The Sun.

THIRTY-NINTH YEAR. NEW YORK, THURSDAY, JANUARY 4, 1872. PRICE TWO CENTS.

NEW YORK LEGISLATURE.

PREPARING FOR THE EXTINCTION OF THE TAMMANY RING.

A Bill for the Removal of Mayor Hall and Others—A Demand for the Expulsion of Tweed, Fields, and Frear—Plans for the Creation of a Grant Ring to Supplant the Dead Magnates of Tammany.

ALBANY, Jan. 3.—The reformers have opened fire along the lines. In the Senate this morning Mr. Benedict presented the petition of O'Donovan Rossa claiming the seat of Boss Tweed on the ground of gross frauds in the election. Rossa claims that he was defrauded by the canvassers out of 6,000 votes. This was followed by a petition of citizens of the Fifth, Sixth, and Seventh Wards, asking for the expulsion of Wm. M. Tweed on the ground that he had been indicted for high crimes which unfitted him for occupying a seat in that honorable body. There were seventy-three names signed to the petition, but none of them are much known to the public.

ASKING FOR TWEED'S EXPULSION.

As though this was not enough, the same Senator presented a petition of the Executive Committee of the citizens and taxpayers of the city and county of New York, asking that the seat of Wm. M. Tweed be declared vacant and a new election be ordered. The petition was signed by J. B. Davenport and G. W. Lyon as counsel. Accompanying this petition were the proceedings of the Supreme Court under which warrants were issued for the arrest of Tweed, Garvey, Ingersoll, Keyser, and Miller, and a list of the amount of money paid to Keyser & Co. which had been certified to by Tweed. Mr. Tweed has not yet arrived here, but there are rumors every day that he intends to come.

SENATOR LORD A REFORMER.

The bill repealing the Buffalo Charter bill which was passed last session under the party whip, was considered in Committee of the Whole and ordered to a third reading. Senator Jarvis Lord said he voted for the bill last winter because it was made a party measure, and the Boss would not let him do otherwise. He is a Reformer this winter, and will vote for its repeal.

THE CAUCUS OF NEW YORK SENATORS.

At the caucus of the New York Senators this morning to consider New York matters, no conclusion was arrived at. Senator Benedict expressed himself as opposed to giving one man so much power as proposed now in a bill before the Legislature. Senator O'Brien also opposes it on the same grounds, and says that if it passes it will be the means of forming a closer and more dangerous ring than the one the people have just succeeded in smashing.

HAWKINS WANTING TO EXPEL FIELDS.

In the Assembly the attack was opened by Col. Hawkins on Tom Fields, immediately upon the conclusion of the reading of the journal. The memorial presented by him yesterday had been entered upon the journal as contesting the seat of Fields. The Colonel wished it corrected so as to read expulsion. This was resisted by Fields, and the matter was finally compromised by simply entering it upon the journal as a memorial from the citizens of Nineteenth Assembly District.

Mr. Twombly introduced the bill providing for

THE REMOVAL OF MAYOR HALL

and other officers in New York city, and giving the appointment of their successors to Comptroller Green. On his motion it was ordered to be immediately printed and placed before the members. This means that an effort will probably be made tomorrow in Committee of the Whole to order it to a third reading. It is somewhat doubtful, however, if it will succeed, as there is considerable opposition to it in the Senate on the same grounds as those given by Senators Benedict and O'Brien. Besides this, the Republicans are casting longing looks toward the fat pickings in New York, and desire to secure them for themselves. They say that owing to their overwhelming majority in the Legislature they will be held responsible for the manner in which the affairs of the city are conducted for some time to come, and they desire that Republicans should have the management of them. The real reason is, however, that they wish to get control of the money bags of the city, to be used in carrying the State for Grant.

LEGALIZING THE ACTS OF THE GRAND JURY.

Col. Hawkins introduced a bill legalizing the acts of Judge Bedford's Grand Jury under the three extensions of their terms. There are serious doubts as to whether the indictments already found by them are legal, and it is said they have many others on hand which they will not issue until this or some similar measure legalizing their acts is passed by the Legislature. This bill was also ordered to be printed immediately, and will very likely be ordered to a third reading to-morrow.

Mr. Mackay of New York introduced a bill which will do away with the pigeon-holing of indictments in the District Attorney's office, and another providing that prisoners arrested and brought before any police magistrate shall have an examination within two days.

OPPOSING SECTARIAN APPROPRIATIONS.

Mr. Brown of Cayuga introduced a resolution proposing an amendment to the Constitution in relation to sectarian appropriations. It is substantially the same as the one introduced by Senator Woodin last winter. About $1,000,000 are annually appropriated to these institutions in the Charity bill. Last winter the Republicans were very loud in their denunciations of these appropriations. It remains to be seen whether they will have the backbone to stand up against it this winter, now that they are in the majority.

Speaker Smith to-day appointed the Committee on Privileges and Elections. It consists of Messrs. Strahan, Twombly, Springsteed, Burns, Marcy, D. B. Hill, and Moseley. Messrs. Fields and Frear are well satisfied with the Committee.

A LIVELY REPUBLICAN CAUCUS.

I learn that there was a lively time at the caucus of the Republican Senators last night. The question whether Boss Tweed should be allowed to take his seat was discussed. Too new members of the Senate were unanimously opposed to it. Some of the old Senators, however, contended that no attention should be paid to the charges that have been made against the Boss, and that he should be allowed to take his seat and retain it until proved guilty. I am credibly informed that some of these Senators, shortly after the passage of the Boss's charter, deposited large sums of money in out-of-the-way banks, where they were not in the habit of depositing. It is also said that proof has been secured against some, implicating them in certain transactions with the Tammany Ring, and that charges will be preferred against them next week. There is evidently something wrong, as the suspected Senators are very uneasy, and are continually caucusing together about the lobbies of Congress Hall. You need not be surprised if two or three Republican Senators should be kicked out at the same time Mr. Tweed is. Should the charges be proved it will be fun for young Jake Hardenbergh, and it will be very interesting to see him go for their scalps.

SPEAKER SMITH ENFORCING RETRENCHMENT.

Speaker Smith is pressing his retrenchment ideas very strongly. Members of the Assembly are being sorely hounded by the place seekers, but under the Speaker's ruling not to appoint any one to a position not provided for by law they are powerless. I understand a bill will soon be introduced to make places for a host of leeches, and that it will be pressed notwithstanding the Speaker's objections. The members say that they are forced to do this in order to keep faith with those to whom they have made promises.

The Speaker to-day appointed Messrs. Huested, Prince, Rose, D. B. Hill, and Jacobs a Committee to revise the rules.

ILLNESS OF THE BALD EAGLE.

Messrs. Strahan and Huested are both confined to their rooms by sickness. Their prostration is said to arise from over exertion during the contest of the Speakership. No serious results are anticipated, and it is believed that they will both be around in a day or two.

Both Houses have passed a resolution to adjourn over from to-morrow until Tuesday evening. This is done in order to give the Speaker an opportunity to make up his committees.

THE SENATE COMMITTEES.

The Republican Senators held another caucus to-night. Lieut. Gov. Beach positively declined to name the Democratic members of the committees and hence this caucus was called. It was decided to adhere to the original programme and let the Democratic Senators of the Lieutenant-Governor name the Democratic members of the committees. I have good reasons to believe that Senator James Wood will be Chairman of the Judiciary Committee, D. P. Wood of the Committee on Finance, I. L. Levy of Canals, Edward M. Madden of Railroads, Norris Winslow of Banks, A. W. Palmer of Cities, and George Bowen of Claims. It is the intention to make the Committee on Cities very respectable, and to this end Senator Palmer has been put on it, much against his will. The committees will probably be announced to-day. The caucus also had another animated

DISCUSSION ABOUT MR. TWEED.

I learn that some of the new members were quite open in their denunciation of the course pursued by some of the old Senators during the last two sessions, and the latter retorted by charging that some of the new members had been elected by fraud. It is now announced that Boss Tweed will certainly be here next week, when a lively time may be anticipated.

Mr. Vanderpoel, of the firm of Brown, Hall & Vanderpoel, arrived here to-day to look after the interests of the Erie Railway. Ex-Senator Bernard Kelly also came up to look after the Pneumatic Railway scheme.

BITTER FEELING BETWEEN THE FACTIONS.

I understand that propositions looking toward a reconciliation between the Conkling and Fenton factions were made by prominent friends of Speaker Smith to some of his leading opponents, but they were promptly refused. It is patent to every one here that there is a very bitter feeling existing among the friends of Old Salt, who know they were defeated by Federal officeholders and a liberal use of money, and an open rupture is likely to occur at any moment.

The Hon. S. J. Tilden did not make his appearance in the Assembly to-day. It was rumored this morning that the gallant Col. Hawkins was to pour his vials of wrath upon the head of the Hon. Tom Fields, and it is said that Mr. Tilden did not desire to be present during the scene. Comptroller Green left for New York to-night. He is expected back on Tuesday, and will be accompanied by several members of the Committee of Seventy.

RATIFICATION OF THE FIFTEENTH AMENDMENT.

Senator Woodin called up the resolution ratifying the adoption of the Fifteenth Amendment to the Federal Constitution. Mr. Hardenburg asked to be excused from voting as it had been adopted long since. He was not excused. The resolution was then adopted by 27 to 1.

Legislating O'Hall, Bradley, O'Gorham, and Fields out of Office.

ALBANY, Jan. 3.—Mr. Twombly introduced the following bill in the House to-day:

An act to provide in part for the government of the city of New York by certain removals from and appointments to office therein.

SECTION 1. The respective terms of office in this section mentioned in as under the local government of the city of New York, shall cease on the day next after the passage of this act. That is to say, the terms of office of the present Mayor of the city of New York and of the then present Chamberlain, and of the then present Council to the Corporation, and of the then present Corporation Attorney, and of Thomas C. Fields as a member of the Board having charge of the Department of Public Parks, shall cease and determine, and the first appointment thereto in the section mentioned, shall be until the end of the present year, or until some other appointment or election to the said offices shall be had before that time in such manner as shall hereafter be prescribed by law.

SEC. 2. The Comptroller of the city of New York shall have power to appoint to the several offices vacated as aforesaid, and shall have power from time to time to fill all vacancies hereafter occurring in any of said offices during the term last aforesaid.

SEC. 3. This act shall take effect immediately.

Confirming the Action of the Court of General Sessions.

ALBANY, Jan. 3.—The following is a bill introduced in the House to-day by Mr. Hawkins:

An act to confirm orders of the Court of General Sessions of the Peace in and for the city and county of New York, and continuing the last November term thereof.

SECTION 1. The respective orders made and entered in its minutes by the Court of General Sessions of the Peace in and for the city and county of New York, on the 6, 8, 9 and 20 days of November last, and on the 18th and 20th days of December last, together purporting to continue the last November term of said Court from the commencement of the third Monday of November to and including the 25th day of January in the present year, are and each of them is hereby in all respects confirmed and such term continued accordingly.

SEC. 2. The Grand Jury summoned to attend at said term as a Grand Jury, and not discharged by the said Court, shall be deemed such Grand Jury at all times from the commencement of said term until and including the said 25th day of January, and the powers of said Grand Jury shall not be considered as taken away or modified by the summoning, impanelling, or action of any other Grand Jury within said city and county during the said term as extended.

SEC. 3. All provisions of any acts heretofore passed so far as they may be inconsistent with this act, are hereby repealed.

SEC. 4. This act shall take effect immediately.

The Governor will Not Try any Person on Newspaper Charges Alone.

At a secret meeting of the Chamber of Commerce yesterday a letter from Gov. Hoffman was read in reply to the communication sent to him by the Chamber in relation to the Harbor Masters and the management of Quarantine. The Governor says:

What I have written for communication to the Legislature will perhaps not meet your entire approval. I can only say, however, I shall always be ready, as I always have been, to do everything in my power to correct evils which may be shown to exist. The complaints to which you refer as having been made in the newspapers were not brought to my knowledge officially, as they should have been, or they would have been promptly investigated; but, as you know, neither Judges nor Governors can try parties upon newspaper charges.

I need hardly assure you that I shall be glad to cooperate with the merchants of New York in every earnest effort to secure efficient reform, and to promote their general interests.

PHOTOGRAPHS BY SUN REPORTERS.

Erie Litigation.

Judge Blatchford this made an order requiring James H. Coleman to appear before Commissioner White on Saturday, and transfer, in his capacity as receiver, 12,735 shares of Erie stock to Henry Swann, the attorney of Heath and Raphael. The Erie Railway Company is also ordered to produce their transfer books before the Commissioner on the day mentioned, so that entries of the above transfer can be made. In the case of Thompson agt. The Erie Railway Company, one of the preferred stockholders suits, a motion was recently made to compel the defendants to produce their books before the referee on trial. The defendants, in opposition stated that they had made an offer to furnish the information sought to be obtained from the books. Judge Cardozo holds that if they comply with this offer no further discovery can be had, and directs an order accordingly.

Osseous Spikes in the Brain of a Man.

Rufus Ripley, the young clerk who committed suicide in the Bank of New York, complained eight months ago of a terrible pain in his head. Eminent physicians were unable to afford him any relief. The pain became so distressing that he finally shot himself through the heart. A *post mortem* examination revealed the fact that bony spikes were growing from the inside of his skull and piercing his brain. These spikes were as sharp as needles, and the doctor who was conducting the examination was seriously wounded by one of them. In all other respects Mr. Ripley was a remarkably healthy man.

Probable Poisoning of a Physician.

Dr. Lonsberry, a wealthy and influential physician of Rye Neck, has recently been suffering from nervous prostration. Morphia has been the only agent affording him relief; but Monday night even that failed, and about midnight he arose and swallowed what is supposed to have been a quantity of arsenical solution or arsenocis acid. At 4 o'clock in the morning he was insensible, and has remained in a comatose condition ever since. He is not expected to live. Drs. McCullom, Starr, and Moulton, of Portchester, have been in attendance. Dr. Lonsberry is connected with some of the first families in Bedford.

The Hunter's Point Bible War.

The Board of Trustees at Hunter's Point determined on Tuesday evening to wait one more day before closing the First Ward School, hoping that the Commissioners would discontinue the reading of the Scriptures. Yesterday morning Messrs. Fiesel and Carr, two of the Trustees, were present. The Bible was read as usual in one of the departments, and a prayer was read from a pamphlet. There was no disturbance. The Trustees met last night in secret session, and took some action, but what will not be known until to-day.

The Brooklyn Christmas Night Murder.

The investigation by Coroner Whitehill in the case of Patrick Murphy, who was knocked down and beaten on Christmas night, in front of John Magner's saloon, in North Sixth, near Fourth street, Williamsburgh, was finished last night. The testimony pointed to Magner as the person who inflicted the injuries that caused Murphy's death. The jury found that Murphy came to his death by peritonitis and rupture of the bladder, the result of violence inflicted on him by John Magner.

Fish to be Forced Out.

Private dispatches to bankers in this city say that since Secretary Fish refuses to give up his conciliatory policy there is every probability of his being forced to resign, and of the appointment of Judge Pierrepont as his successor.

The Hon. John J. Blair's Sad Bereavement.

Last week Fire Commissioner Blair lost two little daughters by scarlet fever. Yesterday a third child, John J. Blair, Jr., died from the same disease. The mourning parents have the heartfelt sympathy of a large circle of friends.

The Bowling Green Savings Bank.

President Henry Smith sent out notices yesterday to all small depositors in the Bowling Green Savings Bank that he will pay them immediately out of his own pocket.

BLOODSHED IN ROCHESTER.

THE MILITARY FIRING INTO AN INDIGNANT MULTITUDE.

The Sanguinary Scenes that Followed the Attempt to Lynch the Monster Howard—Sheriff Beckwith's Courage—The Details Down to Last Night.

ROCHESTER, Jan. 3.—This city has been a scene of wild excitement since yesterday morning. A summary of events may be given as follows: On Saturday last a little girl named Ochs, aged ten years, was frightfully injured in the suburbs of the city by a negro named Howard, who, it is believed, intended to murder her. After escaping from the negro, the girl made her way to the town of Brighton, where her story excited great indignation. A search was made for Howard, and he was arrested on Monday morning. While the officers were taking him to the jail a crowd assembled, and a determination to lynch him was expressed. The officers, however, by showing their revolvers, succeeded in getting their prisoner to jail and locking him up.

Yesterday a mob, numbering several hundred persons, went to the jail and attempted to force an entrance in order to take out Howard for the purpose of lynching him. The Sheriff and his assistants resisted the mob, for some time successfully, until the arrival of the police. With this reinforcement the officers charged on the crowd and drove it back from the jail. The excitement seemed to increase throughout the city, and knots of angry men and women were in the vicinity of the jail all day.

THE MILITARY CALLED OUT.

The military were finally summoned, and on their arrival were so placed as to resist an attack from any point. As evening approached crowds again assembled in the vicinity of the jail, hooting and yelling, and threatening to attack the police and military. All efforts to induce them to retire and let the law take its course were unavailing. The mob thirsted for the blood of the negro, and seemed determined to have it. About 9 o'clock an angry and excited mob gathered in Exchange street, near Court. Several companies of militia were guarding Court street, which leads to the jail. Opprobrious epithets were applied to the soldiers by the crowd, and some stones and other missiles were thrown at them.

A SUDDEN VOLLEY.

Suddenly the military fired a volley into the crowd in Exchange street, and then prepared to charge bayonets. This movement caused the discharge of more of the weapons, and the mob precipitately fell back.

It was then ascertained that John Eiter and Henry Merlow were killed, and one man and a boy seriously wounded. Eiter was a highly respectable German citizen, who, it is asserted, took no part in the demonstration made by the mob. His body was conveyed to his home, accompanied a portion of the distance by a large crowd, which gave vent to angry denunciations of the militia. Merlow was a railroad employee, and was on his way home at the time. He is believed to have been innocent of any participation in the riotous demonstrations. The wounded man and the boy are not believed to be fatally injured.

INDIGNATION AGAINST THE MILITIA.

Much indignation is expressed at the firing by the troops, and it is alleged that there was no necessity for it, that no attack upon them was anticipated, and that if stones were thrown among them they were thrown by boys. The militia and their friends, however, assert that they had exercised forbearance until forbearance had ceased to be a virtue. They had been confronted for hours by an angry and abusive mob, which refused to disperse at the instance of any one, but demanded the privilege of breaking into the jail and lynching Howard. Finally, when a shower of brickbats and stones fell among them, and some of their number were hit by the flying missiles, they instinctively turned to defend themselves, and fired into the mob.

NO ORDERS GIVEN TO FIRE.

The officers commanding the companies deny having given any orders to fire. Capts. Swartz and Lauer assert that they were entirely ignorant of the act of their men in firing without their orders. The latter says he stopped the firing at the earliest moment, wrenching a musket from one of the privates and thrusting the muzzles of several others up with his sword, so that the shots passed over the heads of the mob.

At 12:30 this morning about fifty men and boys collected at the corner of Court and Exchange streets, near the jail, and soon after they were fired upon by the National Guard. They were not making any disturbance or annoying the troops. No one was killed or wounded.

Charges were freely made by responsible parties that some of the members and officers of the National Guard were grossly intoxicated.

THE JAIL STRONGLY GUARDED.

From 3 until 11 o'clock this morning the city was comparatively quiet. Four companies of the Fifty-fourth Regiment still guarded the jail and its approaches, and loaded cannon were placed so as to command the bridges. At 11 o'clock quite a crowd assembled and there was a good deal of hooting at the militia, but no overt act was committed. At 11:30 some one placed on a canal boat in the slip of Court street, a flag, on which were the words "Avenge your brother." Brig.-Gen. Clarke tore it down. The crowd rushed upon him, and for a short time he was in peril, but was released and firearms were handed to him by friends. The sheriff ordered out the remaining six companies of the Fifty-fourth Regiment, and the police were massed at headquarters ready to move to any point. The crowd still continued around the jail, but up to 3 o'clock no violence had been committed.

THE POLICE CHARGING UPON THE MOB.

4 *P. M.*—The police in a body have just made a charge on the mob gathered in the vicinity of the jail, and are driving them through the streets in every direction. The greatest crowds are now in Buffalo street, at the intersection of State. The Veteran Military Companies—the old Thirteenth, Sixth (Ryan Zouaves), and 140th—have been sworn in as special policemen, and are now reporting at Police Headquarters, which place they will guard and the prisoners who may be captured by the regular police. Several soldiers who stepped out of the lines this afternoon were knocked down by ruffians.

HOWARD INDICTED.

The Grand Jury this afternoon found an indictment against Howard. It is not fair to him to say that he admits all knowledge of the assault upon the girl Ochs, although she positively identified him after his arrest. It was thought that Howard would be taken into court this afternoon, but the Judges of the Oyer and Terminer will not consent until it is determined whether Howard's victim will recover or not. Judge E. Darwin Smith and County Judge Fuller have directed the Sheriff not to take Howard from the jail at present, and to protect the public property and preserve the public peace at all hazards. Two howitzers have been removed to positions where they will command Exchange street and the approaches from the east side of the river more effectually.

THE CAPTURE OF THE MONSTER HOWARD.

From the Rochester Democrat and Chronicle, Jan. 3.

On Monday morning we gave the details of a foul crime committed by a negro on a little girl named Cecilia Ochs, whose parents reside at 72 Francis street. The subsequent history of the affair is even more mournful than what has been already related. It has been attended with consequences even bloodier and more disgraceful than the beginning promised. The story of the crime has darkened into the worst tragedy that ever clouded our city with woe and shame. The course which we took on Monday in naming the man suspected, one William Edward Howard, has been justified by the result. The efforts of the police and the detectives to secure Howard on Sunday night were of no avail. But Capt. Sullivan and Roundsman McCormick had succeeded in getting a clue which they were sure would lead to his arrest. Their information led them to believe that Howard was staying at the house of a relative named Miller, who lives in the Dugway at Penfield. They drove down there at 4 o'clock in the morning and waited until the family arose, about 7½ o'clock, and then entered and arrested Howard, who was in bed.

ATTEMPTS TO ESCAPE.

He was not informed that he was arrested on the charge of rape; but on his way to the carriage he made two attempts to escape, declaring in exclamations that he would rather be shot than go the penitentiary. The officers arrived at the police station with their prisoner about 8 o'clock in the morning. From the station house they took him, accompanied by Detectives Hughes and Pickett, to Och's house for identification by the girl. When he was taken into the house, the little girl who was playing with Cecelia on Saturday morning when she was enticed away, recognized him at once and called out,

"THERE'S THE FELLOW!"

Capt. Sullivan went into the room where the injured child was lying and asked her if she remembered him. The answer was that she did; she had seen him yesterday. The officer then cleared the room and brought forward Howard, asking the little girl, "Did you ever see this man before?" "Yes," said she, "that is the man that hurt me." Howard stepped forward, apparently to question her, but she turned her face aside and refused to look at him.

A FATHER'S INDIGNATION.

The father of the child, at the sight of the prisoner, became so exasperated that although apparently of a quiet disposition he made a dash at the man who he was convinced had destroyed his child. It is useless to speculate upon what might have been the consequences of his violence, as he was restrained by the officers, who in the trying circumstances in which they were placed were determined to do their duty manfully.

INDIGNATION.

On the way out of the house the crowd, at sight of Howard, cried out: "Lynch him!" "Hang him!" "Kill him!" And one or two persons pressing near near the prisoner struck him on the back of the head. The officers drew their revolvers, and at the same time assured those about them that the girl had not recognized Howard. This assertion, together with the fact that the prisoner was handcuffed to McCormick, and could not be injured except at his risk, contributed to an easy escape. At Hunter street Chief Sherman and other members of the force were awaiting with a carriage, into which the hurried Howard and drove off to the jail. The indignant people rushed after, some going in the direction of the jail and others forming in front of the police office, all swearing sudden and severe vengeance.

HOWARD'S OWN STORY.

The story of Howard is that he returned from Syracuse on Saturday morning at 10 o'clock in the forenoon; that he went directly to his mother's house on South Ford street, and from that place straight to Miller's house in Penfield. He says that on the way he crossed the canal at Ford street bridge, and the river at Andrews street. He declares that he met several acquaintances on the way, who will remember that fact. Among others he met one Mrs. Hollins, a colored woman. He denies positively that he was in the Eighth Ward or on Francis street at all. The crime was committed about 11 o'clock. He professes to be able to account for his whereabouts at the time the crime was committed. On the other hand there is the recognition of him by the outraged girl and of the child who was in her company. There is also the fact that his clothing bears evidence of guilt, and several persons saw him on Saturday near Francis and Hunter streets.

MOB VIOLENCE.

All New Year's day the crime formed the subject of conversation, and men were gathered at various points in knots of two or three discussing it. The indignation was general, and the vehemence intense. The excitement prevailed more especially through the Eighth Ward, and among the Germans. Talk of lynching the prisoner was heard in all directions. Men made no secret of their wishes, but were open in their declarations of willingness to take a hand in dealing out summary justice. False rumors in regard to the death of the outraged child fanned the sparks of discontent into something like life. Yesterday morning a great crowd gathered about the police office, waiting for the appearance of Howard for examination. Threats were made of lynching him, but we were rather inclined to regard them more as good resolves for the escape of popular anger than anything else, trusting that the natural good sense of our people and their confidence in the execution of the law would prevent their taking any cruel and illegal steps to wreak their vengeance. When the announcement was made, however, that Howard would not be brought down town for examination, the crowd, consisting of about four hundred persons, after a short consultation, set out for the jail. Their intentions were unmistakable, and they reached that institution amid clamors to

"GIVE UP THE NIGGER."

Jailor Beckwith and his assistant, Joseph Sparkley, were alone at the time and made haste to bar the outer doors, appearing at the windows with their guns. The jailor had a yard beside the jail furnished a stock of timber with which the crowd was assaulted. Several deputies arrived in good time and the sheriff was soon on hand. The crowd rushed after him on his entrance and he was backed against the door. Fortunately there was no firing. He mounted the steps and harangued the crowd. He said he had been elected to enforce the law and would do it. Justice should be done the negro. To break the jail would release numbers of great rascals. The crowd called out in reply, "We'll only release the nigger. Give us the nigger!" Another speech was then made, after which the father of the girl departed from the crowd and they seemed to some extent to cool down.

THE ARRIVAL OF THE POLICE.

The Sheriff then called for silence and was listened to with attention, while he addressed those assembled in the few words which his duty called for. He commanded them to disperse, saying that their assembling was illegal and that he should protect the jail and the prisoner. The first man who attempted to break open the door would be shot. Some of the police force who had arrived at that time then cleared the enclosure of the crowd. This movement which took place at about 9¾ was not very dangerous. The crowd carried their assault no further than throwing stones and other missiles at the Sheriff considerably during his efforts to pacify them. The civil officers who were called upon to meet this emergency, deserves the highest praise for the union of firmness and forbearance which they displayed. They were successful, as they deserved to be, at little cost.

A crowd largely composed of Germans remained near the jail during the day and climbed the lumber piles, indulging in hooting and shouting and arguing over the events of the day.

THE PRISONER.

We visited Howard during the day. He was lying on a pallet in his narrow cell, with his hands manacled. He seemed to realize the horrors of his situation and the fate that awaits him when a maddened terror-stricken, woe-begone, pitiable object. His voice choked with tears while he was speaking and we had no desire to indulge a cruel curiosity at his expense. He was aware of the crowd raging without. He protested his innocence. His clothes had been changed, as the ones worn previously were retained by the police in evidence. Altogether he presented a strange contrast to the gay and jaunty figure which he has usually made upon our streets.

THE SUFFERER.

Rumors prevailed yesterday that the outraged child had died from her injuries. They were, however, without foundation. We visited her in the evening and found Mr. Ochs and his family to be apparently well do, very courteous and intelligent. The little girl, Cecelia, was resting comfortably, and there was a lull about the household after the excitement of the past few days. The child is a bright little girl. The wounds about her face were improving in appearance, and it is the opinion of her attendant physician that her recovery may be looked upon as very likely. She has been called the eldest of the family, but the statement is a mistake. There are two older children. Her parents have the heartfelt sympathy of all who have heard of their misfortune.

IN THE EVENING.

The crowd, which had been considerable during the day, increased as the twilight deepened. It numbered some 300 or more before that hour, but by constant additions had become, before 8 o'clock, about 1,000 in number. Among these were many boys, who made the noisiest demonstrations. The rest were mainly young men, but there were also a considerable percentage of citizens, who came there to see what was going on.

ARRIVAL OF THE TROOPS.

At 6 o'clock the police and deputy sheriffs, who had up to this time guarded the approaches to the jail, were relieved by the militia. Sheriff Campbell had made a requisition on Brig.-Gen. Clark for one or more companies of the Fifty-fourth Regiment, and Company G, Capt. Lauer, and Company D, Capt. Schwartz, were detailed for that duty. In the course of the evening Companies E, B, and A were ordered out and reached the scene. A guard was stationed at the eastern extremity of Court street bridge, preventing any approach to the jail from that direction. At that point, however, the crowd was small, and no demonstration was made.

On the west side of the river the militia occupied the bridge over the race, the only other avenue of approach. The bridge, the lumber yard, and the isle leading to the jail were patrolled, and no one allowed to pass without the countersign. The Sheriff had left the disposal of the militia to Col. Westcott, who was in command during the night. Capt. Lauer's company occupied the end of the bridge nearest the mob. For a long time nothing more serious occurred than shouting, and most of this was done by a parcel of boys who were nearest the bridge. Cries of "Give us the nigger," and

"HANG THE VILLAIN"

were freely made. About 8 o'clock the crowd began to turn their attention more directly to the militia, and the troops were taunted with various epithets. The abuse came principally, as far as our reporter could discover, from the rabble of boys in front. Some of the crowd grew bolder, and finally several stones were thrown, and a number of men belonging to companies G and D were struck. The militia became greatly excited, and repeatedly asked their officers if they should not fire. Capt. Lauer says he told his men to hold their position, but in no case to fire. Meantime several brickbats were hurled by the crowd. One of the Sheriff's deputies was hit in the face, and a number of soldiers received hurts of a trifling character. No serious injuries were received by any one with the exception of one of the guard on the bridge, who received a serious cut on the face, being struck by a stone. During this time also some one in the crowd fired five shots from a revolver in succession.

FIRING FROM THE CROWD.

Whether these shots were aimed at the troops or not is unknown. One of the patrolmen on the lane leading to the jail states that he heard the whistle of a bullet which passed, as he judged, some ten feet above his head. Some three or more shots were fired afterward, none of them, however, taking effect. At a quarter to 9 o'clock our reporter passed through the crowd. Men, part of whom were only spectators, were standing all along Exchange street, from the swing bridge to a point above Court street. The crowd were standing in knots on Court street and along the walks, and a number were perched on lumber piles in the open space running from the corner of Exchange street to the bridge across the race. There were besides many gathered on this lot and at some distance from the troops. The whole number of persons in the vicinity was, as we have said, about one thousand. None of the crowd were within twenty feet of troops, and those immediately in front were boys.

FIRING INTO THE CROWD.

As our reporter passed through these, two the soldiers levelled their guns in quick succession and fired over the crowd. This had no effect on the mob who hooted and jeered at the troops with new vigor. At this time nothing was being thrown, nor were the rioters making anything but a words demonstration. We may remark that every soldier was provided with thirty rounds of ball cartridge, as is usual when called out in an emergency. But the crowd supposed the militia were furnished with blank cartridges and so far from being intimidated by shots maintained the same threatening language and kept up a desultory fire of stones and brickbats. The guard at the bridge were becoming extremely restless, and asked their officers either to order a charge or direct a falling back from the position. It was then that Col. Westcott, as we are informed, ordered Capt. Lauer with his company to disperse the mob. The men advanced at a steady pace, but finding the crowd did not yield, called for reinforcements, and company D, Capt. Swartz, came up on a run and formed on the right of the line. The mob slowly fell back, and at this instant a member of company D discharged his musket.

THE FIRING.

The first shot was immediately followed by a scattering volley from both Companies. A lieutenant of Company G states that the immediate cause of the firing was a wound received by Private Faber of Company D, who was struck by a brick and disabled. The mob fell back rapidly after the firing. It was then discovered that several had fallen. They were picked up by persons in the crowd and carried across the street. As near as we can learn the soldiers did not fire directly ahead, but aimed toward the edges of the crowd, and those shot fell near the north and south corners of Exchange street. After the firing the Companies who had made the charge, some forty men in all, fell back to the bridge.

THE KILLED AND WOUNDED.

As far as ascertained seven persons in all were struck by the balls. Of these two died in a few minutes, two are dangerously if not fatally wounded, and the rest more or less seriously. The first victim of this fatal volley, whom our reporter found, was John Eiter, whose business as freight deliverer has made him known to the whole community. He fell at the south corner of Court and Exchange streets, and was carried across the street into Mrs. Johnson's saloon. The ball had entered the left breast just above the heart. As he was laid upon the floor the bullet fell from the wound, having penetrated right through the body. He lived but a few moments. The body was taken to his residence, 72 Franklin street, where his wife and children received it distracted with grief. Mr. Eiter had just before he was shot walked to the locality with two or three companions, simply as a spectator. He took no part as far as we can learn in the disturbance, having, in fact, had no time to do so if even so disposed. The melancholy victim of this sad affair leaves a widow and seven children, ranging from one to fourteen years of age. He was about forty-two years.

HENRY MERLAW

was also shot down by the fatal fire of the militia. He was standing on Exchange street in front of Warfield & Co.'s oil store, as he stoutly and, as some asserts, was passing that store on his way home from work, and therefore not all involved in the riot. He was was taken into Hugh Devitt's saloon, corner of Spring and Court streets, where Dr. Longworth attended him. The bullet struck him in front, piercing the stomach. He also died in a few minutes after removal to the saloon. Deceased lived on Bartlett street, and the body was taken to his residence. He was a cabinetmaker by trade and a young man, twenty years of age.

In the same saloon was also taken John Hilrachi, shot through the calf of the right leg. He was attended by Dr. Kangworthy. He is a laborer and about thirty-five years of age. He stated that he was along Exchange street when shot and had nothing to do with the riot. He was at 86 German street. There is nothing to prevent his recovery.

LOUIS HAMP AND ELIAS SWANTON.

Both these persons were wounded and immediately carried to Dr. Ely's office on Pitkhugh street and cared for by Drs. W. S. Ely and W. H. Ely. Hamp was shot through the the thigh, the bullet penetrating the limb. He was also struck in the left arm, near the elbow. His condition was extremely critical. The physicians declared that the arm would probably have to be amputated, and that together with the wound in the thigh will render his recovery doubtful. He was removed to the City Hospital. He is a young man, a laborer, and lives at 8 Bay street.

Elias Swanton was, as far as ascertained, not seriously hurt. He had evidently been in the crowd when the troops charged, having received a bayonet wound in the back. He is a laborer, living at 150 Atkinson street, and a young man under twenty.

John Nolan was another victim. He was shot down on Exchange street in the place. It is believed that she set fire to the store, which is on the first floor and occupied by J. B. Shreve, who lives with Harriet at 141 Greenwich street. The woman seemed to be nearly overcome by smoke and liquor. She was taken to the Chambers street police station. An attempt was made to fire the same house about six weeks ago. Mr. Shreve has an insurance of $6,000.

FLASHES FROM THE OCEAN CABLES.

In apparent contradiction to the statement already telegraphed that the German authorities have ordered a trial of hostages in France, a special despatch to the London *Standard* says that the Germans have suddenly evinced moderation, and that the questions arising from the assassination of Bavarian soldiers in France will be settled without resort to rigorous measures.

SPARKS FROM THE TELEGRAPH.

Tom McGehan and his family have removed from Hamilton, Ohio, to Cincinnati.

Wainwright, under sentence of death for murder at Prescott, Arizona, has escaped.

William McGill and Peter McQuaker broke through the ice at Sing Sing yesterday and were drowned.

Thomas Babb was drowned in the Patcheco river, near Gilroy, and William Gray was drowned in Duck Creek, near Stockholm, Cal., on the 1st inst.

The Philadelphia *Ledger* says the Susquehanna Canal has been leased by the Reading Railroad for 999 years, with the intention of making Reese on Grace a coal depot for Southern shipping.

The question as to the title of Judge S. W. Jackson, appointed by Gov. Hoffman, or Judge Potter, elected by the people, to the judgeship of the Fourth Judicial District of New York State was decided yesterday before the general Term of the Supreme Court in favor of Judge Potter.

FIGHTING A BISHOP.

The Judge Resolved to Enforce the Injunction—Father Stack Flatly Contradicting the Venerable Bishop O'Hara.

WILLIAMSPORT, Pa., Jan. 3.—The Stack-O'Hara case came up before the Court to-day on a rule served on the Bishop, to show cause why he should not revoke his letter dismissing Father Stack from the pastorate of the Church of the Annunciation. There was no extended argument, and he Bishop did not appear in person. The points stated in the answer of the Bishop were that he denied the jurisdiction of the Court to require the defendant to answer; that the Court having refused to dissolve the injunction, and having continued it until a final hearing, had decided that the act of the defendant was null and void, and the complainant Stack was bound thereby; that the Bishop had removed Father Stack to Athens, Pa., with which arrangement he (Stack) seemed pleased; that the Bishop had taken appeal to the Supreme Court, and intends to prosecute the same without delay.

The affidavit of Father Stack sets forth that since the order of the court granting an injunction, the Bishop has violated the decree of the court by introducing Father Garvey, the priest of the Church of the Annunciation. These violations were under the instructions of the Bishop, and that the Bishop persists in interfering with Stack notwithstanding the order of the court, and by so doing is causing division and dissension in the church. That certain persons, with intent to evade the injunction, have clandestinely entered the church and removed the locks and fastenings, substituting others, thus interfering with said Stack. That he is unable to obtain access to said church, and cannot hold service therein.

Counsel for Stack stated that if the appeal to the Supreme Court is prosecuted without delay they will ask no further order from the Court; but, if the bishop directly or indirectly attempts to evade the injunction as it now stands, they will press this motion for a distinct revocation by the Bishop of his letter removing Father Stack.

The Judge, at the suggestion of Stack's counsel, cautioned all persons from any attempt to interfere with his ministrations at the Church of the Annunciation, and threatened summary proceedings against any person who should attempt to disturb his possession while the injunction stands. Father Stack has filed an affidavit in reply to the Bishop's answer, in which he acquiesces in his removal to Athens, and alleging that the Bishop failed to perform the conditions of the compromise which he (the Bishop) proposed.

THE COMEDY OF ERRORS.

An Officer Called In and Shot—A Boarder's Head Cracked—And the Thief Escaping Unharmed with the Plunder.

About 9½ o'clock last night the maid servant of Mr. Charles Swift, Jr.,