THE FIFTY-FIRST CONGRESS.

THE SENATE REJECTS VEST'S AMENDMENT ON THE TIN PLATE DUTY.

Senators Davis and Plumb the Only Republicans who Voted for It—A Long Debate on the Probable Effect of the Duty.

WASHINGTON, Aug. 14.—The House bill to ratify and confirm an agreement entered into by Commissioners on the part of the States of New York and Pennsylvania in relation to the boundary line between those States on the Delaware River was reported by Mr. Evarts from the Judiciary Committee and passed—without amendment.

Mr. Plumb, from the Committee on Appropriations, reported the Senate joint resolution, appropriating for the relief of destitution in Oklahoma the unextended balance of the appropriation made last April for the relief of the district overflowed by the Mississippi River, and it was passed.

The Tariff bill was taken up, the pending question being on Mr. Vest's amendment, offered last Monday, to reduce the duty on tin plate from 2 2-10 cents to 1 cent per pound. Mr. Mitchell addressed the Senate in defence of the high protective system, as being the policy to which the Republican party stands committed. He discussed in terms of commendation the bill as reported by the Finance Committee, qualifying his commendation, however, on the sugar question, and expressing the opinion that the provisions of the House bill on that point were preferable to those commended by the Finance Committee. His speech occupied two hours and a half.

He was followed by Mr. Reagan in an argument to controvert a position taken by Mr. Mitchell that Congress has the constitutional power to levy taxes in order to regulate trade and industries.

He was subjected by Mr. Mitchell to what he called a "catechism," the principal question in which was on what classes of imported goods he would have duties imposed in a tariff for revenue only—on those not produced in this country or on those produced here; and he replied that he would only have ad valorem rates; would tax tea, coffee, sugar, iron and steel, and woollen and cotton goods, and would have raw materials on the free list, but with a corresponding reduction of duty on the manufactures into which such raw material entered.

He characterized Mr. Mitchell's speech as an elaborate and ingenious argument for the subversion of the Constitution, in order to benefit the few at the expense of the many.

Mr. Plumb gave notice of an amendment which he would offer to strike out of paragraph 137 the provision imposing a duty on tin plate, and to add to the paragraph a provision to pay to the manufacturers of tin plate made in the United States a bounty of one cent per pound. He expressed great doubt as to the effect of the proposition of the Finance Committee. He doubted very much that it could permanently introduce into this country the manufacture of tin plates in quantities sufficient for domestic consumption.

A large number of other materials now entered into competition with tin plates for roofing for vessels, and for other purposes, and each of these materials would be increased in value by the increased duty on tin plates. For instance, galvanized iron was being used for roofing, and granite lined with silicate for pots. If the persons who proposed to engage in the manufacture of tin plates were also engaged in the manufacture of galvanized iron or of granite pots, and found that they could not make greater profits on the tin plates than they did on those other articles, tin plates would not be made. That statement did not need demonstration. Therefore, if out of the pending proposition American tin plate was to come, it would come by accident, or by a combination of circumstances that could not now be foreseen.

Mr. Teller expressed his belief that the effect of the proposed increase of duty on tin plates would be eventually to reduce the price to consumers.

Mr. Plumb repeated the word "eventually" as it was too indefinite.

Mr. Teller said he was willing to put the time at a year.

Mr. Plumb had no doubt that in time, if the manufacture of tin plates were entered upon in this country, one of the results would be to reduce the price, but he did not find in the present situation any ground for a reasonable presumption that even with the increased duty on tin plate there would be, in one year, or ten years, tin plate made in the United States to meet the local demand. He thought that the duty on steel plates and the admission of melt free of duty would have the effect of the production of tin plate in this country if the manufacturer chose to work for a reasonable profit, but the manufacturer was not willing to do this. He was willing to ask those men who were now proposing to manufacture tin plates not to exercise the power which they had got in the American Congress, and not to force an increase of duty on all the tinware used in the country, on every tin cup, on every tin plate and coffee pot, and on every yard of tin roofing in the United States, and instead of the increased duty to take a bounty of 1 cent a pound.

If they were reasonable men they ought to be willing to do that. He knew that when bounty was given in a tariff bill, Congress was entering on a sea that had no shore, but it was already in the bill on the sugar schedule. Sugar consumers were to be tempted by free sugar to consent to a bounty to home producers, and to forego the opposition which they would naturally feel at the indiscriminate increase of duties on articles that were almost as necessary and almost as largely used as sugar.

Mr. Edmunds asked Mr. Plumb whether he thought that the removal of duty on sugar would reduce the price of sugar to the consumers.

Mr. Plumb had no doubt of it, although he could conceive a condition of things, such as frost in Louisiana, or an insurrection in Cuba, under which the price of sugar would go up.

Mr. Edmunds referred to the fact that when the duty on coffee was reduced in 1872 and taken off entirely in 1872, the price of coffee in the United States went up; and when Mr. Plumb accounted for that fact by mentioning the imposition of an export duty by the Brazilian Government, his statement was corrected by Mr. Edmunds, who asserted, on the authority of a document from the State Department, that there was an export duty on coffee when the United States imposed a duty of 5 cents a pound on it, and that that export duty was not changed until five or six years after coffee was admitted free into the United States when the export duty was reduced.

Mr. Plumb wanted to know why if the increased duty on tin plate was not to increase its price to consumers the Senate was asked to increase the duty. He repeated that he would plead with those people who promise to manufacture tin plate to forego the power which they had in the Senate, and to take one cent a pound or two cents a pound bounty on the tin plate which they would actually manufacture.

He quoted Mr. Morrill's argument in 1883 against increasing the duty to two cents a pound, and said that not one single consumer of tin plate had asked for the increase. He intimated that the Finance Committee had not taken into account the condition of public opinion on the subject, but had permitted itself to be urged into overriding public opinion and disregarding the great mass of consumers.

Mr. Carlisle presented a letter which he had received to-day from the Commissioner of Labor, showing the labor cost in a ton of steel rails at three points—an establishment in the north of the United States, one in Great Britain, and one in Belgium. The cost at the first was given at $11.59, at the second at $7.81, and at the third at $8.10. He also read a letter received by him to-day from Charles W. Potts of Philadelphia, a large consumer of tin plate, to the effect that if a duty should be applied to all the rolling mills in the vicinity of Pittsburg for a price on a thickness of steel plate out of which canning tin plate is made, and that all, except one, said they could not make steel plates as thin as required, and that the one firm that could make them asked 5½ cents per pound, for them, untinned, while the present selling price of tin plate—duty, freight, &c., included—is only 4.22 cents a pound.

Mr. Aldrich accounted for that on the ground that as there was no demand in this country for steel plates of such extreme thinness there was no plant for rolling them, but he predicted that if the duty on tin plates was increased all the rolling mills would, in a very short time, be provided with the requisite plant.

Mr. Bate addressed the Senate in a general review and condemnation of the bill. He ridiculed the idea that the farmers would derive any benefit under it, and said that while "the voice was the voice of Jacob, the hand was the hand of Esau." The bill might be a revision of the tariff, but it was not a reduction of taxation.

The vote was then taken, and Mr. Vest's amendment was rejected—yeas, 26; nays, 30—Messrs. Davis and Plumb being the only Republicans voting in the affirmative. Mr. Ingalls did not vote and Mr. Paddock voted in the negative.

Mr. Plumb offered the amendment of which he had given notice, to strike out the clause imposing a duty of 2 2-10 cents a pound on tin plate, reserving the other part of the proposition as to bounty.

Mr. Higgins said that if Mr. Plumb's amendment meant that the plates should be put on the free list, it was the only consistent ground that could be taken by those who opposed the proposition of the Finance Committee. The rate of duty as now imposed was nothing else than a tax on all who used the article in any form. It was not high enough to promote domestic production or to enable the American manufacturer to make it, and it was just high enough to impose upon the people of the United States the maximum tax that the article would stand without promoting its domestic production. He was willing to concede that if there was any class that should be exempted from invidious taxation it was the class of farmers and of working people, on which this tax fell most heavily; but was it true that tin plate could not be produced in this country at as low a rate as it was now sold here? He thought it was not true. He referred to a table of prices from 1884 to 1889, showing, as he asserted, a steadiness of price that was not exhibited in any other manufactured goods.

If the article could not be produced in the United States and made cheaper to the consumers than it was now, it should be put on the free list. He believed profoundly in the necessity not only of a protective tariff but of a competitive tariff, and he believed that, until Mr. Cronemeyer or somebody else could manufacture tin plate and put it on the market, its price would not be lower to the American people than it now was.

Mr. Plumb withdrew his amendment and offered another making the duty on tin plate one cent a pound, and providing a bounty of one cent a pound on tin plate manufactured in the United States.

Without proceeding further in the matter the Senate, at 6:05, adjourned till to-morrow.

House of Representatives.

WASHINGTON, Aug. 14.—The first business in order this morning was the vote on sustaining the decision of the Chair, overruling the point of order made by Mr. Springer of Illinois, that the Nat McKay relief bill must be considered in Committee of the Whole. The decision was sustained—yeas 114, nays 31—the Speaker counting a quorum.

Mr. Struble of Iowa asked unanimous consent for the consideration of the joint resolution for the aid of the destitute persons in Oklahoma.

Mr. Baker of New York and Mr. Perkins of Kansas had telegrams read setting forth the need for such aid; but Mr. Walker of Kansas and Mr. McClammy of North Carolina objected.

Mr. Belden of New York asked unanimous consent for the consideration of the bill granting leaves of absence to per diem employees in the customs service.

Mr. Cheadle of Indiana objected, Mr. Cannon of Illinois remarking that the House could not afford in one breath to object to a bill for the relief of starving citizens of the United States in Oklahoma, and in the next to grant additional pay to Federal officers who were already receiving good salaries.

The House then resumed the consideration of the Nat McKay bill. After speeches in favor of the bill by Mr. Thomas of Wisconsin and Mr. Stone of Kentucky, and in opposition by Mr. Springer of Illinois, the latter gentleman moved to commit the measure to the Committee on War Claims.

No quorum was developed on this vote, and subsequent efforts to secure one proving unavailing, the House at 4:05 adjourned.

LIVE WASHINGTON TOPICS.

Things of Interest Happening In and Out of Congress.

WASHINGTON, Aug. 14.—Senator Vest to-day reported favorably from the Committee on Public Buildings and Grounds a bill appropriating $15,000 for the completion of the public building at Hoboken.

Acting Secretary Soley to-day issued the final sailing orders of the United States ship Baltimore in connection with the transportation of the remains of Ericsson. They are that the vessel shall weigh anchor immediately upon completion of the ceremonies attending the embarkation of the remains on the 23d inst. and start at once in the presence of the entire fleet participating on that occasion, on her voyage to Stockholm. Admirals Gherardi, Walker, and McCann are ordered to participate in the ceremonies with their ships, officers, and crews. When the Baltimore arrives at Stockholm the remains of Ericsson are to be transferred to the custody of the United States Minister to Sweden, and the vessel will proceed to Lisbon, Portugal, and there await the further orders of the department. She is expected to arrive at New York from Boston to-morrow to complete arrangements for the voyage.

The President has declined to grant a pardon in the case of Alva W. Butler, convicted in Oregon of robbing the United States mail.

Representative O'Neill of Pennsylvania to-day reported to the House from the Committee on the Library the Senate concurrent resolution requesting the President to convey to the widow of Gen. Ulysses S. Grant the desire of Congress that the remains of Gen. Grant be removed to and interred in Arlington National Cemetery. The committee report the resolution favorably, recognizing, they say, that it is simply an expression of the universal wish of the people of the United States.

The President to-day sent to the Senate the following nominations: Abram X. Parker of New York, to be Assistant Attorney-General, as previously stated for the press, approved July 11, 1890; John A. Williams of Arkansas, to be United States District Judge for the Eastern district of Arkansas; William Grimes of Oklahoma, to be Marshal of the United States for the Territory of Oklahoma.

District Commissioner L. G. Hine has tendered his resignation to the President. It is understood that his resignation is due to differences which have arisen between the Engineer Commissioner, Col. Robert, and the Civilian Commissioners.

The Republican Congress Committee completed its organization this afternoon. The Hon. Thos. H. Carter of Montana was elected secretary of the committee, and Edward C. O'Brien of New York treasurer. After Sept. 1 next the Hon. J. S. Clarkson of Iowa will participate actively in the management of the campaign as the representative of the Republican National Committee. Steps have been taken to have the subject of "Tariff Reform" discussed at the various county fairs in New York State, where it is expected there will be joint discussions with representatives of the "Free Trade League."

$200,000,000 CAPITAL PROPOSED.

The Mechanics' Co-operative Bank of Brooklyn Gets a Sub.

Building and loan associations are anxious to claim connection in one way or other with financial concerns of recognized reputation, and one recently organized in Brooklyn, under the name of the "Mechanics' Co-operative Bank," with a proposed capital of $200,000,000, has proved no exception to the rule. It opened about a week ago in the seventh story of the Thomas Jefferson building in Court square and issued a prospectus, announcing that the Kings County Trust Company was the concern's trustee and the Mechanics' Bank of Brooklyn its depository.

President Joseph G. Hendrix of the Trust Company, said yesterday that the use of its name was not authorized, and President George W. White of the Mechanics' Bank, said the same thing concerning that concern. Andrew Wall, who is announced in the prospectus as the President of the loan association, said he obtained permission from the Secretary of the Trust Company to use its name, and had taken the same liberty with the Mechanics' Bank because he personally deposited there, and presumed the bank would be glad to receive also the deposits of a concern with the $200,000,000 proposed capital which he had organized. He agreed, however, yesterday, on learning the position taken by Messrs. Hendrix and White, to abandon the use of the names of the institutions of which they are the heads. He says the attention of Mr. Hendrix and Mr. White was called to the matter by envious business rivals. The reason his association is called a bank, he says, is because that is the legal style for such concerns in Massachusetts.

The Socialists Are Against Fusion.

Thirty-three unkempt delegates from thirteen socialistic organizations met in Clarendon Hall last night to decide whether they needed the help of the Nationalist and Commonwealth parties in order to capture this State at the next election. Whether it was owing to the unlucky number of the organizations represented or a lack of interest in the meeting, no definite result was reached. Alexander Jonas presided, and asked the committee which had been appointed to consider the political situation to submit its report. The report was read, and then it took an hour of discussion in English and German to find out that the committee recommended that there be no fusion between the Socialists and any other party unless the other party came forward and sued for a fusion in a spirit of due humility. Hugo Vogh, one of the committee, said that many members of the Commonwealth party were disreputable, and that before a desirable union could be effected it would be necessary for the American workingmen to come up to the intellectual level of the Socialists. There were other speakers, and then the delegates went into executive session.

A Collision Costs Two Lives.

DANVILLE, KY., Aug. 14.—In a collision of freight trains last night on the Cincinnati Southern road Engineer Lon Simpson of Somerset and an unknown tramp were killed. The collision was caused by a misunderstanding as to what train should take the side track.

WAS SHE DRUGGED?

Young Mrs. Stevens Tells Her Story—Her Marriage to a Man She Dislikes.

Mrs. Frank E. Stevens, formerly Clara Fales of Newark, the young choir singer, who says her marriage to Stevens in New Haven was procured by fraud, changed her mind yesterday and consented to talk a little, if only to contradict the newspaper stories about her. She had persistently refused to say anything before. In describing Stevens she said he was the last man in the world that she would willingly marry; that he was short, stout, boyish looking, and had a red face and sore eyes. According to her story, she knew the wife of Frank's brother, having met her in Newark before she was married to Charles Stevens. She liked her and accepted an invitation to visit her in New Haven.

"I went to New Haven on July 4," she said, "and remained until the 15th. I was beginning to feel badly a day or two after my arrival. My head buzzed and whirled and my sight was blurred nearly all the time. At no time would this designing woman leave me to myself. I began to suspect that something was wrong. I detected an unpleasant taste about the coffee, and became convinced that something had been put in it. I refused to drink it after that, and the woman not only coaxed me to drink it, but almost forced the drugged stuff upon me. I began to feel that I was in some kind of danger and told Mrs. Stevens that I was going home. She labelled at me and said I wouldn't go home in a hurry. I demanded to know why not, and they told me that I had married Frank. I thought that they were joking, as I could not remember any marriage ceremony being performed, but it finally dawned upon me that I had been entrapped into a marriage. I made inquiries and learned the awful truth. As soon as possible I returned to Newark. Mother was not at home on my arrival, and I told her all when she returned from her visit four days later. I did not try to keep the matter from her.

"Stevens has called at the house three or four times since, and when I could not get out of his way I told him that I was not his wife by choice, and did not even respect him. I said I wouldn't live with him under any circumstances. The assertion that I promptly replied to the questions of the minister is untrue, for I have since learned through friends that I did not say a word. I firmly believe that if I am his wife the ceremony was performed when I was under the influence of drugs. I knew absolutely nothing about it until several days afterward. I haven't the faintest recollection of going to the minister's house, or of any kind of a ceremony being performed. There is not the slightest shadow of a memory of it in my mind."

Lawyer Charles A. Feik was retained yesterday to have the marriage annulled if possible, and has begun proceedings in New Jersey. He said yesterday that he was satisfied that the girl's story was true. He said a thorough investigation of the matter was now being made in New Haven. The statement was asked for, he said, on the ground that she was not only under legal age when the alliance was made, but that the marriage had been effected by fraud. He said that the girl's residence was given as Boston.

NEW HAVEN, Aug. 14.—Frank E. Stevens says the story told by Miss Fales and her mother is false.

"I proposed to her," said Stevens, "and at her request we were married quickly. I desired to wait until January, but she wanted to have the ceremony performed before she returned to Newark. We lived together here until July 15, and I understood that her mother wished her to marry a Newark lawyer named Quick, but Clara did not want to."

Letters in Stevens's possession make it appear that the girl considered him her husband, and addressed him as such.

FELL INTO THE HANDS OF A GANG.

Narrow Escape of a Handsome Mulatto Girl in Jersey City.

Mary Basset, a good-looking mulatto, 19 years old, who lives with her parents in Willow avenue, Hoboken, visited her sister in Jersey City on Wednesday evening. Returning home about midnight she met a young man to whom she was introduced two weeks ago. She stopped and talked with him a few minutes, and he told her he had better accompany her home because it was so late. She accepted his offer. When they were near the Delaware, Lackawanna and Western Railroad bridge, she says, he seized her and threw her on the ground. She struggled and screamed for help. Policeman McGurk ran toward her. The man struck her in the face then and ran away, with three other men who had been standing in the shadow of the bridge, and whom she had not seen before. McGurk called on the men to stop. They kept on running and he drew his revolver and fired two shots after them. This only made the men run the faster.

Jacob Bellin, who lives at 203 Erie street, Jersey City, was standing on the opposite side of the street from where the assault was committed, and when the policeman fired his revolver he also ran away. McGurk caught him near the Hoboken line. He took him to the second precinct station, where Miss Basset identified him as the person who had followed her. She did not say he took any part in the assault. He was locked up. When he was arraigned before Police Justice Stilsing there was no evidence against him, and he was paroled. Miss Basset said she could not remember the name of the man who assaulted her. The three men who were standing in the shadow of the bridge she had never seen before.

M'GONEGAL WANTS HIS BAIL REDUCED.

Says His Income is Only $3,000 Annually and His Property is Worth Only $500.

Recorder Smyth yesterday listened to arguments by Lawyers W. T. Birdsall and James Oliver for a reduction of bail in the cases of Dr. McGonegal and Mrs. Shaw, who are in the Tombs for having caused the death of Annie Goodwin. McGonegal is in for $20,000 bail and Mrs. Shaw for $3,000.

Dr. McGonegal's statement was that he was 70 years old; that he had practised medicine forty years; had from thirty to seventy-five patients a day, and was a family physician in 200 families in Harlem. His income, however, he said, was but $3,000 a year, since a large amount of his work was charitable. Annie Goodwin's, he said, was a charity case. His property would not bring over $500 if sold. Finally, Dr. McGonegal said his patients needed him and were suffering from his absence. Lawyer Birdsall said he could obtain $10,000 bail. Mrs. McGonegal's affidavit was read, declaring she could not get $20,000 bail. Mrs. Shaw's affidavit set forth that for three years she had not left her room five times until she was arrested, as she was subject to colds. She declared she was in danger of dying in the Tombs. She could get $10,000 bail.

Assistant District Attorney Bedford opposed the reduction of bail, and held the arguments of Mrs. Shaw and McGonegal up to ridicule. There were no patients, that any one knew of, who wanted to get Dr. McGonegal out of the Tombs. The Recorder took the papers and reserved decision.

The Brumfields Acquitted.

PARKERSBURG, Aug. 14.—The Brumfields, consisting of Paris, John, Albert, Morgan, and Charles Brumfield, and Howard M. Fry, who were indicted for the murder of T. Halley and W. McCoy, were tried before the Circuit Court of Lincoln county, and, as has been predicted, were acquitted. Some time in November Al Brumfield and his wife, who were going up Hart's Creek to church, were shot by persons hidden in the woods. Mrs. Brumfield is still alive with a bullet hole through her, but cannot survive.

Halley and McCoy, who were suspected, fled from the State, but were caught in Kentucky by the authorities, but before the officers could get them to the county seat they were surrounded, and their prisoners taken and shot to death. The Brumfield family and Fry were indicted for the murder, but it was not believed they would be found guilty. Their release and acquittal were greeted with enthusiasm and congratulations from several hundred of their friends and adherents.

A Missionary in Disgrace.

BALTIMORE, Aug. 14.—When Bishop James M. Thoburn of the Methodist Episcopal Church, who is the head of the South India Conference, came to this country recently he brought the news that the Rev. H. Shively, a missionary to India, had given up his parchments. The cause of the surrender has caused a stir in this section, where the Rev. Mr. Shively was well known. He received his education at Dickinson College, and after his ordination as a minister became a member of the Maryland Conference of the Methodist Episcopal Church. He married a beautiful young lady of Caroline county. About two years ago he determined to go as a missionary to India, and was transferred to the South India Conference. During his work there he became enamored of an Indian girl, whom he betrayed, and who has since been living with him as his mistress.

Closing Original Package Shops.

SIOUX FALLS, S. D., Aug. 14.—All the original package shops in this city except one have closed. It is argued that the Supreme Court decision which declared South Dakota's prohibitory law, as far as original packages are concerned, unconstitutional, killed that part of the law.

For summer complaints, diarrhœa, and all pains, Fond's Extract is unequalled. Buy the genuine.—Adv.

REVISING THE JUDICIARY.

DISCUSSION ON THE COMPOSITION OF THE COURT OF APPEALS.

Some of the Revisory Commissioners Argue that the Court Should be Enlarged, While Others Oppose Enlargement and Think the Jurisdiction of the Court Should be Limited to Certain Cases.

ALBANY, Aug. 14.—The Constitutional Commission met at 10 A. M. Mr. Choate, from the Committee on the Supreme Court, submitted the following as an addition to the report of that committee, as already published:

"Whenever any General Term shall be unable promptly and properly to dispose of the business of said court within a reasonable time, the Governor, upon the certificate of the presiding Judge of such court, may appoint from the Justices of the Supreme Court five persons, who shall hold an additional General Term in said department so in arrears so long as the necessity therefor shall exist.

"The Governor may also, in his discretion, require the General Term Judges of another department to hold an additional General Term in the department so in arrears so long as it may be necessary and practicable.

"Whenever a receiver of the property of a corporation is appointed by any court the State Treasurer shall be such receiver, and all legal business pertaining to receiverships shall be done by the Attorney-General.

"The Legislature shall carry out the provisions of this article by appropriate legislation."

The discussion on the report of the Committee on the Court of Appeals was resumed.

Mr. Townsend thought the court should consist of eleven members. Whether they should sit in one or two divisions should be left to the court. Mr. Marshall opposed an enlargement of the Court and said there was no sentiment among members of the bar asking for it. He intimated that he was not satisfied with the present arrangement. He did not favor the limitation of $1,500. Mr. Reynolds believed that the court should not be two headed. He was also opposed to a limitation of the cases. He did think that the court should be enlarged, and that while, for instance, in a court of eleven seven were sitting, four could be reviewing the cases.

Mr. Wood offered a resolution that the court be so enlarged that it could go on with its work without limiting its jurisdiction.

Mr. Fiero offered as a substitute the proposition of the State Bar Association for fourteen Judges sitting as one court. Mr. Gilbert moved to strike out certain portions of the report, offering amendments providing for the appointment by the Governor of seven Judges of the General Term for one year when the business required, dividing them into two courts, as now. The Governor should appoint a Chief Judge for the new division. During their labors in the higher court the circuit Judges should perform their work.

Mr. Cochran returned to the consideration of the original report. He thought the present court was too diligent in its work, as was evidenced by the number of voluminous opinions handed down during the past year. Often a second opinion was found necessary to explain the former one and make it more explicit, showing that the subject had been hastily considered. He said that the multiplicity of appeals had worked an injury to the State and were not to the interest of the appellants. The jurisdiction of the court ought to be confined to appeals in important cases as rendered a final appeal absolutely necessary.

The discussion was suspended for the usual recess. Before leaving the building the Commissioners paid their respects to Gov. Hill in a body.

At the afternoon session the discussion of the report of the Committee on Court of Appeals continued. Mr. Choate said that small causes were just as likely to settle important principles as large ones. He did not favor the $1,500 limitation. These small litigants should not be cut off from the Court of Appeals. He made a vigorous argument in favor of a court composed of seven Judges.

Mr. Ward offered a resolution to the effect that it is the judgment of the Commission that the Court of Appeals ought to be so enlarged as to enable it to properly and expeditiously dispose of the business that shall come before it without further limitation upon the character of or the amount involved in cases that shall go to such court.

Mr. Fiero offered the plan adopted at the last annual meeting of the State Bar Association, calling for a Court of Appeals of fourteen Associate Judges and a Chief Judge, and allowing two or more quorums of the court to sit at one time.

Mr. Adams offered an amendment, providing for a Chief Judge and fourteen associate Judges of the court. Said court may create two divisions of its members, to be designated respectively, the common law division and the equity division, and assign the proper business to each division. Each division shall consist of at least six members and the concurrence of four shall be necessary to a decision, which shall be the decision of the Court. The Court may provide rules for rearrangements and for the hearing of appeals before the full court, and also for the hearing of appeals from orders involving questions of practice only by a division consisting of not less than three judges, the concurrence of two of whom shall be necessary to a decision, which shall be the decision of the Court.

Mr. Cochran offered this: "Appeals shall be allowed to the Court of Appeals in the following cases: First—In a case in an inferior and local court on the certificate or order of the General Term of the Supreme Court that there is a question of law in the case which ought to be reviewed by that court. Second—In a case when the decision in the General Term is not unanimous, except that when a decision of affirmance is made with the concurrence of all the Judges no appeal shall be allowed. Third—In a case which in the judgment of the General Term there appears to be a probable error, a Judge of the Court of Appeals may allow a new trial."

Mr. Reynolds offered an amendment that the Court of Appeals consist of nine judges, of whom seven shall constitute a quorum. The concurrence of five shall be necessary to a decision, and all limitation of appeals shall be left to the Legislature.

Mr. Bush offered an amendment that the Court of Appeals shall consist of a chief judge and ten associate justices, and shall have such appellate jurisdiction as now is or may be provided by law. Seven justices shall constitute a quorum, and six shall be necessary to a decision.

Mr. Bush spoke briefly in favor of his amendment. He said he was opposed to the money limitation proposed. He thought the court should be maintained as a single body, merely increasing the number of its Judges so as to enable it to keep pace with the increase of its business.

Mr. Fiero favored a single court, as proposed in his resolution.

At the evening session Commissioner Gilbert offered an amendment providing that whenever there should be such an accumulation of causes on the calendar of the Court of Appeals that the public interests require a more speedy disposition thereof, but not more than once in every five years the said court may certify such fact to the Governor, who shall thereupon designate seven General Term Justices who have served the greatest number of years upon the Supreme Court bench, designating two each from the first, second, and fourth departments, to act as Associate Judges of that court, to serve for one year. Four of the Judges so designated and three Court of Appeals Judges shall form one division and three of the Judges so designated and four Court of Appeals Judges shall form a second division and both divisions shall form a Court of Appeals, with one calendar. The chief judge shall be such of one division, and the Governor shall designate the chief judge of the other division. Five members shall form a quorum in each division, and a concurrence of four shall be necessary to a decision.

The Governor shall also designate from the Supreme Court Circuit Judges in each department Justices to fill the vacancies caused in the General Term of that department by the designation of Court of Appeals Judges, and shall appoint from the bar in the respective departments a Justice to fill the vacancy in the Circuit Court. At the expiration of the year all the judges shall return to their bench.

Mr. Kellogg introduced a resolution that the Commission urge the Legislature to pass a law prepared by the Committee on Court of Appeals, embracing the following restrictive features as to appeals to the Court of Appeals from judgments of affirmance in civil causes, concurred in by five General Term Justices to wit, unless applicant in such cases shall secure a reversal or a material codification of the judgment appealed from, then he shall pay as costs in addition to the present taxable costs, a percentage upon the amount of the judgment appealed from, viz., Fifteen per cent. upon the first thousand dollars, 10 per cent. upon the next $9,000, and 5 per cent. upon sums above $10,000, but in no case a percentage amounting to less than $100 or more than $5,000.

Mr. Russell favored a court of seven judges with a limitation on appeals as suggested by the resolution of Mr. Cockran or that of Mr. Kellogg.

Mr. Hornblower also favored a court of seven judges, with a limitation on appeals, as proposed by Mr. Cockran.

Mr. Pierce argued for a court of seven judges, with no limitation on appeals, and wanted provision made for a commission on appeals.

The Commission adjourned to 10 A. M. to-morrow.

Fire Close to an Orphan Asylum.

A fire, which caused considerable excitement while it lasted, broke out at about 6 o'clock last night in a frame stable attached to the Howard Colored Orphan Asylum in Bean street and Troy avenue, Brooklyn. At one time it was feared that the asylum was in danger, and the inmates were prepared for an exodus, but the fire was confined to the building in which it originated. The loss will not exceed $300. It was caused by children playing with matches.

CO-OPERATIVE CLOAKMAKING.

The Men Open a Shop of Their Own and Have Plenty of Work.

The cloakmakers opened their first coöperative shop, at 101 Mangin street, yesterday. It was a great event among these people. It has always been the aim of the Cloakmakers' Union to reduce the cloak and suit industry to a system of coöperation, toward which the first step is the abolition of the contract or "sweating" system. The cloakmakers have entertained this idea for a long time, but it was only during the recent strike that it took practical shape. When all the plans had been discussed and submitted to men of experience, fifty of the best workmen were selected to make the first experiment. Each man contributed $3 to a common fund to defray current expenses and furnish a guarantee to the manufacturers in case any garments were spoiled.

A loft was hired on the third floor of a big building on the corner of Stanton and Mangin streets. The building is one block from the river, and it is safe to say that out of 4,000 cloakmakers who drudge in this city no one has ever before worked amid similar surroundings. The room is sixty feet long, about one-third as wide, and ten feet high. There are twelve big windows, through which the sunlight streams, lighting up the place in a manner which at first dazzled the eyes of the cloakmakers, accustomed, as the men were, to the dingy darkness of a hole in a tenement house. Opposite the building is a lumber yard, and over the tops of the big piles of boards the river is seen. Mr. Aerber, whom the men have named their foreman, said jokingly that the location was a very peculiar one, inasmuch as it combined the attractive features of the woods and the sea.

Arrangements had been made with a sewing machine company to place twenty tailors' machines in the shop, which are to be paid for on the instalment plan. A part of the capital of the enterprise had been invested in thread, silk, buttons, lining cotton, and other odds and ends which are needed to make cloaks. During the week Mr. Aerber had been going around among the manufacturers soliciting work, with the result that when the men reported at 8 o'clock yesterday morning they found 400 bundles of cut cloth waiting to be made into cloaks. They at once itched in, and soon there arose the energetic clatter of machines at work and men chatting. Everything went smoothly. Mr. Aerber went around, giving directions here and there, and admonishing the men to be careful and not spoil any garments. The men worked until noon, and then stopped for an hour to get something to eat. At 1 o'clock work was resumed, and for five hours the room presented a busy scene. As the whistles in the neighboring factories blew 6 o'clock the men laid down their needles and shears and carefully put their work aside. The shop was locked, and the men went home, happier and more contented than any of them had been since they landed in this country.

The rules of the shop are: Work from 8 to 12 and 1 to 6; no work on Sunday. When goods are paid for at the end of the week, expenses and assessments for the winter fund are to be deducted and the remainder divided among the men. The winter fund is to provide for the support of the men and their families during the dull season. The men have the refusal of the second floor in the same building until to-morrow. Should they get enough orders to-day to warrant opening a shop there, the loft will be hired.

MRS. GLEASON CALLS FOR HELP.

Mellhany Flies to the Rescue and Blackens Policeman Reddy's Eye.

James McIlhany saw a man and woman struggling in Washington and Montgomery streets, in Jersey City, early yesterday morning. The woman called to him for help, and he ran to her assistance. He seized the man, who pulled a billy from his pocket and struck him on the head with it. McIlhany hit the man in the eye and kicked him. Policeman Monahan, who had heard the struggle, ran up and arrested the whole party. The man who had been struggling with the woman said he was a policeman, and had the woman under arrest when McIlhany attacked him. He was in citizen's dress. He showed Monahan his badge, which he wore on his vest. Monahan ordered him to take the woman and McIlhany to the police station. He refused, and Monahan took the whole party to the First precinct station. There the man who said he was a policeman was identified as Patrolman Reddy of the Fourth precinct. He said he had arrested the woman because she had been disorderly. The woman said she was Mrs. Gleason of 47 First street, this city. She was waiting for a friend, she said, when Reddy insulted her. She resented the insult, and he arrested her. She did not know he was a policeman, and she resisted him and called to McIlhany for assistance. McIlhany's head was cut, Reddy's right eye was closed, and the other one was black, he was otherwise seriously injured. He went home. Mrs. Gleason and McIlhany were locked up. The charge against the latter was assault and interfering with an officer. The couple were arraigned before Justice Stilsing later. Reddy was so badly injured that he could not appear in court. Policeman Monahan told the Justice that Reddy had been drinking when he was arrested. The Justice paroled Mrs. Gleason and McIlhany until this morning, when Reddy's doctor said his patient would probably be able to appear in court. Reddy has been on the police force six years, and has a good reputation.

TREES FALLING BY THE THOUSAND.

New Railroads and Kindling Mills Menace the Adirondack Forests.

The Adirondack Park Association, which was organized in May to secure the Adirondack forests for a health resort, has been stirred to renewed activity by the progress which Frank Hurd is making with his Northern Adirondack Railway. Hurd, who lives in Malone, has already built a road from Moira, on Lake Champlain, to Big Tupper Lake, a distance of fifty six-miles, and he intends to connect with the New York Central Railway at Herkimer by a road to run parallel with the Rome and Watertown Railway. He owns 92,000 acres of land, on which he has cut down 5,000 or 6,000 trees for his seventeen charcoal kilns. He also owns one of the largest kindling mills in the State. The railway yet to be completed will, it is said, prove the destruction of countless more trees, so that the Adirondack region is likely to become valueless as a resort for sufferers from malaria and catarrh, as well as from lung troubles.

Dr. Martin Burke, secretary of the association, said last night that there was no need of this railway, as the region is already sufficiently accessible. He wants the State to forbid railways from entering the forest reserve, and to acquire in sufficiency lands covered with spruce, pine, balsam, and hemlock, so that there will forever be a health resort for invalids in the Adirondack region. The State already owns 100,000 acres of land well covered with such trees, and three times as much of land which has been more or less denuded of its timber. It may yet acquire 400,000 more acres if formerly owned, the title to which has lapsed because the North Creek Railway did not fulfil its obligations. Dr. Burke thinks it to be the duty of the State to acquire at least 1,500,000 of the 4,000,000 acres of woodland in the Adirondack forests. Such land would not cost over $10,000,000, he says, and a judicious cutting of trees would yield a revenue of $100,000 a year. The association intends to take active steps next winter to secure the necessary legislation to carry out its design. Among the members of the association's Executive Committee are Chauncey M. Depew, Thomas C. Platt, Lieut.-Gov. Jones, Warner Miller, Roswell P. Flower, William B. Grace, and S. V. R. Cruger.

This Immigrant Lied.

John W. Camish, a young Irishman, who came here on the White Star steamship Teutonic, complained to Detective Groden on Wednesday that somebody had robbed him of $6, his baggage check, keys, and a ticket to Scranton. The detective didn't believe John was telling the truth, and suggested that he should search his pockets. John hesitated, and Groden searched for him, finding several pounds and the baggage checks. John returned to the Barge office yesterday and repeated his story to Commissioner Jerome, who dismissed him, when pressed by Groden, that he had told a lie. He hadn't lost anything, and had given his railroad ticket to his sister, who came over with him. He expected to induce the Barge Office officials to get him free passage to Scranton.

Coroner Levy Gets a Badge.

Coroner Levy, Past Commander of Steinwehr Post, who went to the encampment of the Grand Army in Boston as a member of Gen. Alger's staff, was presented while there with a gold badge of the Independent Order of the Sons of Benjamin. The coroner is Grand Master of the order, which has eight lodges in Boston. He was met by a committee of twenty-four, and the party went to 22 Pemberton square, where the badge was presented by the Rev. Dr. Grossheinstein. The badge is round, and is suspended from two gold bars. On the upper bar is a spread eagle, and a G. A. R. shield is fastened to the lower rim of the badge. A solitaire diamond is set in the centre. The badge is valued at $250.

Kosmak Gets His $200,000 Check.

Emil H. Kosmak received yesterday the $200,000 check drawn on Wednesday in payment for the saloon whose site is to be devoted to the terminal facilities of the bridge. He will vacate the premises before Sept. 1. He will not resume business immediately because as he has kept a saloon for twenty-eight years he thinks himself entitled to a vacation.

Killed by a Spade.

August Fiddler of 114 Essex street, Jersey City, a foreman in Matthiessen & Weicher's sugar refinery in Jersey City, was superintending the mixture of some sugar yesterday afternoon when a spade which a workman was using got caught in a belt and whirled around, it hit the foreman in the head, killing him instantly. Fiddler was married and had four children.

KENTUCKY WHISKEY IN FLAMES.

Twenty-five Thousand Barrels of the Beverage Burned Up at Louisville.

LOUISVILLE, Ky., Aug. 14.—The immense distillery of the Kentucky Distilling Company, owned by Barkhouse & Co., was burned to-day. The fire was caused by the careless