great discomfort of the passengers. "Every day," he added, "there is a long and needless delay. How needless it is you will understand from the fact that the Pennsylvania Railroad's through trains to and from Washington are never delayed a minute on this mile of track."

"What is the purpose," asked the correspondent, "of making passengers suffer from a railroad quarrel which the courts will adjust in the end?"

"So that they will give the new through line a bad name at the start and prejudice the traveling public against it," replied the conductor.

In spite of the delay of an hour in leaving Washington, and what the conductor called "spite-work delay" in Philadelphia, the train was only fifteen minutes behind time at Jersey City. When the Pennsylvania engine released it, a second Junction company engine hauled it to Belmont and turned it over to a Reading engine, which took it to the Falls bridge. There another Reading engine picked it up immediately at the rear end and made quick time to North Penn Junction, where it became the last schedule train on the Lehigh Black route to New-York, and got over the remaining distance at the rate of fifty miles an hour. Tickets for this dayare run on the new line, one leaving early in the morning, one early in the afternoon and one at night. The running time is about the same as that of the regular express trains in the old time, except the "limited express." The morning train might easily be made a rival to the limited express when the trouble in Philadelphia is settled. The limited runs between Jersey City and Washington in six hours, but it is made up exclusively of parlor cars and passengers pay an extra fare of $2 50, while the fourth parlor car seat $0—a very reasonable fee for 230 miles. If the new combination will shorten the time of the morning train each way from eight hours to six, and make the fare not over $7 50, these trains will soon become the most popular on either road.

## A NEW RAILROAD PROMISED.

A COMPANY IN MICHIGAN IN DANGER OF LOSING ITS GRANT.

[BY TELEGRAPH TO THE TRIBUNE.]

WASHINGTON, Dec. 16.—The House Committee on Public Lands held meetings yesterday and to-day to hear arguments for and against a proposition for the forfeiture of a land grant made in 1856 to the State of Michigan to aid in the construction of a railroad from Ontonagon on Lake Superior southward to connect with the Wisconsin system of railroads. The road has never been built. Representative Hubbell, of Michigan, made an argument against the movement to-day, in the course of which he asserted that the Ontonagon and Brule River Railroad Company, a corporation composed of wealthy Michigan capitalists, is now prepared to begin the immediate construction of that road, and will push it to completion. He said that the route is through an almost unbroken wilderness, and that the new road will open to settlement a region of country that will be made a whiter one than a railroad is built through it. It is expected that the Public Lands Committee will take a vote on and dispose of the matter at its meeting to-morrow.

## CHESAPEAKE AND OHIO RAILROAD.

ANNUAL MEETING—ELECTION OF DIRECTORS—A GOOD SHOWING.

RICHMOND, Va., Dec. 16.—The annual meeting of the stockholders of the Chesapeake and Ohio Railroad was held here to-day. The earnings of the road for the past fiscal year, as shown by the report of Vice-President Williams C. Wickham, were $2,514,245. The operating expenses were $1,945,018. Earnings ever operating expenses, $569,227, being an increase of $185,018 over the net earnings of 1879. General Wickham refers to the steady improvement in the business of the road, and feels justified in looking forward to a larger increase of business during the next season than ever than before. The following directors were elected for the ensuing term: C. P. Huntington, A. A. Low, A. S. Hatch, Elias Higgins, John Cadwalader, Jesse Hoyt, A. L. Ott, Ezra Wheeler and E. D. Tournier, of New-York, and W. C. Wickham and John Echols, of Virginia.

## REPORTS OF STATE COMPANIES.

ALBANY, Dec. 16.—The following railroad reports have been received by the State Engineer and Surveyor:

Albany and Susquehanna Railroad—Receipts from passengers, $273,063 60; from freight, $1,222,377 88; from mails, $14,197 28; from rents, $503 56; from express, $21,176 29; from other sources, $2,864 04. Payments—For road expenses, $881,693 72; for rentals, $721,371 44.

Rensselaer and Saratoga Railroad—Receipts from passengers, $638,902 66; from freight, $1,078,682 45; from mails, $17,844 24; from rents, $2,662; from express, $35,152 63; from express, $38,835 47; from other sources, $44,218 96. Payments—For road expenses, $678,815 27; for rentals, $770,099 63.

New-York and Canada Railroad: Paid capital, $4,000,000; funded debt, $4,000,000; unfunded debt, $42,612 37. Receipts, from passengers, $192,233 06; from freight, $415,924 34; from mails, $16,112 28; from rents, $241; from telegraph, $466 68; from express, $11,148 91. Payments—For road expenses, $351,084 69; for rentals, $235,478 72.

New-York and Long Beach Railroad: Paid capital, $304,900. Number of stockholders, 26. Receipts from passengers, $4,923 15.

Coney Island and Rockaway Railroad: Paid capital, $60,000. Number of stockholders, 7.

Brooklyn, Flatbush and Coney Island Railroad: Paid capital, $835,950; funded debt, $599,000; unfunded debt, $356,272 90. Receipts from passengers, $169,332 73; from freight, $3,615 03; from mails, $594 02; from rents, $2,208 70; from other sources, $5,556 09. Payments—For road expenses, $95,877 48; for rentals, $66,706 12.

## TRANSPORTATION OF IMMIGRANTS.

A long private conference was held between the Emigration Commissioners and the general passenger agents of the New-York Central and New-York, Lake Erie and Western Railroads, Wednesday, in regard to the action of the Commissioners in accepting the proposition of the Pennsylvania Railroad to give all immigrants purchasing tickets at Castle Garden over the Pennsylvania Road a reduction of 20 per cent from tariff rates. The agents asked that the action of the Commissioners be rescinded. Commissioner Unrich inquired why the agents would not consent to annul the payment of commissions to outside agents on immigrant passenger traffic. The agents yesterday sent a joint letter, signed by John N. Abbott, general passenger agent of the Erie, and C. B. Meeker, general passenger agent of the New-York Central, to the Commissioners, stating that the action of the latter had been based upon erroneous information and promises on the part of the Pennsylvania Company, and asking, as a matter of justice to the New-York State roads, that the resolution be rescinded, upon the assurance that the rates for immigrants shall be the same in Castle Garden as at outside offices. The communication was brought up for action at a meeting of the Commissioners yesterday, and was laid on the table.

## NOT TO PLEASE THE PUBLIC.

It was stated at the office of the Manhattan Railway Company yesterday that the commission hours were extended an hour morning and evening because it was thought that the receipts would thereby be increased. At the same time it was denied that the Board has been influenced much by the public demand for reduced fares, or by the fear that the matter would again be urged in the Legislature. The proposal to run trains all day Sunday on all lines with five-cent fares, which was discussed at the last meeting of the directors, does not meet with favor among many of the members of the Board.

## THE CANADIAN PACIFIC CONTRACT.

OTTAWA, Dec. 16.—A parliamentary opposition caucus was held to-day. A manifest to the people of Canada in connection with the Canada Pacific Railway was under consideration. The document will be widely distributed and will denounce strongly the Government policy.

## MISSOURI PACIFIC EXTENSION.

HOUSTON, Tex., Dec. 16.—A dispatch from Fort Worth says: A. A. Talmage, manager of the Missouri Pacific Railway, telegraphs to-day that Fort Worth will be the headquarters of the International Improvement Company for building a division of the Mexican extension of the Missouri Pacific Road. J. M. Eddy, general superintendent, and General G. M. Dodge, chief engineer, both arrived to-day.

## REPORT OF A CONEY ISLAND ROAD.

The annual report of the Brooklyn, Flatbush and Coney Island Railroad Company for the year ending September 30, 1880, shows that 1,004,502 passengers were carried, and 133,134 miles were run by trains. The total earnings were $205,197 17. The surplus is $42,523 57, a falling off from previous years.

## THE AIR-BRAKE PATENTS.

WATERTOWN, N. Y., Dec. 16.—The long contested suit of Westinghouse against Eames, for alleged infringement of air-brake patents, involving the Eames Vacuum Brake Company, of this city, has been abandoned, Westinghouse withdrawing the action and paying the costs. This means an end of a great air-brake monopoly.

## *LECTURE ON GAMBETTA.*

A fashionable audience assembled at the First Baptist Church, in Pierrepont-st., Brooklyn, Wednesday evening to hear the lecture on Gambetta, by William J. Armstrong, who was for some time Inspector of the United States Consulates in Europe. The incidents in the early life of the statesman were referred to—his first political aspirations, the election to the Corps Legislatif, his power as an orator, and finally the elections of 1879, which placed him at the head of the Chamber of Deputies. The lecture was listened to attentively throughout.

## *TWO CHILDREN BURNED TO DEATH.*

PETERSBURG, Va., Dec. 16.—Yesterday Antony Tucker and wife, colored, living in Prince George County, locked their two children in the house and went out to pick peas. During their absence the building caught fire and the two children perished.

BRAVE-OH!—Scene: Seven Dials. Bill—"I say, Jack, you'd see that little cove!" Jack—"Yes." Bill—"Let's punch him." Jack—"What for?" Bill—"Cause he isn't big enough for to hit us back."—Punch.

# XLVIth CONGRESS—IIId SESSION.

## REGULAR REPORT OF PROCEEDINGS.

THE SENATE CONSIDERS THE EDUCATION BILL—THE PENSION BILL PASSED BY THE HOUSE—GENERAL GRANT RECEIVED BY BOTH HOUSES.

SENATE.....WASHINGTON, Dec. 16, 1880.

In the Senate to-day a report regarding trichinæ in swine, transmitted by the Secretary of the Treasury, was received.

Among the bills introduced and referred were the following:

By Mr. SAUNDERS (Rep., Neb.)—To provide for the sale of part of the reservation of the Omaha Indians in Nebraska.

By Mr. MAXEY (Dem., Tex.)—For the relief of Brigadier-General and Brevet Major-General Edward O. C. Ord, U. S. A.

By Mr. HARRIS (Dem., Tenn.), by request—To prevent and punish wrongs to children in the District of Columbia.

The joint resolution of the House, providing for the adjournment of Congress from December 22 to January 5, was referred to the Committee on Appropriations.

The Senate resumed consideration of the bill devoting part of the proceeds of public lands and patents to public education.

Mr. TELLER (Rep., Col.) approved the purpose of the bill, but proposed to materially amend it. He showed that the chief beneficiaries under the bill were the Southern States, where there was most illiteracy. There were perhaps 3,000,000 children of the age contemplated in those States, and the interest on the proceeds referred to, if distributed yearly among them, would give only about 7 cents apiece to those children, an amount practically useless. He favored devoting the principal at once to the establishment of schools, so that the present generation could be educated therewith. He did not favor the appropriation of part of this money to colleges, and wanted it all to go to the support of common schools.

Mr. HOAR (Rep., Mass.) defended the bill in opposition to Mr. Teller's suggestions. He believed the fund from public lands would be largely augmented.

Mr. TELLER showed that the fund could not increase as time goes on, because the lands would soon be sold.

Mr. PUGH (Dem., Ala.) advocated the bill in a written speech, saying that slavery and the results of the late civil war have incorporated into the population of the Southern States over 1,500,000 colored people, who, without their fault, are manifestly disqualified by ignorance from discharging the duties of citizenship. The institution of slavery was the only powder magazine in our political superstructure except sectionalism. No legislation within his power of the constitutional power of Congress can be more uniformly beneficial than that proposed by this bill.

Mr. GARLAND (Dem., Ark.) also supported the bill.

Mr. VEST (Dem., Mo.) declared himself an earnest champion of universal education, but thought it a matter for the State, not the National Government.

The Senate, on motion of Mr. EDMUNDS (Rep., Vt.), at 2:55 p. m., took a recess of ten minutes in honor of General Grant, who had entered the chamber. General Grant was seated upon a sofa in the rear of the desks on the Republican side of the chamber conversing with several Senators. When the recess was taken he arose and shook hands with the various Senators, both Republicans and Democrats, who gathered around him.

At 3:05 the Senate was recalled to order.

Mr. BILL (Dem., Ga.) expressed views differing from those of the Senator from Missouri (Mr. Vest) as to there being any infringement of State rights in this bill.

Mr. MAXEY (Dem., Texas) supported the bill.

In the course of the debate, the question of rate of interest on the fund being under consideration, Mr. EATON (Dem., Conn.) objected to the passage of a per cent as named in the bill, saying that when the Government could borrow a thousand millions of dollars at 3 per cent it should not allow 4 per cent on any fund.

Mr. MORGAN (Dem., Ala.) spoke in favor of an amendment proposed to be offered by him, amending the act of 1862 so that the colleges established under it shall maintain schools for the instruction of females in such branches of technical education as are suitable to their sex. The technical education of women, making them independent, would tend to the elevation of both sexes. The possibility of admission of males into the Government departments as clerks was a subject of alarm. Any woman would prefer to earn her living by skilful labor, rather than place her fortunes at the mercy of politicians.

After further discussion, the attempt to come to an agreement as to the hour when a vote should be taken was given up, and the Senate, at 5 p. m., adjourned until to-morrow, leaving the bill as unfinished business.

## HOUSE OF REPRESENTATIVES.

In the House to-day a concurrent resolution providing for a recess of Congress from Wednesday, the 22d day of December, to Wednesday, the 5th day of January, 1881, was agreed to—Yeas, 125; nays, 74.

The House went into Committee of the Whole on the Pension Appropriation bill.

Mr. HUBBELL (Rep., Mich.), who had charge of the bill, stated that it appropriated $50,000,000, or exactly the amount called for by the estimates. It contained a proviso that accrued pension due the Indian pensioners should, in the discretion of the Commissioner of Pensions, be paid in instalments. When the bill for the arrears of pensions had been before the House, it had been stated that it would only require a few millions. Up to November 1, 1880, the Government had paid out for arrearages alone $24,600,000. The average arrearages to each of the old pensioners had been found to be $560. At the date of the report of the Commissioner of Pensions there had been 281,597 claims pending, and the average arrears on each new claim was $1,100. Supposing that 30 per cent of those claims would be disallowed, there would still be in round numbers 197,000 arrearages to be paid, which, at the rate of $1,100 each, would amount to $217,000,000, and he wished to call attention to the further fact that the average age of the pensioners of the Government was only forty-one years. He criticised the present systems of paying pensions. Under the present system anybody could get a pension who was willing to take a false oath. The Commissioner had told him that out of the $50,000,000 paid out each year, $4,000,000 was paid out fraudulently, and perhaps more.

Mr. SPARKS (Dem., Ill.), in reference to the Arrearages bill, stated that it had come from the committee of which the gentleman from Ohio (General Rice) had been chairman.

Mr. HASKELL (Rep., Kan.) said the bill had passed on his motion.

Mr. SPARKS thought that the bill which Mr. Haskell was so anxious to father was an extremely poor bill—a miserably gotten up affair. The gentleman in attempting to steal General Rice's thunder had gotten up a miserable bill.

Mr. HASKELL denied that he had stolen anybody's thunder. General Rice's bill had proposed to strike down the difference between men who had been loyal to the flag and men who had been dropped from the pension rolls for disloyalty. He did not care to steal that particular kind of thunder.

Mr. SPARKS would put General Rice's patriotism and loyalty—throwing in the wooden leg—against that of the gentleman from Kansas. The people were tired of this kind of claptrap.

Mr. KEIFER (Rep., Ohio) moved to strike out the proviso that a fee of $1 and no more shall be paid to the examining surgeon. Adopted—Yeas, 99; nays, 74.

Mr. COFFROTH (Dem., Penn.) offered an amendment extending until July 1, 1882, the time within which the filing of a claim for pension will carry with it, if allowed, the payment of arrears.

The committee then rose and reported the bill to the House.

The action of the committee in striking out the proviso relative to the fees of examining surgeons was ratified—yeas, 99; nays, 91—and the bill was then passed.

The House then, on motion of Mr. FORT (Rep., Ill.) took a recess for ten minutes, to enable the members to greet General U. S. Grant, who at this moment appeared on the floor.

After the recess Mr. BLAND (Dem., Mo.) obtained leave to have printed in *The Record* a substitute which he proposed to offer for the Funding bill. It appropriates of the coin now in the Treasury the sum of $100,000,000 for the payment of the interest-bearing debt of the United States falling due during 1880 and 1881, and directs the Secretary of the Treasury to cause to be coined the maximum amount of silver dollars in the manner now authorized by law, and to pay out such dollars in the redemption of the public debt. Section 2 repeals all laws authorizing the issuing of bonds for the purpose of funding or redeeming the interest-bearing debt of the United States.

Mr. MARTIN (Dem., W. Va.) offered a resolution directing the Committee on Pacific Railroads to inquire into the alleged mortgage and sale of the unearned land grants by the Northern Pacific and Atlantic and Pacific Railroad Companies, and to report what legislation is necessary to preserve the interests of the country. Ordered printed in *The Record*.

The House then, at 4 o'clock, adjourned.

## WORK OF COMMITTEES.

WASHINGTON, Dec. 16.—The House Committee on Commerce, Weights and Measures held its first meeting of the session Wednesday morning, and informally discussed the proposition to impose melting charges in all cases on deposits of bullion, either for coin or bars, above or below the standard. It was decided to invite Mr. Burchard, Director of the Mint, to come before the committee on Monday next and give his views upon the subject.

The joint committee on the subject of providing additional accommodations for the Congressional library held a meeting Wednesday for the purpose of agreeing upon a recommendation as to the site of the proposed new building, but adjourned until Friday without reaching a conclusion.

The Senate Select Committee on the Freedmen's Bank will endeavor to pass this session the bill reported by them last summer, which provides for the purchase by Congress of the Freedmen's Bank Building, opposite the Treasury Department.

The House Committee on Printing Wednesday examined Edward Clark, Architect of the Capitol, and A. F. Childs, Chief Clerk of the Government Printing Office, in regard to the safety of the Printing Building. Mr. Childs said the lives of the employes were in danger because of the dilapidated condition of the structure.

Before the House Committee on Agriculture Wednesday Assistant Secretary French gave some interesting information in regard to diseases among farm animals. He stated that Italy, Spain and Portugal have absolutely prohibited the importation of pork from the United States on account of the prevalence here of hog cholera; that the value of this article as export has reached $80,000,000 per annum, and that unless measures are taken to eradicate the disease this source of revenue will eventually be lost to this country. He believed the time for commissions of investigation had passed; that the existence of pleuro-pneumonia and hog cholera had been thoroughly established, and that it remained now for Congress to provide permanent measures for their eradication. General Le Favre said that without this cooperation on the part of the States nothing can be effected. With a National law to control the transportation of animals and the adoption by the several States of the supplements but upon the subject proposed by him, he believed harmony of action would be attained. All members of the committee concurred in the necessity for National legislation but differed as to the legislation to be had. The subject was referred to a sub-committee consisting of Representatives Hatch, Dibrell, Le Fevre, Forsythe, McGowan and Valentine.

The House Committee on Ways and Means, at their meeting to-day, discussed a communication from the Secretary of State relative to discriminating duties on products of the countries east of the Cape of Good Hope. The matter was referred to a sub-committee consisting of Representatives Kelley, Dunnell and Fulton.

The Senate Committee on Public Buildings and Grounds to-day unanimously agreed to recommend the passage of the bill providing an appropriation of $250,000 for the immediate rebuilding of the United States Custom House recently destroyed by fire at Pensacola. The new building is also to accommodate the United States Courts, the Post Office and other Government offices.

## NOMINATIONS.

WASHINGTON, Dec. 16.—The President to-day sent the following nominations to the Senate:

Theodore F. Singleton, of Pennsylvania, to be Secretary of Indian; Charles R. Johnson, of California, to be Register of the Land Office at Los Angeles, Cal.; Edward P. Champlin, of Michigan, to be Receiver of Public Moneys at Deadwood, Dakota; also a number of Postmasters.

## *THE BUREAU OF STATISTICS.*

ANNUAL REPORT OF MR. NIMMO, CHIEF OF THE BUREAU—DECLINE IN AMERICAN COMMERCE—INTERESTING FACTS AND FIGURES.

WASHINGTON, Dec. 16.—The annual report of Joseph Nimmo, jr., Chief of the Bureau of Statistics, on the foreign commerce of the United States, was completed to-day. In regard to our export trade Mr. Nimmo says: The five leading articles of export during the year ended June 30, 1880, were as follows: Bread and breadstuffs, $288,030,855; cotton, unmanufactured, $211,535,965; provisions, $127,043,242; mineral oils, $36,218,625; tobacco and manufactures of, $18,442,273." The United States, he says, already surpasses every other country in the magnitude of its exports both of breadstuffs and provisions. Of the following commodities imported into the United Kingdom of Great Britain and Ireland the percentage imported from the United States was as follows: Wheat, 68 per cent; Indian corn, 90 per cent; live animals, 44 per cent; beef, salted, 99 per cent; beef, fresh or slightly salted, 98 per cent; butter, 12 per cent; cheese, 64½ per cent; bacon, 84 per cent; hams, 98 per cent; lard, 96 per cent; meat preserved otherwise than salted, 72 per cent; and pork, salted, 87 per cent.

The building of ships and barks employed in our foreign commerce fell from an annual average of 233 during the ten years from 1851 to 1860 to an annual average of fifty-six during the ten years from 1871 to 1880. There were only twenty-three ships and barks built during the year ended June 30, 1880. The tonnage of iron vessels built in this country during the last five years amounted to only 191,923 tons, almost entirely for our coastwise or home trade, in which no foreign competition is allowed under the provisions of our Navigation laws; whereas the iron ship building of Great Britain, during the last five years reported, amounted to 1,800,193 tons. The total tonnage of the United States employed in foreign trade fell from 2,339,326 tons in 1860 to 1,314,402 tons during the year ended June 30, 1880. During the year ended June 30, 1880, the total value of commodities transported in American and foreign vessels (imports and exports) amounted to the sum of $1,589,472,093, of which the value transported in American vessels amounted to only $280,005,497, or 17.6 per cent, and the value transported in foreign vessels amounted to $1,309,466,496, or about 82 per cent. A marked decline in the proportion of the commodities carried in American vessels has taken place during the past year, the falling off having been from 25 per cent in 1879 to 17.6 per cent in 1880.

The report continues: The fact that capital finds more profitable employment in the home industries and enterprises of this country than in the employment of vessels upon the ocean is the main cause of our maritime declension, in so far as relates to foreign commerce.

The branches of the American merchant marine which are employed in the internal and coastwise commerce of the United States fell from 3,226,439 tons in 1873 to 2,637,685 tons in 1880. The total tonnage built on the seaboard, embracing the Atlantic, Gulf and Pacific coasts, fell from 1,013,040 tons during the five years from 1866 to 1870 inclusive to only 669,362 tons during the five years from 1876 to 1880. The American tonnage built on the great lakes, almost exclusively for internal trade, fell from 214,333 tons during the five years from 1866 to 1870 to 74,199 tons during the five years from 1876 to 1880. The tonnage employed in the domestic trade of the United States (the ship foot being 100 cubic feet of space) on June 30, 1880, amounted to 2,637,685 tons. The capacity of railroad cars amounted to about 7,100,000 similar tons of 100 cubic feet of space.

The gross earnings of railroads of the United States for the years mentioned are shown to have been as follows: In 1851, $39,456,358; in 1861, $130,000,000; in 1871, $403,329,208; in 1879, $529,012,969. The number of freight cars employed on the railroads in the State of New-York increased from 16,525 in 1867 to 47,868 in 1879, and the number of freight cars employed on all the railroads of the United States increased from 384,963 in 1876 to 480,109 in 1879. The tonnage of the New-York state canals fell from 5,859,080 tons in 1869 to 5,362,372 tons in 1879, but the tonnage of the two railroads competing with the canal (the New-York Central and the New-York, Lake Erie and Western Railroads) increased from 6,594,094 tons in 1869 to 17,222,394 tons in 1879. These facts, it is maintained, serve to indicate the cause of the decline of the shipping employed on internal water lines and in the coastwise trade of the United States.

It is a matter of interest to advert to the fact that on the 29th of June, 1880, the French Government adopted a somewhat extraordinary scheme for the promotion of the French merchant marine. Bounties were provided for ships built in France, and subsidies granted in favor of all vessels built, at the rate of 1½ francs on every ton for each 1,000 miles traveled in voyages to and from that country. It is stated to be highly important that the Government of the United States should accord similar advantages to American ships.

## *GENERAL GARFIELD AT HOME.*

IN GOOD HEALTH AND CAREFULLY AVOIDING OVERWORK—THE FAVORABLE SURROUNDINGS WHICH ENABLE HIM TO SECURE REST AND GAIN VIGOR.

[FROM AN OCCASIONAL CORRESPONDENT OF THE TRIBUNE.]

MENTOR, Ohio, Dec. 11.—General Garfield is in excellent health, but he carefully avoids overwork. He seems to be impressed with the importance of saving all his vitality for the heavy labors which will follow his inauguration. No public man of his prominence has ever been more favorably situated for rest of mind and body than General Garfield is. Blessed with a wife who is devoted to the interests of her home, and who gives intelligent supervision to all the details of his family affairs, he knows nothing of the care and anxiety which pertain in many cases to married life. An old and experienced farmer who lives near him has the oversight of his farm, and keeps everything in excellent order. In the General's office Major Swaim, his trusted and trustworthy private secretary, assisted by two stenographers and a telegraph operator, perform the drudgery of his correspondence. The severe weather keeps many visitors away, and even the ardor of office-seekers is cooled by the snow-drifts which delay trains, the fierce blasts which sweep over the lake shore, and the long walk from the station to the General's residence. Warm and generous by nature, and keenly sensitive to the esteem and friendship of others, he is constantly cheered and strengthened by the receipt of kindly attentions from a host of his fellow-citizens in all parts of the country—private letters bearing assurances of good-will and confidence, and innumerable little presents, of no special pecuniary value, but serving to remind him daily of the strong hold which he has on the affections of the people. Most of these come from persons who cannot be suspected of selfish motives, and whose delicate expressions of personal regard are, for that reason, cordially appreciated by the General and his family. The independent and opposition papers, with a few unimportant exceptions, show a disposition to treat him with respect and fairness, and the journals of his own party, without exception, express perfect confidence in him. Last, but not least of all his advantages, is the fact that he is a profound believer in an overruling Providence, and absolutely rests in the faith that he is guided, guarded, and provided for by a higher power. Under these circumstances, there appears to be no reason why his friends should allow their nocturnal rest to be broken by over-anxiety on his account.

In a letter now lying on my table one of the most famous and influential of Ohio men declines to have his name mentioned as a candidate for the United States Senate for the reason that he cannot afford to give up his present profession for an office which pays so little. He says: "I could not afford to hold any office. I have a large family, and will have hard work to educate them and give them a better start in life than I had." The fact that General Garfield has lived respectably, and saved enough to buy a farm out of the meagre salary of a Congressman indicates, what is true, that he is not a man of extravagant habits and that his private business has been managed with reasonable skill and prudence, while this very limited fortune shows that he has not used his public position for purposes of speculation and pecuniary profit. He has faithfully devoted his time and talents to the service of his country, and when not actively engaged in official duties, he has been a conscientious and faithful student. The result is, that his mental equipment is well high perfect.

A German lately married says: "Id was good so easy as a beetle good walk on mit a camel's eye as to get our beautiful word mit a woman."

A DANGEROUS DOG.—Smith: "I once possessed a spotted dog, which could always distinguish between a vagabond and a respectable person." Jones: "Well, what's because of him?" Smith: "Oh, I was obliged to give him away! He bit me."

# THE COURTS.

## ADMISSION OF INTERSTATE COMITY.

A decree of absolute divorce was granted in this State to Ellen Kenison from her husband, John D. Kenison, whom she had married at Toronto, Canada, in 1869. By the decree, as usual, the defendant, Mr. Kenison, was prohibited from marrying again. In 1875 he went, for the purpose of evading the statute in this regard, to New Jersey, where there is no such law, and there married Olivia M. Jeems. She had also moved into that State for the same purpose, and with the expectation of marrying Mr. Kenison. After their marriage they came back to New-York and lived together for several years. Then she began a suit in the Supreme Court in this city to have the marriage in New-Jersey declared void, as being fraudulent and entered into with a purpose to evade the restrictions of the decree. The referee before whom the case was tried, under the authority of a previous decision, declared the marriage in New-Jersey to be void, and reported in favor of a judgment annulling the marriage. Justice Macomber, before whom the motion was made to confirm the referee's report, has given a decision denying the motion, and directing judgment for the defendant. He holds that even if the marriage was illegal and void (which seems unsettled, as the decisions of the Courts now stand), yet at all events, the woman, having been equality in the wrong in seeking to evade the provisions of the law, cannot thus take advantage of them. Justice Macomber says:

"As it seems to me, for our Courts to hold a marriage, concededly valid in a sister State, where solemnized, invalid in our own State, simply because our statutes and a judgment of our Courts have prohibited one of the parties to marry again within a limited period, as a punishment for misconduct in our State, is not in the true spirit of interstate comity, which was intended to be secured by section 1st of the fourth Article of the Federal Constitution, nor is it in the direction of an enlightened comity of Christian nations. On the contrary, it savors a little of intra-moral arrogance."

## THE CASE OF H. W. GENET.

The argument on the appeal from the conviction of Henry W. Genet for alleged frauds upon the city in connection with the Tweed Ring management was continued before the Court of Appeals yesterday. Genet was convicted before Justice Daniels, in the Court of Oyer and Terminer, of an attempt to defraud the city by securing the auditing of fraudulent bills against the city. The indictment charged specifically that on July 14, 1871, Mr. Genet, with intent to defraud the city, unlawfully and knowingly represented to Mayor Hall that the city was justly indebted to J. McB. Davidson in the sum of $4,802 for materials for the Ninth District Court House.

Before Genet could be sentenced he escaped from the Deputy Sheriff who had him in charge and remained away until February 4, 1878, when he suddenly returned and surrendered himself to the authorities. Under a writ of error obtained in the Supreme Court, Presiding Justice Davis admitted him to $25,000 bail. His sureties were his father-in-law, Thomas F. Gordon, and Peter K. Knapp of Rockland County. On the appeal to the General Term a decision was handed down about a year ago affirming the judgment of conviction. The appeal carried to the Court of Appeals yesterday was from this judgment of affirmance. Mr. Genet is now in this city.

## CONTEST BY JOHN MORRISSEY'S SISTER.

Margaret Murphy, one of the three sisters of the late John Morrissey, was bequeathed by his will $10,000. The will was admitted to probate in Saratoga County on motion of his executors, William R. Travers and Edward Murphy. The executors filed their inventory of the estate in October, 1879, and in September, 1880, made application before Surrogate Peters to be allowed to make their final accounting. Mrs. Murphy recently brought suit against the executors in this county asking that they be enjoined from making such accounting before Surrogate Peters; that they be directed to correct certain alleged abuses in the execution of their trust, or be removed. Mrs. Murphy alleges many acts of waste and neglect on the part of the executors; that she has never received any part of the bequest made to her, and that according to the inventory filed the liabilities of the estate are $54,555 19, and the assets only $16,599 29.

A motion to enjoin the executors from proceeding with the accounting was argued before Justice Daniels, in Chambers, and yesterday was denied. He says that Surrogate Peters is the proper person to have jurisdiction of the matter, and that the charges of mismanagement have not been sustained.

## A VERDICT FOR GABRIELLE DU SAULD.

Gabrielle Du Sauld, the actress who has been playing in "Hazel Kirke" for Steele Mackaye, sued him in the Court of Common Pleas to recover $680 which she claimed was still due to her for services. She had been engaged to play for him at prices varying from $50 to $100 a week until May 1, 1880. Then she made an engagement with him from that time until the end of August for $40 a week. The suit was brought to recover the salary for that period. The trial, which was held before Judge Van Brunt and a jury yesterday afternoon, attracted a number of theatrical people. According to Gabrielle Du Sauld's testimony, after the engagement was begun she was discharged without cause, although she was willing to perform her part of the agreement. The defendant's story was that some dissatisfaction with Miss Du Sauld's work, or some difficulty about another actress wishing the same part, led to a request that she resign her part in the engagement; that in response she voluntarily threw it up and said that she did not wish to insist upon retaining her place if it would result in difficulty or discord. The jury gave Miss Du Sauld a verdict for the full amount claimed.

## MEETING OF THE JUDGES.

The Code of Civil Procedure, which went into effect in 1877, provided for a convention of the Chief Judges of the State to be held at Albany once in every two years for the purpose of making any necessary changes in the rules governing court practice not regulated by the code. The first of these meetings was held two years ago. The second one is now in session at Albany. It was called to order yesterday morning by Chief Justice Waite and Associate Justices Brady and Barrett, of the Supreme Court of this city, Chief Judge Sedgwick, of the Superior Court, and Chief Judge Daly, of the Court of Common Pleas. The time appointed for the holding of the convention was two weeks ago; but as a quorum of judges was not present on adjournment it was taken until this week, when business was begun. It is expected that some interesting modifications of the rules of practice will be made.

## JOLTED AT AN EXPENSE OF $400.

J. Hilton, a hackman, was driving in Fifth-ave. on the night of February 6, 1877, when his carriage wheels ran into a depression in the pavement near Twenty-ninth-st. He was thrown from the carriage and seriously injured. The trial of his suit against the city for damages occurred yesterday before Justice Lawrence in the Supreme Court. It was shown in the trial that the depression had existed in the pavement for some time before the accident. The jury gave Hilton $400 damages. J. A. Cantor for the plaintiff; Assistant Corporation Counsel Lacombe for the city.

## DECISIONS—DEC. 16.

*Supreme Court—Chambers*—By Judge Daniels.—Tinker agt. Todds.—See memorandum. Hall agt. Burchell.—The affidavits upon which order of arrest was made are sufficient to support the order; the motion to vacate it must consequently denied with costs. Gross agt. Gross.—Order granted denying motion. In the matter of Manning; In the matter of Bryant; Allerton agt. Labor; Hussey agt. Hussey; Rosenbaum agt. Rosenbaum; Marks agt. Marks; Cannon agt. Camp.—Orders granted.

By Judge Lawrence.—Riley agt. Carll.—Order granted.

*Superior Court—Special Term*—By Judge Freedman.—Williams agt. Gulon et al.—Order transferring action to Supreme Court. Carney agt. Carney.—Reference ordered. Adams agt. Dugles.—Bond approved. Littman et al. agt. Sullivan et al.—Order for commission. Gould et al. agt. Forster.—Order signed. David agt. David.—Reference ordered. Giro, etc., agt. Blood.—Order granted and undertaking approved. Sparks agt. Rooney.—Order resettled. Riggs agt. the Commercial Mutual Insurance Company.—Order for commission. Berry agt. Denton. Bennett agt. Crawford. Moschand agt. Frank. Miller agt. Anthony; Brookman agt. Schwartz; Gross, by agt. the Mayor, etc.; Baker agt. Bowe; Bowen agt. the Kings Mountain Mining Company; Riggs agt. the Commercial Insurance Company; McCord agt. Khaled; Carroll agt. Nelson.—Orders granted.

*Common Pleas—Special Term*—By Judge Van Hoesen.—Murphy agt. Muggins.—Judgment for divorce refused; opinion.

*Marine Court—General Term*—By Judge Sheridan, Goepp and Hawes.—Shaw agt. McCarty.—Order reversed with costs and disbursements to appellant; opinion by Judge Hawes filed; Judge Goepp dissents.

By Judges McAdam, Goepp and Hawes.—Cromwell et al. agt. Barr.—Order as modified affirmed without costs; opinion by Judges McAdam and Hawes filed; dissenting opinion by Judge Goepp filed.

By Judges McAdam, Goepp and Isaacs.—Schuler agt. Wilson.—Motion to resettle order denied without costs as per opinion in other files.

By Judges Sheridan and Hawes.—Leeds agt. Raphael.—Order reversed with costs to abide the event; opinion by Judge Hawes filed.

By Judges Sheridan and Isaacs.—Marks agt. Block.—Judgment reversed, new trial ordered, with costs to abide the event, opinion by Judge Sheridan filed.

Chambers—By Judge Daniels.—Durkee agt. Travis.—Defendant's motion for judgment on the pleadings and for leave to answer over to the complaint herein within three days. The defendant may pay into court the sum sued for, Sedgwick agt. Kane, Albany Law Journal, Decem. 11, 1880, even though defendant's claim be in questionable state; I shall not allow costs. Samuel agt. Jacobson.—Defendant's motion that plaintiff or his attorney require answer to be stricken out for party verifying should swear that if alleged is verbally corrected, service within two days to be as of the 11th of December, without costs. Nicholson agt. Ryer; Parsons for agt. Reeves.—Receivers appointed. Vail agt. Cropsey.—Proceedings dismissed. Seneca Valve Wire and Brass Company agt. Heyman.—Motion granted. Schmid agt. Sachs; Hartford agt. Frost; Mohr agt. Schuster; Milliker agt. Kelly; Lennan agt. Roch; Brock agt. O'Neill; Marks agt. Kramer.—Orders granted.

## CALENDARS THIS DAY.

SUPREME COURT—CHAMBERS—Daniels, J.—Trial terms at 10:30 a. m. Calendar called at 11 a. m.—Nos. 52, 79, 80, 112, 115, 135, 159, 166, 178, 204, 205, 225, 226, 234, 267, 270, 271, 275, 276, 278, 285, 291, 294, 298, 300, 301, 302, 308, 309, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324.

SPECIAL TERM—Van Vorst, J.—Court opens at 10:30 a. m.—Law and Fact.—Case on No. 944.—Thorn agt. Titus. No day calendar.

CHAMBERS—PART I—Lawrence, J.—Court opens at 10:30 a. m.—Held in General Term Room.—Short Causes.—Nos. 2428, 2429, 2431, 2434, 2435, 2436, 2437, 2422, 2438, 2739, 2916, 3422.

PART II—Donohue, J.—Court opens at 10:30 a. m.—Short Causes.—Nos. 2561, 2791, 3506, 2506, 2530, 921, 4008, 3047, 3368, 3509, 1893, 2591.

PART III—Beach, J.—Court opens at 10:30 a. m.—Short Causes.—Nos. 3477, 3791, 3467, 3519, 3564, 3679, 3865, 3987, 3907, 3954, 3930, 3590, 3870.

SUPREME COURT—GENERAL TERM—Adjourned until Dec. 20.

SPECIAL TERM—Sedgwick, C. J.—Court opens at 10 a. m. Calendar called at 11 a. m.—Nos. 44, 2, 17, 41, 46, 11, 15, 16, 39, 40, 43, 6, 9, 12.

TRIAL TERM—PART I—Russell, J.—Court opens at 11 a. m.—Short Causes.—Nos. 918, 794, 651, 918,