THE POLICE.

[Before Mr. U. S Commissioner A. H. Smith.]

The Bark A 1.

By order of Judge Cadwalader, depositions in regard to the seizure of the bark A 1 were taken yesterday before Mr. U. S. Commissioner Smith. The evidence which we present below will be read with interest, but there is nothing in it to warrant the detention of the vessel. Chief Franklin, of the city detective force, will be examined to-day, and it is believed that his testimony will throw considerable light upon the affair, and thus solve the mystery.

U. S. District Attorney Coffey appears for the prosecution; Theo. Cuyler, Esq., for the defence.

In the month of December last the bark A 1, Captain Crosby, was seized on the Delaware by Chief Franklin and the military authorities; the officers, crew, and pilot were ironed and taken to Fort Mifflin. The stewardess, known as Harriet Lane, was also taken to Fort Mifflin. The prisoners were confined here sixteen days, when they were released by an order issued by the Hon. Mr. Stanton, Secretary of War. The vessel was also released, and a clearance having been given by the Collector of the port, the vessel started down the river. Her cargo consisted of eleven 11-inch guns and three thousand shell, shipped by the Government, and thirty eight tons of powder, shipped by the Messrs. Dupont, of Wilmington, Delaware. The balance of the cargo consisted of seven hundred tons of coal and some other things. The vessel was owned by a Mr. Hall, of New York, and her destination was San Francisco, California.

Upon information lodged by Chief Franklin, of the detective force of the city, with United States District Attorney Coffey, upon application of its law officer, issued a process for the resei zing and detention of the vessel. The attachment was placed in the hands of United States Deputy Marshal John Jenkins, and this officer, a few days since, seized the bark A 1 in the Delaware, near Chester, and detained her.

The subject was brought to the notice of Judge Cadwalader in the Admiralty Court, and his Honor directed the necessary affidavits to be taken upon which to form his judgment. The case having come up thus calmly and legally before Commissioner Smith, the following evidence was elicited:

Harriet Lane, the stewardess of the bark A 1, was called to the stand. On being sworn, she testified that she resided at No. 56 Pike street, New York; was born in England; on Monday the 7th of December last, went to Mr. Davis, shipping master in New York, No. 111 South street, and asked him if there was any vacancy for her; he said he wanted a good stewardess to go to San Francisco; I told him the terms, and he said that he would telegraph to Philadelphia and let me know the next day; he said that Capt. Crosby would be in New York in a day or two; Capt. Crosby came on the following Wednesday; I agreed to go with him as stewardess of the bark A 1; went to the shipping office of Mr. Davis on the following Friday morning; Mr. Davis went to the oars with me at noon on that day, bade me good bye, and told me to be ready when I reached San Francisco; he told me where the bark A 1 was lying at the port of Philadelphia, and gave me the address; this address was taken by Officer Franklin when the bark was seized in the first place, and letters from my brothers in England, children, and lady friends were also taken by Officer Franklin; also a letter from Joseph Castor, the steward of the steamer Eliza Clyde.

A letter was here shown dated at Wilmington. This letter was written at Wilmington, Del., and not North Carolina.

The witness continued: The photograph of myself and friends was also taken by Officer Franklin; when I was coming from New York to Philadelphia a lady occupied a seat alongside of me; she commenced talking about the war; I told her I was a bad business; I also said that I thought England was greatly influenced by Mrs. Stowe and her works; I told this lady that I did not believe the works of Mrs. Stowe; she disagreed with me, and left the seat; a gentleman sitting behind me said the conductor of the cars wanted my ticket; I gave my ticket up, and the gentleman remarked that my lady friend had gone; I replied yes; he then said that she was going through the cars in search of a rebel.

I said, "Well, I am no rebel; I am no more of a rebel than she."

This gentleman asked me if I did not hear Mr. Davis say I was going to San Francisco. I replied "Yes."

"Are you going to Philadelphia?" said he.

"Yes," *I replied.*

He then said that he was master of a steamer, and he did not know of any going from Philadelphia to San Francisco.

I replied that I was going in a sailing vessel.

He asked me her name, and I replied "*A One.*" He then burst out laughing at me. I asked him the reason why he laughed, and he said, "*That's no name at all.*"

He asked me to let him see the address; I showed it to him; don't recollect any other conversation had at that time.

When I arrived in Philadelphia I went on board of the bark A 1; this was the 12th of December; I never said in conversation with any one anything about the Chesapeake; I never said that I was on the Chesapeake; I did not ask the gentleman in the cars if he was a Southerner; he did not tell me he was; I did not say that I would be something done in Philadelphia greater than the Chesapeake affair; I never said there would be a vessel seized in the Delaware to any one; I made my own agreement with Captain Crosby to go to San Francisco; I came to this country in 1854, and went to my brother in Indiana, then went back to England; from there went to Australia and then back, with four children, in 1858; went from London to Prussia and Denmark; I there got into the La Porte trade; I shipped in Bombay then to New York; I made one voyage from New York than in England; I shipped in the James S. Green, belonging to Captain Collins; this vessel run between New York and Philadelphia; have boarded at the Sailor's Home, New York; have sailed in the Mont Blanc to Bermuda; this was in November, 1862; next to Apalachicola; then to New Orleans; I have been on board the Lucinda, Captain Henry Cooper, of Bermuda; he said he would have his vessel and protect his property; have been to Bermuda twice since the war broke out; have never been at Wilmington or Nassau; don't know any Englishman in New York named Craig; never heard any one on board the "A 1 One" say anything about the vessel would be captured; don't know now I fell on the cars at Bordentown; I have never taken passage on any vessel to run the blockade; never had such a proposition made to me; I shipped with Northern men; I told Capt. Crosby not to sail me Mary, but to call me Harriet Lane; he said that made no difference; when I was seized I was put on board a steamer, and detained one night before going to Fort Mifflin.

The witness undergoes a long cross examination, conducted by Mr. Cuyler, mostly in relation to the treatment the captives received. On this subject Mr. Cuyler commented with great severity.

The hearing adjourned, and will be recommenced to-day. It is expected that Chief Franklin will be examined.

[Before Mr. Alderman White.]

Challenge to Fight—Assault and Battery.

A case of more than ordinary interest came up before the police magistrate at Kensington one day afternoon. Captain Cushing, of the military, and E. M. Sheppard, were arraigned on the charge of challenging H. G. Major, the proprietor of a drug store at the Continental, to fight. It seems that Mr. Major was attacked by several parties, some of them in military uniform, and was assaulted in a mean way, while he was walking along the street. It is alleged that Capt. Cushing sent a challenge to Mr. Major, and that Mr. Sheppard conveyed it to the challenged party. Major took no particular notice of it. On Wednesday night, as he had just entered the Continental, he was suddenly assaulted by Captain Cushing, who called him a coward for not accepting the challenge. There were some other epithets, that we decline publishing, used at the same time. In a moment thereafter five persons made an attack upon Mr. Major with loaded canes, but he escaped without serious injury. Captain Cushing was required to enter bail in the sum of $2,000 to answer. Mr. Sheppard in the sum of $1,000, to answer. There was another party arrested, who was held to bail for his appearance. What gave rise to the quarrel was not publicly stated. The law in reference to challenging parties to fight is as follows:

Section 25 revised penal code: If any person within this Commonwealth shall challenge another, by word or writing, to fight a duel with a sword, rapier, pistol, or other deadly weapon, or if any person shall accept such challenge, in either case such person giving or sending or accepting any such challenge shall be guilty of misdemeanor, and being convicted thereof shall be sentenced to pay a fine not exceeding five hundred dollars and to undergo an imprisonment by separate or solitary confinement, at labor, not exceeding three years.

Section 26 provides that if any person shall carry or deliver such challenge, or verbally declare the message purporting to be a challenge, or shall consent to become a second in any such intended duel, he shall, upon conviction, be fined not exceeding $500, and imprisoned not exceeding two years.

Section 27 provides that if any person shall know of any such challenge, and fail to give information, and does not inform the authorities, he shall, upon conviction, be sentenced to a fine not exceeding $50, and imprisonment not exceeding twelve calendar months.

Section 28 provides that if any person shall send a challenge, and proclaim or publish the challenged party as a coward for not accepting the challenge, he shall, upon conviction, be sentenced to pay a fine not exceeding $500, and undergo imprisonment not exceeding one year.

Scene in a Passenger Car.

Mr. E. Lippincott, a respectable citizen, was arraigned before Police Magistrate White yesterday afternoon, on the following complaint: It seems that, at Fifth and Chestnut streets, the defendant threw the conductor of one of the passenger cars into the street. Considerable excitement prevailed, and Officer Crooks interfered, and arrested the conductor first, but let him go and took Mr. Lippincott into custody. The defendant was held to bail in the sum of $500 to await a further hearing. Mr. John Smith, with other citizens, being present, told the officer that he could not arrest the conductor, and not Mr. Lippincott. For this offence Mr. Smith was arrested on the charge of interfering with the officer in the discharge of his duty. The defendant was held to bail in the sum of $400 to keep the peace.

A mass of citizens were present, and, from their talk, it seems that the conductor of the car was not blameless. It is said that he had thrust a man from the platform, while the car was in motion, whereupon Mr. Lippincott, in the excitement of a moment of indignation, served the conductor in the same manner.

The judges of the courts have generally favored conductors of the cars, on the principle that the car is the conductor's castle, when on duty. Perhaps, when a passenger pays five cents to ride in the car, it is also his castle, so long as he uses it to the extent of five cents worth of riding. The whole system of passenger-railroading, as at present conducted, sadly wants revision.

Savage Assault on an Old Man.

Daniel Fitzstock, a young man, was committed yesterday to answer the charge of committing a brutal assault and battery on Nathan McCormack, 1223 Wood street. The parties all reside in one house. A misunderstanding occurred about a cloak, which resulted in a severe beating of Mr. McCormack, who has reached the age of 73 years. The side of his face was blackened from the effects of the blows.

[Before Mr. Alderman Beitler.]

Juvenile Thieves.

Two young boys, named Quinn and Glancey, were committed to the House of Refuge yesterday by the police magistrate of the Fifth ward yesterday afternoon. Captain Cushing, of the military, and E. M. Sheppard, were arraigned on the charge of challenging H. G. Major, the proprietor of a drug store at the Continental, to fight. It seems that Mr. Major was attacked by several parties, some of them in military uniform, and was assaulted in a mean way, while he was walking along the street. It is alleged that Capt. Cushing sent a challenge to Mr. Major, and that Mr. Sheppard conveyed it to the challenged party. Major took no particular notice of it. On Wednesday night, as he had just entered the Continental, he was suddenly assaulted by Captain Cushing, who called him a coward for not accepting the challenge. There were some other epithets, that we decline publishing, used at the same time. In a moment thereafter five persons made an attack upon Mr. Major with loaded canes, but he escaped without serious injury. Captain Cushing was required to enter bail in the sum of $2,000 to answer. Mr. Sheppard in the sum of $1,000, to answer. There was another party arrested, who was held to bail for