FORCE AND WHAT IT HAS DONE DURING THE PAST YEAR.

The report for the last quarter of 1876 was laid before the Board of Police yesterday. This, with the reports for the preceding quarters of the year, makes an interesting exhibit of the work of the Police Department and the cost of securing protection to life and property in this city. The leading points only are given below in the form of summaries of the various branches of the department. The first table shows the number of men on the force at the beginning of the year, and at the end of each quarter; also the time of service and the days deducted for sickness, the applications for appointment and the result. On Jan. 1, 1876, the force consisted of 2,488 men; on March 31, 2,478; June 30, 2,491; Sept. 30, 2,491; Dec. 31, 2,547:

	1st quar.	2d quar.	3d quar.	4th quar.
Sick time n'd. days	4,537	3,249	3,527¾	3,798¾
Sick time unpaid, days	3,627½	2,423	2,568¾	2,978¾
Paid for sick time	$14,886 26	$10,054 02	$11,564 42	$12,454 48
Decrease as compared with previous quar.	346 58	4,232 24	*910 40	890 42
Total time of serv'e, days	225,148	226,347	234,113	234,103
Per cent of sick to full time	3.02	2.50	2.61	2.89
APPLICATIONS FOR APPOINTMENT.				
Passed	149	121	120	183
Rejected	107	71	91	85
Total	256	192	211	268

* Increase.

The following table shows the breaches of discipline committed during the past year and the consequent charges and disposition of cases:

	1st quar.	2d quar.	3d quar.	4th quar.
Charges preferred	887	511	508	593
Dismissed the force	65	44	28	29
Fined	472	246	258	294
Reprimanded	87	58	37	85
Complaints dismissed	234	396	131	146
No disposition	283	60	104	143
Total	1,041	794	558	697

The following is a summary of the work of the Street Cleaning Bureau and the expense of conducting it:

	1st quar.	2d quar.	3d quar.	4th quar.
Ashes and garbage removed, loads	207,077	196,482	185,024	206,530
Sweepings	29,014	74,955	66,347	62,486
Snow	6,559	.....	.....	.....
Miles of streets cleaned	934	3,517	4,659	2,148
Expenses	$133,309 99	$168,919 19	$180,996 53	$162,158 97

One of the duties of policemen is to care for stray children found wandering in the streets, and the following table shows what was done in this branch of the Police Department during 1876:

	1st quar.	2d quar.	3d quar.	4th quar.
Recovered by Police—Males	441	1,532	920	424
Females	268	1,103	583	322
Total	709	2,635	1,503	746
Restored to parents	497	2,534	1,457	707
Sent to city institutions	29	72	32	25
Catholic Protectory	..	7	5	13
Home of the Friendless	..	2	..	..
Juvenile Asylum	1	..	8	..
House of Industry	..	..	1	..
Total	709	2,635	1,503	745

The number of persons who lodged in the police stations in this city during the past year is shown as follows:

	1st quar.	2d quar.	3d quar.	4th quar.
Males	58,748	26,561	25,994	21,598
Females	20,010	19,532	18,573	14,240
Total	78,758	46,093	27,167	35,838

This is a decrease in the fourth quarter of 27,548 as compared with the same quarter of 1875. This is attributed to the general order to arrest indolent and dissolute habitual lodgers as vagrants.

The whole number of arrests is shown as follows:

	1st quar.	2d quar.	3d quar.	4th quar.
Males	16,081	18,346	17,299	16,505
Females	5,325	6,566	6,725	6,124
Total	21,261	24,912	24,024	22,630

Those arrested were of the following nationalities:

	1st quar.	2d quar.	3d quar.	4th quar.
United States—White	8,504	10,102	10,022	9,257
Black	510	526	588	407
Total United States	9,014	10,628	10,610	9,664
England	781	900	881	903
Ireland	8,106	9,407	8,978	8,671
Scotland and Wales	291	361	293	377
British Provinces	127	154	117	107
Germany	2,255	2,789	2,421	2,323
French Empire	257	227	192	186
Italy	175	207	249	267
Miscellaneous	264	330	369	295
Total	21,261	24,912	24,024	22,650

The following table shows the arrests for felony and the disposition of the cases:

	1st. quar.	2d quar.	3d quar.	4th quar.
Felonies	697	906	1,129	961
Convicted	190	249	253	254
Discharged	292	80	412	314
Delivered to other authorities	11	10	20	8
Juvenile Asylum	1	..	..	..
Forfeited bail	2	..	..	..
Held as witnesses	3	..	..	..
Not disposed of	191	300	341	321
Aggregate imprisonment of convicts, years	502	657	669	681

The principal felonies for which arrests were made were as follows:

	1st quar.	2d quar.	3d quar.	4th quar.
Abduction	11	11	10	8
Arson	12	8	2	8
Infanticide	2	2	1	2
Burglary	214	235	197	196
Counterfeiting	1	1	1	1
Embezzlement	32	34	23	23
Felonious assault	24	151	233	163
Forgery	32	45	29	42
Grand larceny	309	316	470	352
Homicide	14	32	33	23
Mayhem	4	6	5	3
Passing counterfeit money	..	12	13	29
Perjury	7	4	5	11
Rape	17	6	14	10
Receiving stolen goods	62	51	54	55
Robbery	76	57	58	50
Total	817	966	1,129	952

CAPTURE OF AN ESCAPED CONVICT.

Patrick Smith, alias James Carpenter, a notorious burglar who escaped from Sing Sing Prison last summer, was arrested yesterday, and will be returned to serve out the rest of his sentence. Smith was sent to prison for a daring burglary in the Fifth Precinct, by which nearly $5,000 worth of property was stolen. When arrested for the burglary he fought desperately, and was overcome with difficulty. At Sing Sing he became the leader of the most desperate convicts. On June 2, 1876, James Farrell, alias James McGuire, Frank Woods, alias Frank McKenna, John Quinn, and Smith leaped upon a passing freight train. The engineer was made to submit by putting a revolver to his head, and the locomotive was detached from the train, and, with the throttle wide open, sped rapidly down the track. After going about two miles and a half in this way, the convicts fled into the woods. A protracted hunt resulted in the capture of three of the convicts, but Smith could not be found. Nothing was heard of him until yesterday, when Sergeant Kealy of the detective force at the Police Central Office was informed that Smith was concealed in a house in Fourth-st. The Sergeant took Detectives Adams, Dorsey, Rogers, and Titus and surrounded the house, taking thorough precautions on account of the desperate character of the man. Smith was found in the house in company with a man who said he was William Dunn of No. 385 Bowery. A fine kit of burglar's tools was found in the house. At the Washington Place Police Court the evidence was not deemed to be sufficient to hold Dunn and he was discharged.

A SWINDLING REAL ESTATE OPERATOR.

Francis Covert, who has been operating among real estate brokers lately and borrowing money on apparently good real estate security, was arrested yesterday by Detectives Field and Connor of the District-Attorney's office. The attorneys of Mrs. C. A. Atwill, an heir of the Tallman estate of this city, noticed in the papers that she had been disposing of certain property in Sixty-ninth-st., near Tenth-ave. It seemed strange to them that this transaction had taken place without their knowledge, but upon looking over the records they found recorded a deed purporting to be a transfer of five lots in Sixty-ninth-st., near Tenth-ave., from Mrs. C. A. Atwill to Arnold W. Ashworth, and from him to Francis Covert. The property was valued at about $30,000, and the deed bore the date of Oct. 18, 1876. The attorneys communicated with Mrs. Atwill, who is now in Baltimore, and learned that she knew nothing of the alleged transfer. In fact she was in Philadelphia on the day she was said to have signed the deed in New-York. The matter was put in the hands of the District-Attorney and resulted in the arrest of Covert yesterday. Covert, who is a plausible person of good address, was introduced among brokers about two months ago as a person wishing to borrow money. It was said that he lived in New-Brunswick, N. J. It is also said that he effected several loans upon forged deeds. Further developments are expected within a few days.

CHARGES AGAINST A POLICE CAPTAIN.

One of the rules for the government of the police force provides that no member, under any circumstances, shall borrow money of any other member. The Police Commissioners, having received several informal complaints of violations of this rule against Capt. Henry Hedden of the Thirty-third Precinct, ordered Superintendent Walling to investigate the matter and, if necessary, to make formal charges against the delinquent officer. These charges were presented to the Police Board yesterday. Capt. Hedden is charged with borrowing various amounts, ranging from $2 to $50, from the patrolmen under his command, during the past two years. In some cases the money has not been returned. Other cases are cited where applications for loans were refused. The trial of the captain is to take place on Friday.

XLIVTH CONGRESS—2D SESSION

REGULAR REPORT OF PROCEEDINGS.

THE SOUTH CAROLINA GOVERNMENT—THE SILVER CURRENCY QUESTION—USE OF MILITARY IN ELECTIONS—THE LOUISIANA RETURNING BOARD AND THE POWERS OF CONGRESS.

SENATE....WASHINGTON, Jan. 16.

Mr. PATTERSON (Rep., S. C.) presented a petition from D. H. Chamberlain, R. H. Greaves, F. L. Cardozo, R. B. Elliott, John R. Talbott, and others of South Carolina. The petitioners refer to the petition of Wade Hampton and others, and say many of the statements in it are untrue in fact, others are calculated to mislead the Senate, and various important facts are omitted. The petitioners ask Congress to accept from them a full and fair statement of affairs in South Carolina, and declare that they stand ready to make good their statements when required to do so. They charge violence and intimidation of Republican voters at the late election, review at great length the action of the Returning Board and Supreme Court, and claim that they were lawfully elected to their respective offices. The reading of the petition was continued till 12:45 p. m. It was ordered that the petition be printed in *The Record*.

Mr. THURMAN (Dem., Ohio) said the bill reported from the Judiciary Committee at the last session to amend the Pacific Railroad acts of July 1, 1862, and July 2, 1864, had been made the special order for 1 o'clock to-day. He had a telegram from Senator Hitchcock (Neb.), whose constituents were deeply interested in the bill, requesting that it be postponed for one week. He therefore moved that the bill be made the special order for next Tuesday at 1 o'clock p. m. Agreed to.

Mr. MORRILL (Rep., Vt.) presented a petition of citizens of Washington asking that the United States purchase certain squares bordering on the Capitol grounds for the purpose of enlarging such grounds according to the original plan, and to accommodate new buildings for the National Library, Supreme Court, and National Museum; and further, that the $1,500,000 to be refunded by the Centennial Commission be appropriated for the purchase of such ground and the erection of such buildings. Referred to the Committee on Public Buildings and Grounds.

THE SILVER QUESTION.

Mr. SHERMAN (Rep., Ohio), from the Committee on Finance, reported back the House bill authorizing the coining of the standard silver dollar and restoring its legal-tender character. Placed on the calendar. In reporting the bill Mr. Sherman gave notice that when it should be called up he would submit a substitute, authorizing the coinage and issue of the silver dollar, and for other purposes. Ordered to be printed.

It provides that there shall be from time to time coined at the mints of the United States silver dollars of the weight of 412½ grains standard silver, in the mode provided in Title 57 of the Revised Statutes of the United States, the half dollar of which shall be purchased with the bullion purchased, and said dollar shall be a legal tender for all debts to the extent and for the same purposes as United States notes, and shall be issued in exchange for United States notes on the demand of the holder under the general regulations of the Secretary of the Treasury; and the United States notes redeemed under this act shall be cancelled and be held to be a part of the sinking fund provided for by existing law, the interest to be computed thereon as in the case of bonds purchased.

SEC. 2. That the President of the United States is hereby authorized and requested to appoint three commissioners to attend and participate in the deliberations of any international conversation or conference which may be called by one or more countries for the purpose of adopting a ratio of coinage value for the gold and silver coinages of the different countries of the world, and the sum of $5,000 of the Treasury is hereby authorized to be paid of any moneys in the Treasury not otherwise appropriated the necessary expenses of the commission and such compensation for their services as he may deem reasonable and just.

OCEAN TELEGRAPHY.

Mr. WHYTE (Dem., Md.) introduced a bill to promote telegraphic communication between America and Europe. It proposes to authorize Ferdinand C. Latrobe, Wm. P. Frick, and Robert Garrett of Maryland to lay and maintain submarine cables to connect American and European coasts, on condition that at least one cable shall be laid and operated within three years; that the tariff rates shall be as low as one shilling British currency per word, and that the cable interests thus established shall not be sold or united to, or amalgamated with, any existing European or other cable companies. The bill also contains provisions, giving the United States Government priority of use and otherwise regulating the order in which messages shall be transmitted, etc. It was referred to the Committee on Foreign Relations.

Mr. ANTHONY (Rep., R. I.) submitted a resolution requesting the President to transmit to the Senate, if not incompatible with the public interest, any correspondence and with diplomatic officers of the United States in Turkey, or any information in the possession of the Government in regard to revolt in the Turkish provinces. Agreed to.

Mr. PATTERSON (Rep., S. C.) submitted a resolution declaring that the State Government now existing in South Carolina, and represented by D. H. Chamberlain, is the lawful government of said State; that it is republican in form, and every assistance should be given to it by the United States to the end that the laws may be faithfully executed. Referred to the Committee on Privileges and Elections.

USE OF TROOPS IN VIRGINIA.

Mr. WITHERS (Dem., Va.), in accordance with previous notice, called up the message of the President in regard to the occupation of Petersburg, Va., by the military on Nov. 7, the day of the general election, and submitted the following resolution for immediate consideration:

Resolved, That the Committee on the Judiciary be instructed to examine whether the construction of the laws touching the elective franchise promulgated by the Attorney-General in General Orders No. 96, of the date of Sept. 7, 1876, be correct, and that they report by bill or otherwise.

Mr. JOHNSTON (Democ., Va.) said that when it became known in Virginia, a few days before the late election, that troops had been sent to Petersburg, there was a mixed feeling of anxiety and surprise. He then quoted from previous debates in the Senate to show that the Senator from Ohio (Mr. Sherman) stated that Virginia was not in the same condition as other Southern States, and that peace prevailed in the State. He argued that there was perfect peace in the State. The colored people had their rights, and the two races lived together in harmony. The people of Virginia were surprised at this attack upon their good name and their rights by the sending of troops to Petersburg, after their example had been held up to the country as peaceable, law-abiding citizens.

Mr. WITHERS (Dem., Va.) said the question involved was whether the Executive Department of the Government should be permitted to control the ballot by the army of the United States, and thus destroy the freedom of elections. It this could be done with impunity, Congress had been wasting time in talking about counting the electoral vote. He then commented on the message of the President in regard to the occupation of Petersburg by military, and said it was unfortunate that the people of Virginia was so gratuitously insulted. He denied that intimidation or violence existed in Petersburg during the late canvass or at the late election. Not only had military been used to take possession of the State government, but it was now gathering around the Capitol, and Senators and Representatives were to legislate in the shadow of troops.

Mr. WHYTE (Dem., Md.) said the difficulty in regard to sending troops into a State grew out of the legislation of 1871. The act of Congress of that year provided that troops might be sent into a State to keep peace at the polls. That was a broad authority, and the law should be amended by removing the words "to keep the peace at polls." The resolution submitted by Mr. Withers was then agreed to.

HOUSE OF REPRESENTATIVES.

The House resumed the consideration of the bill authorizing the appointment of commissioners to attend an international convention to inquire into the relative value of gold and silver. After some debate, Mr. SAVAGE (Rep., Ohio) moved to lay the bill on the table, and it was agreed to—Yeas, 125; Nays, 104.

Mr. WOOD (Dem., N. Y.), from the Committee on Ways and Means, reported back the bill to prevent default or delay in the payment of the bonds authorized by the act of Congress approved June 20, 1874. It authorizes the Secretary of the Treasury to pay the interest on said bonds when they may mature, at the Treasury, and in order to reimburse the United States the Commissioners of the District of Columbia are directed to transfer to the United States Treasury the sum advanced for the semi-annual interest due on said bonds.

Mr. HOLMAN (Dem., Ind.) raised a point of order that the bill made an appropriation of money and should go to the Committee of the Whole.

The SPEAKER sustained the point of order and the bill was so referred.

Mr. SPARKS (Rep., Ill.), from the Committee on Privileges and Duties of the House in Counting the Electoral Votes, reported a resolution asking leave for that committee to send for persons and papers and to sit during the sessions of the House. The resolution was adopted—Yeas, 149; Nays, 70.

Mr. LYNDE (Dem., Wis.) from the Judiciary Committee made a report relative to the refusal of Messrs. Wells, Anderson, Cassidayne, and Kenner, members of the Returning Board of Louisiana, to produce before the Committee on Elections in Louisiana certain papers demanded by said committee. The report declares that the Judiciary Committee does not recognize the right of any person or State or Federal officer to defeat an investigation of either house of Congress, which might involve the existence of the Government, by refusing to appear and testify before its committee, and closes with a resolution directing the sergeant-at-arms to take into custody the above named persons and bring them before the bar of the House to answer for contempt of its privileges.

Mr. FRYE (Rep., Me.), a member of the Judiciary Committee, said when that report was agreed to in the Committee there was no Republican member of the committee present. For his part he regarded the doctrine enunciated in it as a monstrous one. Under it there was no sovereignty anywhere in the country that was not subject to be called before a committee of the House and compelled to produce its original records. He held that Congress had no more to do with the Returning Board of the state of Louisiana than he as an individual had. He held that that returning board, having been legally constituted by authority of the Constitution of the United States, and having proceeded with its duties under the law of Louisiana; having made its returns, and these returns having been authorized by law, the House was excluded from going behind them. It seemed that nothing was sacred from Democratic investigating committees. Even to-day a committee of the House was committing the indecency of demanding from a national committee its whole manner of conducting a national campaign, its whole correspondence, and its telegrams, all its money collections, &c. He knew that that committee believed the Republicans had carried the States of Louisiana, Florida, and South Carolina honestly and fairly, and that they would be counted for R. B. Hayes, unless the Democrats of those States and of the United States should steal by fraud the votes of those States.

Mr. LUTTRELL (Dem., Cal.)—I do not think the gentleman has a right to charge the Democratic party with stealing when his Republican committees robbed the poor orphans and widows in the departments to carry on the campaign. Do you deny that it is so? You were on the Republican National Committee, and you know that the poor widows and orphans of the departments were made to pay for the support of the campaign.

Mr. FRYE declared that the Republican Committee never assessed, demanded, or asked contributions from such people as Mr. Luttrell had described. On the contrary, it had sent out a very polite request [contemptuous laughter] to gentlemen who were commissioned by the President and confirmed by the Senate to help run the campaign. There never was a man asked twice for a contribution, and there never was a suggestion that any one should be punished for refusing to make a contribution, and there never was any contribution whatever to the Republican National Committee from the department clerks.

Mr. KASSON (Rep., Iowa) argued against the resolution, because it would establish the precedent that a committee of the House could summon the Governor of a State to bring before it the papers of his office, and could bring that high official before the bar of the House, degrading him by asking him to stand at the bar and answer for contempt.

Mr. BOOKER (Dem., Miss.) asked what was it that surrounded the Returning Board of Louisiana with a sanctity which prevented it from giving to a committee of the House information as to whether there had been an honest vote in that State?

Mr. GARFIELD (Rep., Ohio) argued against the resolution, and quoted authorities against the power therein asserted. He argued that the provisions of the Constitution in regard to the Presidential election were imperative, and left no time or authority for a contest. If the vote of one State was examined, the votes of all the States might be, and timely election for President might be at any time rendered impossible. He appealed to the Democratic side of the House to pause before it committed this act of assault and destruction on whatever there was of sovereignty in the thirty-eight States of the Union.

Frequent applause in the galleries led to protest by members, and the Sergeant-at-Arms was requested to maintain order. The SPEAKER remarked, in justice to the galleries, that sometimes the disorder occurred because the example was set on the floor. He would, however, rigidly prevent applause.

Mr. WOOD (Dem., N. Y.) held that the States had not the sole power to appoint electors. They had power to appoint them under certain restrictions, and it necessarily followed that it devolved on Congress to ascertain whether that power had been executed in accordance with law.

The previous question was then seconded, and the resolution went over until to-morrow.

The SPEAKER laid before the House a communication from E. W. Barnes, the recusant witness, declaring that the answer which he made when last before the bar of the House was made in good faith, and that he was entirely willing to produce the messages demanded if it were in his power, and that he would make every effort to obtain said messages, and asking that he be permitted to make the attempt, promising that if he were unable to do so he should again place himself in the custody of the Sergeant-at-Arms.

On motion of Mr. HUNTON (Dem., Va.) the communication was referred to the Judiciary Committee.

Mr. HUNTON from the Judiciary Committee, reported a resolution permitting Mr. Wm. Orton, now in the custody of the Sergeant-at-Arms, to proceed under his charge to New-York to consult his physician, and providing that he should return to Washington on Friday. Adopted.

The House then, at 5:15, adjourned.

THE COURTS.

THE BERDELL CASE AGAIN IN COURT.

GOSHEN, N. Y., Jan. 16.—The case of Robert H. Berdell against Harriet B. Berdell, his divorced wife; Ambrose A. Murray, his wife, Mrs. Wisner Murray, the widow of the man whom the plaintiff shot for cowhiding him, and Eliza J. Parkhurst, to recover 30,000 worth of personal property, furniture, paintings, lace curtains, jewelry, mosaic tables, &c., which were removed from his residence in Goshen by Mrs. Berdell and others when she left him after the beginning of the divorce proceedings, was called before Judge Dykman and a jury at the Orange County Circuit Supreme Court here to-day; for the plaintiff, William A. Beach and Lewis E. Carr; for the defense, S. W. Fullerton, C. H. Winfield, A. S. Murray, jr., and Bacon & Duryea. Mr. Berdell was the first witness. He testified to the list of articles taken, and, under objection, to their value. The greater part of the things were purchased by Mr. Berdell while traveling in Europe on his wedding tour with his wife. On the cross-examination he admitted that he purchased many of the articles for his wife, as his wife, but did not expect she would run away from him. Included in the list sued for is jewelry which Mr. Berdell gave his wife for wedding presents, and articles which Mrs. Berdell bought for housekeeping with money furnished by her husband, such as lace curtains, &c.

LIABILITY OF EMPLOYERS.

In the Supreme Court, Circuit, before Judge Van Brunt, the case of James McClelland against Theodore A. Havemeyer and others was tried yesterday. The defendants are the well known firm of sugar refiners, and the plaintiff was one of their employés. He was cleaning a sugar pump, when the engine was started prematurely and his hand was crushed. He claims that this was by the incompetence of the engineer, one Sewall, who was known by the defendants to be incompetent. The defense was that Sewall was selected by plaintiff himself as his assistant, and that from the peculiarities of the pump the engine was on a dead center when the plaintiff put in his hand, and that either he or some one by his direction must have started the fly-wheel by hand to cause such an accident, the man at the engine having then no power over the pump. They therefore invoked the principle that the masters are not liable for negligence as between co-employés. The Court dismissed the complaint. S. H. Randall appeared for plaintiff; John E. Parsons for the defendants.

CIVIL NOTES.

In the suit of Rachel Van Doren against the Central Park, North and East River Railroad Company, tried before Judge Sedgwick in Superior Court, Trial Term, the jury gave a verdict for plaintiff for $1,000.

In the case of Andrew J. Mellon, arrested on a charge of fraud in Philadelphia, an extradition warrant arrived today from Gov. Robinson, but the prisoner was remanded by Judge Donohue on a civil process of arrest to the custody of the Sheriff.

In the suit of Cecilia Clark against Thomas Cockerill, Judge Van Brunt, in Supreme Court, Circuit, yesterday, dismissed the complaint. The plaintiff sued for damages on account of injuries from the falling walls of a house. The defendants were sub-contractors in altering the building, and, the Courts held, had no duties under their contract to support the walls, and therefore are not liable.

Officer Finnerty was recently tried on a charge of rape on a woman named Margaret Igoe, and was acquitted. The Police Board took the matter up and tried him for leaving his post, and, the woman being a chief witness against him, dismissed him. He has appealed by certiorari to the Supreme Court, General Term, claiming that his proof as to the character of the chief witness against him was rejected. Decision was reserved.

The trial of the suit of John J. Betz against ex-Sheriff Conner was begun yesterday in Common Pleas, Trial Term, before Judge Van Hoesen. The plaintiff, who is a brewer, asserts that under an execution against one Michael Groh the sheriff seized some 2,000 barrels ale of various grades and stopped his business for some weeks, and he claims $5,000. The defense is that the property belonged in fact to Groh. The case is still on. Allison & Sims appear for plaintiff; A. J. Vanderpool for the defendant.

An appeal by Patrick O'Connor from a judgment against him in his suit against the Mayor was argued yesterday in Supreme Court, General Term. He was appointed by the Commissioner of Public Works a water inspector, but though always reporting for work did very little. He claims that, his time being occupied, he should be paid. For the city D. J. Dean argued that there was no certificate that his appointment was necessary, and under a recent decision of the Court of Appeals plaintiff could not maintain a claim against the city unless shown a strict compliance with the laws passed for the city's protection. Decision was reserved.

In the suit between Hubbard W. Mitchell and George C. Crolius, former proprietor of the Park Hotel, Judge Donohue has issued an attachment against the defendant's lawyer, Charles H. Williams, fixing his bail at $1,000. An injunction was issued against Crolius's doing anything further about the management of the hotel. About an hour before this injunction was served Williams placed in the hands of a city marshal a number of bills against guests for small sums, with instructions to accept the face of the bills, without costs. In at least two cases he received by this means not only past dues, but moneys for board after the service of the injunction.

Rufus W. Flint, sometimes called the "teapot medium," succeeded yesterday after a dozen appeals in obtaining his release from arrest on a suit by his wife, John D. Townsend, counsel for the wife, said he should make no further effort to prevent the release of Flint, as he probably was really unable to pay his wife's alimony. Mr. Townsend read two letters, one from Flint himself and the other from Flint's former lawyer, in which each announces that he has dismissed the other, each throws the blame of the personal difficulties on Mr. Townsend on the other, and each expresses a low opinion of the other.

A motion for an injunction was brought before Judge Donohue in Supreme Court, Chambers, yesterday in the suit of Regina Mansbach against the Metropolitan Life Insurance Company. The plaintiff's husband was a member of the Hibline Band, which aids its members in sickness, and by arrangement with the Metropolitan Life insures their lives. The plaintiff claims that the form of insurance is what is called the reserve endowment plan, a favorable form of insurance, but that her husband having fallen sick the company has given her notice of an intention to vacate the insurance. She asks a permanent injunction to prevent the setting aside of the policy and an exhibition of the books of the company to show whether or not a proper share of the dividend under the contract has been credited on the policy. The matter was adjourned to-day. Charles Strauss appears for the plaintiff, William H. Arnoux for the defendant.

CRIMINAL NOTES.

John Kelly, the alleged leader of the recently arrested mail robbers, was yesterday committed by Commissioner Shields to await the action of the Grand Jury, which will consider his case immediately.

At the Washington Place Court yesterday Michael Slattery, a hall boy at the Hoffman House, for the larceny of a gold ring from the apartment of Appleton D. Palmer, a guest at the hotel, was held in $1,000 bail.

Andrew Hanlon, the confederate of Patrick Connors, who was sent to Sing Sing for 20 years for biting a diamond out of a ring on the hand of James Colgan, was yesterday sentenced by Judge Gildersleeve to 10 years' imprisonment in the State Prison.

At the Tombs Police Court yesterday Solomon Jacob, a dealer in second-hand clothing at No. 64 Baxter-st., charged with receiving stolen property, consisting of overcoats, an umbrella, silverware, and a carpet, was committed for trial in default of $5,000 bail.

James Madison, who broke into the apartments of Mary Lloyd at No. 468 Second-ave. six weeks ago, and struck her in the face when she tried to intercept him, was yesterday sentenced by Judge Gildersleeve