LOCAL MISCELLANY.

THE FOWLER INVESTIGATION.

CITY COUNSEL DE WITT'S REVIEW OF THE HEMPSTEAD RESERVOIR MATTER—WHAT HE PROPOSES TO PROVE.

The investigation of the official acts of ex-Commissioner Fowler was continued yesterday afternoon before the Brooklyn Common Council. Fourteen Aldermen answered at the calling of the roll, and several came in afterward. Mr. Fowler sat near his counsel, Gen. Pryor, during the afternoon. The room was well filled with interested listeners.

City Counsel DeWitt entered at once upon the continuation of his opening speech, begun the day before. He reviewed briefly what he had already said in regard to the "water scare" of 1871, and then considered the act of 1871, which authorized the building of the Hempstead Reservoir. Upon the authority of this act, he said, plans were drawn and estimates made in regard to the amount of land needed and the probable capacity of the future reservoir. These plans called for 300 acres of land. When, however, the specifications for excavation afterward appeared, there were included over 200 acres more than in the first estimate. This extra amount of land was intended as a "spoil bank" for the contractors to deposit the excavations upon. Two years before the contracts were made it would be shown that Mr. Kingsley had exhibited a strong personal interest in the rate that would be allowed, so that his connection with the first plans could be easily detected. The work of excavation was of such an ordinary kind that any intelligent contractor could have performed it; the contract therefore should have, in all honesty, been thrown open to public competition. Instead of that the competition was confined to four men besides Kingsley and Keeney, all of whom were in some way connected with or dependent upon that firm. To prevent any persons of small means competing, there was a large reservation—20 per cent—and the security demanded was $150,000. The bids themselves were remarkable. Proofs would be furnished during the trial showing that for that excavation for which the city paid 55 cents a cubic yard, the really fair price was from 25 to 30 cents; that for what the city contracted to pay $1,000,000, half that sum would be a liberal payment.

Coming now to the administration of the contract the counsel said, even a worse condition of affairs was found. Less than 220 acres of the 500 acres that were to be excavated had been touched; that part that had been taken out was for the most part of sand, while the remainder was much more difficult to take out. There was, besides, a demand for extra hauling, and different material had been used in the stone lining of the dam from that called for by the contract.

The appropriation for the reservoir, Mr. DeWitt continued, was $1,400,000. When this was gone there was only a poor excavation and an unfinished dam. It was Mr. Fowler's duty to have found some means to finish the reservoir. It was acknowledged that $20,000 or $30,000 would complete it, but nothing was done to that end. Then followed the act of 1875. The Board of City Works claimed that this act permitted it to spend $300,000 to complete the reservoir. It attempted to keep the affair in that condition until the city became yield to its demands. But Mayor Schroeder in his first message showed that only $30,000 was needed to finish the work, and asked the Common Council to aid him in seeing that it was done. Subsequently Mr. Fowler offered a resolution to the Board holding Kingsley and Keney responsible for the use of the Hempstead Reservoir; and soon after the attempt was made to deprive the city of the control of the work, for which it had paid $1,400,000. But the Supreme Court denied such power in the Board. Then the city took the offensive position. There was a resolution passed by the Common Council on April 10, 1876, that the stone facing of the dam should be finished, and water-gates be constructed. On May 29 a further resolution was passed that if this charge were not obeyed a mandamus should be served upon the Board of Works, compelling it to complete the work. This position was sustained by the Supreme Court, and if the board had carried out the demands of the writ this action would not have been brought. It was because Mr. Fowler was principally instrumental in preventing such action by the board that he was suspended. The first charge, the counsel said, was that Mr. Fowler disobeyed the order of the Common Council, and the second that he did this in the interest of Kingsley and Keeney. The Mayor in his charges then pointed to the character of the men who were permitted to bid on the contracts; to the prices paid; to the quality of stone used in the lining of the dam; to the excavation of sand alone instead of too more difficult material; to the flagitious failure to finish the work; to the determination to spend $300,000 more, and hold the reservoir in useless condition until the demand was allowed; and by a proof of these facts the counsel proposed to show to the Common Council that the purposes of Mr. Fowler, throughout all these transactions, was not to act in the interest of the city, but to gain by its despoliation. As additional facts, Mr. DeWitt said that it would be shown that in 1872 Mr. Fowler was declared a bankrupt, with liabilities of $250,000 and no assets, and that since he had been Commissioner, with no other apparent income than the $5,000 salary of the position, his yearly bank account was $60,000.

The case will be continued this afternoon.

WESTERN UNION'S FINANCES.

THE REPORT FOR THE LAST FISCAL YEAR.

The annual meeting of the Board of Directors of the Western Union Telegraph Company was held yesterday at the company's offices, at Broadway and Dey-st. The President, William Orton, presented his annual report to the stockholders for the fiscal year ending June 30, 1876, from which the following is taken:

The gross receipts of the year from all sources were $10,034,983 66; the gross expenses, $6,635,473 69; and the net earnings, $3,399,509 97. This was an increase over the preceding year of 4 3/10 per cent in gross receipts, 4 7/10 per cent in gross expenses, and 3 6/10 per cent in net profits. At the close of the year the company had in operation 73,532 miles of line, 185,832 miles of wire, and 7,072 offices. Since the close, the company has acquired the lines of the Southern and Atlantic Telegraph Company and of the American Telegraph Company of Michigan. The number of messages transmitted during the year was 18,729,567, being an increase of 9 6/10 per cent over the preceding year, while the average toll collected on each message was 50 9/10 cents, and the average cost 33 5/10 cents. The cost of new instruments and apparatus for the year was $95,460 71, all of which was charged to working expenses. There were expended for repairs of line $563,847 32, and $286,779 35 for reconstruction, making a total expenditure for maintenance of line of $850,626 67, an increase over the previous year of $122,549 18. The capital stock of the company is $41,073,419, of which the company owns and has in the treasury $7,272,235. The bonded debt, on June 30, 1876, was $6,496,380; less amount of sinking funds and accrued interest thereon held by the Union Trust Company, trustees, $164,240 65; total funded debt, $6,332,119 35. From the net profits ($3,399,509 97) there was disbursed for three dividends, $1,858,200 50; for interest on bonds, $619,712 58; for sinking fund appropriations, $80,094, making a total of $2,458,007 08, and leaving a surplus of $941,502 89.

This report is followed by a statement of the condition of the International Ocean Telegraph Company, and remarks in regard to the money transfer service, the working of the pneumatic tubes, which is declared to be very satisfactory, and a general review of the Western Union Company's progress for the past ten years. The report was received and accepted, and the old Board of Directors was reelected for the current year.

INFORMATION ABOUT SILVER.

WHAT THE CONGRESSIONAL COMMISSION IS DOING.

The Silver Commission during the present week has been holding its sessions in the Post-Office building. A large number of circulars requesting information has been mailed to business men, bankers, experts, and others throughout the country, but to these few responses have been received as yet. Senator Jones said yesterday that the commission worked under disadvantages, owing to the limited time which was allowed it—until the next meeting of Congress—as all of the information from foreign countries would have to be elicited in response to inquiries by mail. The members of the commission need, however, to obtain a great deal of information in response to the printed series of questions which they have sent out. They spend several hours each day in discussion among themselves and in informal talks with practical men of business, who are frequent callers at their sessions. Among other visitors yesterday were Charles L. Tiffany of Tiffany & Co. and Frederick Kuhne. The commission will remain in session until the next meeting of Congress.

SALE OF JAPANESE GOODS.

At the Leavitt Salesrooms, yesterday, was sold a collection of Japanese goods, including ivory, enamel, bronze, porcelaine, and paper maché articles. The collection was one of unusual value, but the bidding was slow, and the goods were knocked down at low prices. A large *Cloisonné* enamel plate, with a diameter of 38 inches, was sold for $80. Many small articles sold at prices ranging from $1 to $5 each. Costumed figures, silken birds, card receivers, small trays, &c., were disposed of rapidly, while the more valuable articles were of slow sale. The goods which seemed to be in greatest demand were little gold and lacquer medicine boxes, with embossed designs of landscapes, birds, or animals. The bidding for these was very brisk, one gentleman purchasing several at prices ranging from $15 to $20. The following are among the other fine goods sold yesterday: Perfume box of the best old gold lacquer with two compartments and a tray, ornamented with painted figures of Chinese children in pure gold and colors, $72 50; smokers' tray, heavily mounted in silver and elaborately carved, $26; silver-mounted cabinet, richly lacquered and decorated, $25; pair of porcelain vases with designs in red and blue, $28; pair of bronze vases, with an Oriental design in leaf work and bands, $24; pair of Kioto bronze vases, with ornaments of gourd and vine, $23; silver-mounted ladies' work-box of gourd and lacquer with historical designs, $21. A large number of articles, smaller in size or of less elaborate design, were sold at prices less than $20. The sale will be continued during the remainder of the week at 3 p. m.

EMBEZZLING THE PROCEEDS OF A CHECK.

Henry Pollard, 19 years of age, nephew of Mr. Pollard, historian of the Southern war, and son of a former editor of *The Richmond Whig*, was arraigned in the Tombs Police Court yesterday on a charge of having misappropriated the proceeds of a check for $575, given to him to pay the duties on some goods in the Custom-house by his employer, C. T. Raynolds & Co., dealers in paints at Dutch and Fulton-sts. John Benke, his associate, was charged with being an accomplice. The two young men had been on a debauch together, and Pollard was arrested by Detective Musgrave in the West Side Hotel, at Sixth-ave. and Sixteenth-st. Both were committed in default of $1,000 bail.

LADIES' ART ASSOCIATION.

The first regular meeting of the Ladies' Art Association, opening its tenth season, was held yesterday afternoon, at the studio, No. 806 Broadway, with a large attendance, Mrs. Henry Peters Gray presiding. The subjects under consideration were the "Pictures at the Centennial," and the "Best Methods in Water-Color Painting." It was announced that an exhibition under the auspices of the association would be held the second week in December, and members were urged to contribute original pictures and works of art, and to invite lady artists throughout the country to send original designs in decorative, industrial, and high art. The class in painting on slate, silk, and panels, conducted by Miss S. D. Gilbert, has begun its work. The classes in drawing, painting on chinaware, porcelain, and tiles, will be opened the first week in November. Two new departments will be organized in November—Figure Painting, under the direction of William Morgan, and Modeling, under J. S. Hartley. Later in the season a class in Landscape Painting and Water-Colors will be established under Samuel Colman. Curious specimens of Japanese art have been given to the society by Mrs. Richmond L. Phillips. Miss Florence Granger has been appointed assistant custodian to the association, and Miss Rose, Miss Bartow, and Miss Monks, have been admitted to membership.

THE MURDERER OF JAMES GATELY UNKNOWN.

Coroner Woltman yesterday held an inquest in the case of James Gately, who was stabbed fatally on the night of Sept. 28, in an alley in the rear of No. 25 Marion-st., by an Italian, of whom he could give no description. Capt. Allaire arrested Giovanni Vazzi, who was suspected of the murder. Louis Perrie of No. 83 Crosby-st. testified that on Sept. 28 he was with Gately on the top floor of No. 25 Marion-st. drinking beer, which cost them two cents a pint. Between 7 and 8 p. m. they went down stairs, and as they passed through the alley two men rushed in. Gately was behind him, and as the men passed, one of them stabbed the witness and the other stabbed Gately. Not a word was spoken when the stabbing took place. The witness could not see the face of the men in the darkness, and could not identify the prisoner as one of them.

Giovanni Vazzi, the prisoner, said he knew nothing about the stabbing whatever. The jury rendered a verdict that Gately came to his death by a stab wound, inflicted at the hands of some unknown person. The Coroner thereupon discharged the prisoner.

PACIFIC MAIL'S ISTHMUS TRANSPORTATION.

A meeting of the joint committee representing the Panama Railroad Company and the Pacific Mail Steamship Company, recently appointed to arrange the details for a permanent agreement between the two companies in regard to transportation between this port and California by the way of the Isthmus, was held yesterday at the office of the Panama Company, at No. 7 Nassau-st. All the members of the committee, it was stated, were in favor of an arrangement similar to that made some time ago between the Panama Transit and the Panama Railroad Companies. After the joint committee has agreed, their action will have to be considered and approved by the boards of directors of the respective companies before the contract is made binding. Consequently, it will probably be several days before the question is settled.

MEETING OF THE BAR ASSOCIATION.

The regular meeting of the Bar Association, its first meeting after the Summer adjournment, was held last night at its rooms. The reports of the standing committees merely presented the fact that the club was solvent and reducing steadily its mortgage. Elliott F. Shepard stated that the call for delegates to form a State Bar Association had been so far answered that delegates from every county, with the exception of Essex County, had been appointed. Everett C. Wheeler asked an early discussion of the amendments proposed to Mr. Tweed's new code, which is to go into effect next May. After some discussion it was made the special order for the first regular meeting in November.

The Association adopted resolutions of regret for the loss of John P. Crosby and Edward H. Owen, E. P. Wheeler and Henry A. Crane speaking in eulogy of them. A committee was appointed to report an appropriate memorial of Judge Monell and Augustus F. Smith.

RAILROAD CONVENTIONS.

At the Fall Time Convention of general agents, superintendents and managers of railroads, held at the Windsor Hotel yesterday afternoon, about 40 railroads were represented. E. S. Flint, general superintendent of the Cleveland, Columbus, Cincinnati and Indianapolis Railroad, was chosen chairman, and W. F. Allen, editor of the Official Guide, was secretary. A committee of 15 was appointed to prepare the Winter time sheet, which will be issued next week.

The convention of railroad officials called to meet at the Windsor Hotel yesterday to take action with reference to freight rates will be held to-morrow in Detroit, in place of this city.

NEW ISSUES OF CITY BONDS.

The Board of Apportionment yesterday afternoon authorized the issue of assessment bonds to the amount of $215,000, and street improvement bonds for $1,267,500, to replace those falling due this year. It was stated that this issue of bonds would not increase the city debt. Assessment bonds for $100,000 were authorized to pay contractors for street improvements and $50,000 of Croton water-main stock. The Bureau of Municipal Correction was voted $25,000 to pay fees of counsel in the Ring suits. A resolution to authorize $25,000 for city park improvement fund stock was lost, on the statement of Comptroller Green that the money would not be judiciously expended.

THE BROOKLYN BRIDGE'S CRADLE ROPE.

The first cradle rope for the East River Bridge now lies on the wharf at the foot of the New-York tower. It is wound upon a reel six feet in diameter, weighs 35,000 pounds, and is composed of 7 strands of 19 wires each, making 133 wires in the rope. It was placed yesterday in a position favorable to its unreeling with readiness when the end is carried to the top of the tower and across the river to the Brooklyn anchor pier. Mr. Farrington, one of the engineers and master mechanic on the work, says he will probably get it across this week.

HAWAIIAN IMPORTS.

CLAIMS OF BOSTON SUGAR MEN REJECTED.

WASHINGTON, Oct. 9.—The Treasury Department has received and considered sundry appeals from decisions of the Collector of Customs at Boston assessing duty on sugars imported to that port subsequent to the act carrying into effect the treaty between the United States and Hawaiian Islands providing for the free entry of certain products of those islands, including sugar, on a reciprocity basis. The importations to which the appeals refer are respectively from the Dominican Republic and from Porto Rico, and the claim for free entry is based upon treaty stipulations with the respective countries from which the importations are made to the effect that no higher or other duty shall be imposed on the products thereof than are or shall be imposed on the like articles the product of any other foreign country. The claim of the appellants is rejected for reasons:

First: The privilege of importing free of duty certain products of the Hawaiian Islands is based upon a reciprocal privilege of like character with reference to certain products of the United States, the products of either country entitled to the benefits of such reciprocity being specifically enumerated. No such enumeration is found in either of the existing treaties with Santo Domingo and Spain, nor is the department in possession of any information, official or otherwise, which enables it to determine, in case it should decide to admit any particular product of either of those countries now dutiable to be entitled to what extent or under what conditions and as to what products of the United States such privilege would be reciprocated by them or either of them. Hence there would be no reasonable ground of certainty that such recip ctity would exist, and the duties on the importations in question might be waived without any corresponding benefit to the citizens or Government of the United States.

Second: The treaty stipulations upon which such claim is based may perhaps be construed to make it optional with the respective governments to take steps for the establishment of a system of reciprocity similar to that now existing between the Hawaiian Islands and the United States, but cannot, in the opinion of the department, be so construed as to justify the assumption that such system is by operation of laws already established.

Third: The products of the Hawaiian Islands are admitted free not by reason of the treaty alone, but by virtue of the act of Congress passed expressly for the purpose of carrying into effect and prescribing the conditions under which only it could become operative, and nothing is contained in the act which would justify the department in extending the privilege of said treaty to importations from any other country.

Another point made by the appellants is that under Section IX. of Article I. of the Constitution of the United States the port of Boston is entitled to all the advantages and benefit given by any regulation of commerce or revenue to any port of the United States. The provision of the Constitution referred to is as follows: "No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another." This point is overruled by the department leaving the constitutional question, if any be involved, for adjudication by the proper tribunal, and the appellants must consequently be remitted to their legal remedy, or to Congress, for any relief in the premises to which they may still deem themselves entitled.

EPISCOPAL MISSIONS.

PHILADELPHIA, Oct. 11.—The session of the Board of Missions of the Protestant Episcopal Church of the United States was resumed this morning at the Holy Trinity Memorial Chapel. After devotional exercises the board was organized for business, the Right Rev. Bishop Talbot of Indiana presiding, and was addressed by the Bishops of Niagara and Huron. A resolution was adopted extending to the Bishops of Nebraska an assurance of deep gratitude to Almighty God felt for the recovery of his health. The foreign committee presented a long report showing the state of their finances and the missionary work abroad. The report closes with a supplementary report and a renewed appeal to churches to assist them to carry on their work. The Rev. Wellington E. Webb read the eleventh annual report of the Commission of Home Missions to colored people. After reviewing the statistics of the schools in the South the report states that the property devoted to the use of the commission has been valued at $110,000, and calls for an enlarged support from all congregations. It was referred to a special committee of five.

OUT-DOOR SPORTS.

GREENWOOD LAKE REGATTA.

THE SINGLE-SCULL RACE FOR PROFESSIONAL OARSMEN AWARDED TO LANDERS.

The professional regatta for single sculls, 1½ miles and return, took place at Greenwood Lake yesterday under the auspices of the Greenwood Lake Sporting Club, A. H. Vernam being president of the regatta committee. The prizes were: First, $200; second, $100; third, $50. The race was to have taken place at 2 p. m., but there was a fresh westerly wind blowing, roughening the water considerably, so that it was 5:15 p. m. before the races began. Out of 13 entries six started, in the following positions, with respect to the western shore: Frederick Plaisted of New-York, John McKiel of Cresskill Station, Penn., Henry Coulter of Pittsburgh, Penn.; John Biglin of New-York; Edward Powell of Pittsburgh, Penn.; John A. Landers of Boston, Mass. The referee was Richard L. Neville of New-York, and the judge at the finish, F. H. Hamilton, captain of the Passaic Boat Club, Newark, N. J.

The signal for starting was given at 5:15 p. m., and Coulter took the lead, Landers starting last. About the end of the first mile Plaisted took the lead, rowing 40 strokes to the minute, and was the first to turn, with the others in the following order: Landers, Coulter, McKiel, Powell, and Biglin. This order was maintained to the end, the boats following each other at short intervals, with no difficulty or fouling. Plaisted held the lead easily, followed by Landers about six lengths behind. There was a struggle for a time for third place, but Coulter, feeling safe, slackened up just before the finish, allowing McKiel to cross the line only half a length behind him. The men came in in the following order and time for the three miles: Plaisted, 21 min. 45½ sec.; Landers, 21 min. 53½ sec.; Coulter, 22 min. 03½ sec.; McKiel, 22 min. 04½ sec.; Powell and Biglin, time not taken. At the close of the race Biglin rowed up to the referee's boat and protested against Plaisted, McKiel, and Coulter for turning the stakes in the wrong direction, and Landers's backers entered a similar charge against all the others for the same reason. The referee reserved his decision. The referee awarded first money to Landers, the second to Biglin, and the third to Powell.

POOLS ON JEROME PARK RACES.

If the weather is fair to-day, the great four-mile race for the Centennial Cup, where the stakes represent $6,000, will undoubtedly attract a great crowd of spectators to Jerome Park. Tom Ochiltree, Acrobat, D'Artagnan, and Big Sandy will contest for the prize, Tom Ochiltree being the favorite at large odds. The other four races will not be without interest. The first race, a mile-and-an-eighth dash for the Members' Cup, members of the club to ride, will enlist Waco, ridden by Mr. Center; Madge, with Mr. Purdy; Gray Friar, with Mr. Peet, and First Chance, ridden by Mr. Peters. The fifth race will be a hack race, for gentlemen riders, three-quarter mile dash, which will have the following starters: Sontier's gray horse, Center's brown mare, Peet's Pauline, Alexander's Pollywog, and Babcock's Persuader. Addlene is the favorite in the mile and a quarter race, and Shylock in the mile and three-quarters selling race. Pool selling on the races was not very brisk last evening owing to the excitement over the elections. Pools on three races were made as follows:

Second Race—Centennial Cup, four miles. G. L. Lorillard's Tom Ochiltree, $120; Scanes Acrobat, $41; Grinstead's D'Artagnan, $25; McDaniel's Big Sandy, $17.

Third Race, for three-year-olds, 1¼ miles. Athlone, $100; Wanlock, $55; Outcast, $40; Belle, $30; Center, $20.

Fourth Race—Members' Cup, $100; Partnership, $64; New-York, $50; Gray Friar, $40; Waterwitch, $29.

INTER-STATE RIFLE MATCH TO-DAY.

The team representing the Amateur Rifle Club will shoot to-day at Creedmoor in the inter-State rifle match, under the auspices of the Crescent City Rifle Club of New-Orleans. The targets will be placed at the 800, 900, and 1,000 yard ranges, and there will be 15 shots at each distance. Fourteen rifle clubs will participate, each shooting on its own grounds. They are the New-York City, Saratoga, Rochester, Ogdensburg, and Goshen of New-York; Chicago, Illinois; Providence, Rhode Island; Burlington, Vermont; North Manchester, Connecticut; Milwaukee, Wisconsin; Boston and Worcester, Massachusetts, and New-Orleans, Louisiana. The team representing the Amateur Rifle Club is composed of H. Ralhbone, I. L. Allen, L. Weber, Lieut.-Col. Farwell, Major Furlon, L. C. Bruce, Major H. S. Jewell, and F. Hyde. E. H. Sanford, A. Anderson, and L. Geiger informed Col. C. B. Mitchell, the captain of the team, that they could not accept positions on it. Major A. B. Leech, captain of the Irish Rifle Team, will represent at Creedmoor the competing teams shooting at other ranges.

YACHT RACE FOR THE LOUBAT CUP.

The start for the ocean yacht race for the $1,000 cup, presented by Mr. Loubat, the owner of the yacht Enchantress, to be sailed for by schooner yachts of all nations, of 100 tons and upward, will be made today. The Idler and Atalanta are the only yachts entered. The start will be from off Owl's Head, New-York harbor, over the regular regatta course of the New-York Yacht Club to and around the Sandy Hook lightship, thence to and around the lightship on Five-fathom Bank, off Cape May, and return to Sandy Hook lightship. The signal will be given at 3 p. m. The owner of the vessel winning the prize will be required before it is delivered to sign a declaration that the sailing regulations have been complied with.

BASE BALL.

About 200 persons witnessed the game on the Union Grounds yesterday between the Mutual professional Club of Brooklyn and the amateur Olympic Club of Paterson. Both clubs played a good fielding game, except in their second inning, when the Olympics made three errors and allowed the Mutuals to score four runs, which gave them the game by the following score:

	1st.	2d.	3d.	4th.	5th.	6th.	7th.	8th.	9th.	Total.
Mutual	0	4	0	0	1	0	0	0	0	—5
Olympic	1	0	0	0	0	1	0	0	2	—4

ARTICLES IN BULK DEFINED.

Questions having arisen at some of the principal ports relative to the meaning of the term "articles in bulk," as used in the 20th section of the act of July 14, 1870, and in Section 2,960 of the Revised Statutes relative to the entry of dutiable merchandise for immediate transportation to an interior port without appraisement, the following general rules are prescribed by the Secretary of the Treasury for the information and guidance of officers of the customs:

The commercial significance of the term "in bulk," viz., that it has reference to such articles as are usually packed or stowed in the importing vessel in a loose state, as contrasted against the phrase "package goods," or those inclosed in boxes, barrels, bundles and the like, is, in view of the intent of the act referred to, deemed by the department as necessarily qualified by the condition annexed to the privilege by the terms of the act itself, viz.: That such an examination of the merchandise may be made as will satisfy the customs officers that the same corresponds with the manifest and invoice. Wafle, therefore, the department holds generally that only such merchandise as is either inclosed in boxes, barrels, or other outside covering, or wrappers duly marked and numbered, or put up in separate and distinct bundles or packages also duly marked and numbered in such a manner as to admit of satisfactory identification, is entitled to the privileges of the act, it nevertheless reserves the right to designate from time to time such particular articles commonly shipped in bulk as may under suitable conditions be deemed fairly within the scope and intent of the act. In accordance with the views above expressed, the department hereby designates railroad and bar iron, when the number of rails and bars is duly specified in the consular invoice, and found on examination to be correct, as entitled to the privilege of immediate transportation, as aforesaid; provided, however, that there shall not be any noticeable disparity in the size and weight of the respective rails or bars.

COTTON CROP REPORT.

AUGUSTA, Ga., Oct. 11.—The following is the crop report of the Augusta Cotton Exchange: The weather from the 1st to the 10th, in some counties to the 12th, was very dry, causing general shedding of the young top crop and rapid and somewhat premature opening of the grown bolls. From the 10th to the 12th some heavy winds and rainstorms were general in this section, blowing and beating some open cotton and injuring the quality of what was open. The damage suffered by the crop is mainly from dry rust and consequent shedding, and probably amounts to from 15 to 20 per cent. Picking is progressing very rapidly. Three-fourths of the crop is open. Large numbers of extra hands are employed at cash wages to gather it. Probably half the cotton is picked. The yield is reported about the same as last year. The loss suffered by planters from Aug. 19 to Sept. 10 was so great a percentage of their previous expectations that now many are inclined to underestimate the yield. But in all probability this section will make about 10 per cent more cotton than last year.

AMERICAN INSTITUTE OF ARCHITECTS.

PHILADELPHIA, Oct. 11.—The American Institute of Architects began its tenth annual convention in this city to-day. In the absence of the President, Vice-President Thomas H. Walter occupied the chair. The annual address was delivered by the secretary of the Institute, A. J. Bloor of New-York, his subject being the American school of architecture, which, he said, was growing up in this country, and the influence of the institute in the education of the cultured classes of the community to appreciate the architects' just claims was being felt. The remainder of the public session of to-day was occupied in listening to reports on various subjects.

A correspondent wants to know if the Hon. G. A. Finkelnburg, Republican candidate for Governor, is not an Atheist. We are confident that he does not go further in that direction than to deny that the Almighty created the Democratic party.—(St. Joseph (Mo.) Herald.

THE COURTS.

THE SINGER WILL CASE.

TERMINATION OF THE LEGAL CONTEST.

Surrogate Coffin of Westchester County yesterday granted an order authorizing David Hawley, executor of the estate of the late ISAAC M. Singer, to pay $10,000 to each of three children of Mrs. Mary Ann Foster and Mr. Singer, for their support and maintenance in anticipation of a full settlement of the affairs of the estate. The counsel of Mr. Hawley interposed no objection to the order being granted, inasmuch as an agreement had been arranged with Mrs. Foster for the termination of all legal controversy in the case. Upon the rendition of Surrogate Coffin's decision against the claim of Mrs. Foster as the widow of Mr. Singer, and the confirmation of that decision by the General Term of the Supreme Court, the counsel of Mrs. Foster announced his intention of carrying the case to the Court of Appeals, and began a suit to recover damages alleged to have been sustained by her, by being dispossessed of a house and furniture given to her by Mr. Singer, and by the non-payment of $50 per week, according to the terms of an agreement entered into between herself and Mr. Singer. Taking a considerate view of the case, the executor of Mr. Singer, with the advice and consent of his counsel and the other persons interested in the matter, the sum of $75,000 which had been previously offered to Mrs. Foster in full settlement of all her grievances was recently again tendered to her, which she has now accepted.

VALUE OF A CLERK'S SERVICES DENIED.

The trial of the case of Henry P. Antes against Oliver H. P. Archer was begun yesterday afternoon, in the Supreme Court, before Judge Donohue. This is a suit for $16,222 50 on five causes of action, brought by Antes for services as bookkeeper and accountant for the defendant in his personal capacity and as receiver of the Stuyvesant Bank. The plaintiff testified that he became a bookkeeper in the office of the Erie Railway Company in 1871, and that the defendant agreed to give him $200 a month for his services, but during eight months he received only $150 a month, Mr. Archer saying that he would make it right; that $400 of that claim is unpaid, and that $260 is due for making up the defendants' accounts as receiver of the Stuyvesant Bank in 1873. The plaintiff also claims $1,462 58 for services to the defendant from 1872 to 1874. Antes further asserts that in 1872, when the defendant was obliged to resign the Vice-Presidency of the Erie Company, he went into his employment; that he drew up certain statements showing the financial condition of the Erie Company by order of the late James Fisk, jr., and that the defendant was interested in proving the mismanagement of the financial affairs of the Company; that a certain dividend was fictitious and fraudulent in order to affect a change in the directors; that the defendant agreed to give the plaintiff $10,000 for preparing the necessary statements and collecting the proofs. The plaintiff also mentioned other services, for all of which he claims $16,222 50 with interest. The defendant claims that he paid the plaintiff in full, and denies the value of his services as alleged.

TRIAL FOR MURDER WITH A CART RUNG.

Robert Garrity, who was indicted by the last Grand Jury for the murder of John Smith at No. 509 West Thirty-eighth-st. on the night of July 4, was put upon trial in the Court of General Sessions before Judge Sutherland yesterday. On the evening of the murder Garrity met two girls named Catharine Brand and Elizabeth Wolf in Thirty-eighth-st., and, it is alleged made an insulting remark to one of them, afterward following and striking one of the girls in front of the house where Smith was sitting upon the steps. Smith interfered and gave a blow to Garrity, whereupon the latter ran across the street and seized a cart-rung, with which he struck Smith upon the head, fatally injuring him. Smith died three days afterward. The case continued all day. On the part of the defense it was claimed that the prisoner was intoxicated and had no intention of striking the fatal blow.

THE HOUSE TRAGEDY.

In the Mercer County Oyer and Terminer Court at Trenton, N. J., yesterday, Irene A. V. House was arraigned upon the charge of killing her husband, Orson A. House, in July last, near this city. She pleaded not guilty, and her trial was set down for Monday next. The brother of the late Mr. House was present and applied to the Board of Chosen Freeholders to have the Attorney-General employed in prosecuting the case. There were no other bills for homicide found by the Grand Jury, notwithstanding the contrary statement recently made.

CIVIL NOTES.

Surrogate Calvin has entered an order authorizing either the public or private sale of the entire personal property of the late Judge Connolly.

The greater portion of the naturalization papers issued in the United States District Court without the approval of Judge Blatchford have been returned for proper indorsement.

In the case of the New-York and Staten Island Ferry Co. against the Mayor, before Judge Barrett, in Supreme Court, General Term, the motion to make John H. Starin a party defendant came up yesterday, and was put over until Tuesday next.

The report of Joseph J. Osborn, referee, on the accounts of the receiver of the estate of ex-Judge McCunn, shows the receipts to have been $7,771 80, which, with a balance of $927 04 already reported, makes a total of $8,698 84, out of which were paid taxes, assessments, etc., amounting in all to $7,742 29, leaving a balance of $956 55.

In the case of William S. Wiley and others against John H. Carew, before Judge Larremore in Supreme Court, Circuit, Part III., yesterday, the plaintiffs obtained a verdict of $832 60, the full amount of their claim. The plaintiffs are from Chicago in Washington-st., and they claimed this amount for 50 barrels of lemons shipped to the defendant in Detroit. The defendant claimed the lemons were spoiled on their arrival, owing to unskillful and improper packing.

A sealed verdict was given yesterday afternoon in the case of Henry T. Eldridge against Robert H. Corbett, before Judge J. F. Daly in Common Pleas, Trial Term, Part III. This suit was brought for about $800, carriage hire for the transportation of witnesses during the progress of the Harding will case. The defendant, who hired the carriages, claimed that he did so as the attorney of Mrs. Harding, and was therefore not responsible. It is claimed, on the other hand, that the defendant said if Mrs. Harding did not pay the bill he would.

The suit of Terence J. O'Brien against the city for $10,000 damages for breach of contract was dismissed yesterday afternoon by Judge Donohue in the Supreme Court. From the complaint it appeared that in 1870 Wm. M. Tweed gave the plaintiff a contract as the lowest bidder for making a sewer in Union-square, and after the work was begun, advertised for new bids and took away the contract from him, because, as it was stated, he necessarily had to interfere with the cars of the Forty-second-st. Railroad. The answer was neglect and delay by plaintiff, so that Tweed, after writing three or four notices to him, advertised for fresh bids, under the terms of the contract.

Some time ago the Security Insurance Company sued Daniel Drew, John Inglis, and others, stockholders of the New-Jersey Steam Navigation Company, and obtained $6,000 damage, for the sinking of a ship insured by the plaintiff. This was in May, 1868, at the time when the company's charter expired. When execution was levied it was returned unsatisfied, the defendants having sold the boats and divided the returns. The defendants are now sued personally, as having money belonging to the company, and Judge Van Vorst, in Supreme Court, Special Term, gave judgment holding each of the defendants responsible. The case was argued before the Supreme Court, General Term, yesterday, on appeal by defendants, and decision was reserved.

CRIMINAL NOTES.

At the Washington Place Police Court yesterday, Mary Baker, arrested for the larceny of silk dresses of the value of $200 from Mrs. Martha W. Ferry of No. 205 West Twenty-fifth-st. on Sept. 1, was detained in default of $1,000 bail.

The criminal branch of the United States Circuit Court was opened yesterday, with Judge Benedict presiding. The case of John Vela, the alleged giver of "shanghai" drink and the Joseph Newbours, for perjury, were put upon the calendar for to-day. The case of Capt. Gentile, charged with inhuman treatment of his crew, was set down for Friday.

At the Tombs Police Court yesterday, John Gleason, for the larceny of a cloth coat, valued at $25, from the house of Benson Van Riper at No. 4 Canal-st., was detained in $1,000 bail.... Pierce Dobbin, on complaint of Robert A. Tracey, Sanitary Inspector, was held in default of $500 bail for keeping a large number of geese on the premises at No. 81 bayard-st.

Thomas Conory of No. 35 Macdougal-st. charge Milton Curry at the Washington Place Police Court yesterday with having fraudulently obtained from him a check for $575 on the Bull's Head Bank. He asserts that on May 15, Curry, who is a dealer in horses at No. 214 West Forty-seventh-st., brought to his livery stable at No. 35 West Twenty-third-st. a number of horses to board, pretending to be the owner of them. On Aug. 23 he took them away and wished to borrow some money, promising to return it when he sold the horses. The complainant gave him a check for the sum mentioned on Van Tassel & Kearny, and he received the amount at the bank. Subsequently it was ascertained that the horses were owned by a man named Frederick Hall, who was required of Curry in $1,000.

UNITED STATES SUPREME COURT.

WASHINGTON, D. C., Oct. 11.—The following arguments have been held in the United States Supreme Court:

No. 4—Kimbal et al. agt. Evans et al.—Error to the Supreme Court of Ohio. This cause presents two questions of the right of removal from State to Federal courts. First, whether the conditions as to citizenship of the parties were such as to entitle the plaintiffs in error to a removal of the cause, one of them having removed his residence from the state after the commencement of the action; and, second, whether the petition for removal was filed within the act of 1867, the trial not being an interlocutory hearing. G. W. Hartley for the plaintiffs in error. H. E. Paine for defendant.

No. 7—Grymes agt. Rappiler et al.—Appeal from the Circuit Court for the Eastern District of Virginia. This is a contest concerning a tract of land in Orange county, Va., the question being whether a certain party purchased it from Grymes and sold it to Rappiler and others, or whether that party acted as the agent of Grymes and sold it directly to the appellees. This is the chief question, and it was decided below that the sale was a direct one, and that the party was the agent of Grymes and not his grantee. C. Robinson for appellants; E. S. Stanton and G. M. Dallas for appellees.

No. 9—Shine, executor, et al. agt. Chapin, executor; error to the Circuit Court for the Eastern District of Minnesota.—This cause presents the question whether a party in order to show himself to be the executor of a deceased person who resided in another State, and his authority to maintain an action as such, may offer in evidence a certified copy of the last will of such person, and of letters testamentary thereto. It was decided below that such evidence was competent to show the office and authority of the executor, and it is here contended that the will and letters were not evidence of the title claimed, and that they should have been excluded. No rights, it is said, are given to foreign executors in the different states except by express legislation. W. P. Clough for plaintiff in error; Dennis and Homer for defendant.

DECISIONS—OCT. 11.

Supreme Court—Chambers—By Judge Barrett.—Matter of Murphy et al.—I would like to see counsel about this matter. Dunn agt. Handbode.—Motion granted. Cuad agt. Guad.—Report confirmed, and judgment of divorce granted. Matter of Austin.—Report confirmed, and order granted. Church agt. Dowling.—Motion denied, with $10 costs; this demurrer should be formally argued at Special Term. Dodge agt. Colburn.—The defendant's examination is not sworn to, and there is no reason shown for the appointment of a receiver, as the examination discloses that a Mrs. Barton has a mortgage thereon.

Special Term—By Judge Lawrence.—Roosevelt and ano. agt. Roosevelt et al.—Pleadings settled, and judgment signed.

Superior Court—Special Term—By Chief-Justice Curtis.—Hirsch et al. agt. McCollom.—Defendant's motion to set aside judgment on the ground of irregularity denied with costs; see memorandum. Rochereau et al. agt. Wolf et al.—Motion granted.

By Judge Van Brunt.—Fleishein agt. Houseman et al.—Order settled. Bruce et al. agt. Shook.—Order settled and signed