# TEMPERANCE TALK AND WORK

## AGITATION IN AND NEAR NEW-YORK.

A DISAFFECTED PARTY IN THE AMERICAN TEMPERANCE UNION—TROUBLE IN STAMFORD—HOW LICENSES ARE ISSUED IN BROOKLYN.

A part of the American Temperance Union is strongly opposed to the newly-elected president, and endeavored to oust the officers at the meeting yesterday, but the presence of policemen and the president's assertion that they would sustain him against interference, checked the opposition. Investigations in Brooklyn show that many licenses have been granted in direct violation of law. There is much excitement in Stamford over liquor selling. Proprietors of secret bar-rooms have been exposed by New-York detectives, and will be tried to-day. The lives of the detectives have been threatened by the incensed dealers or their friends.

### SHARP WORDS BY TWO FACTIONS.

LIVELY MEETING OF THE AMERICAN TEMPERANCE UNION YESTERDAY—THE PRESIDENT'S RELIANCE ON THE POLICE.

The spirit of discord entered recently into the councils of the American Temperance Union. A faction said that the recent election of officers was illegal and had been manipulated by W. H. Mundy, who was elected president. The head of this faction is Mrs. Emma Gates Conklin, who edits a temperance paper called *The Palladium*. Her standard bearer is Ebenezer Lockwood. The malcontents met recently and appointed a committee of three to wait on Mr. Mundy and request his resignation. At a meeting Saturday night several members fell upon Mr. Mundy's character, one declaring that he was not a total abstainer; another that he was a "Crosby man." Finally a resolution was passed that the members meet in a body on Sunday afternoon at Cooper Institute and ask that the election be declared null and void.

The large hall of Cooper Union was filled yesterday with an air of fire which throughout the meeting showed a warm interest in all that was said. There was a sprinkling of curious seekers and small boys. Scattered about the hall was a number of policemen. Near the platform were massed the malcontents, whose whispered words and belligerent looks foretold a rhetorical tempest. Upon the platform were the pillars of the Union—the officers and Executive Committee, with the choir which dealt out sacred minstrelsy.

Promptly at 3 o'clock Mr. Mundy appeared on the platform with Chauncey Shafter. Ebenezer Lockwood, the representative of the opposition, sprang to his feet and said that he wished to withdraw the paper already placed in the chairman's hands, and in its stead submit the following resolution:

*Resolved*, That the American Temperance Union declares the election held in the Bowery, on January 4, to be null and void, and that the officers then holding positions be asked to resume their functions.

President Mundy said: "I propose to preserve order here. (Loud applause.) I wish it distinctly understood that I am here to maintain order. I consider the action of certain gentlemen of this Union within the past forty-eight hours as infamous. This I do not regard as a business meeting. I object decidedly to the introduction of such a resolution as that just sub—"

Here the speaker hesitated a moment to get breath. Up sprang the irrepressible Mr. Lockwood and shouted: "I appeal from the decision of the chair."

Mr. Mundy—"Well, sir, you can't appeal while I am here."

Mr. Lockwood—"I think as a member, I have a right to the floor."

Mr. Mundy—(with quiet emphasis)—"You have not that right. I have provided for policemen here to keep order. Captain McCullagh has promised to help me in suppressing any interference. I shall not fail to call on him. (Cheers from Mundy's supporters, and hisses and howls from the malcontents.) If any person who has found fault with any of the officers of this Union can put his finger on any irregularity, I will be the first to nonsuit it."

The president then made a personal explanation, in the course of which he said: "I consider the insinuations against me as infamous as they are untrue. The man who uttered them knew them to be untrue. I don't think the temperance people here will sustain the action of people who need, sending others, write up a stereotyped report of their proceedings, and when called on for names of those who offered the resolutions, refuse to give them."

Dr. Richards gave some temperance reminiscences. He said he was a veteran in the cause, having labored for it for five years. The chairman suddenly cantered down the aisles on the flood of his talk to give place to the chief speaker of the afternoon.

Chauncey Shafter delivered a long arraignment of the liquor selling and the methods of enforcing the Excise laws. He declared that the License laws had been virtually a dead-letter, by reason of the rum-shops, corrupt politicians were feasted upon the people and fattened upon the taxes paid by honest men; "by the aid of tippling shops I stand and sling of rascals sons one city post. I am a Democrat, by gad," added the speaker, "— in spots; but I don't propose to remain any longer with one foot on the Constitution and the other on a lung-hole. (Uproarious applause.) You, members of the Union, have no need to squabble among yourselves; you've got big game to hunt."

After another explanation by Mr. Mundy, a call was made for signers of the pledge. The meeting was then declared at an end. Just before the benediction, Mr. Lockwood rose and said, "I should like to say a word." No one seemed to vouch to hear him and the choir struck up a tune. The malcontents gathered at one side of the hall and indulged in an exchange of compliments. Conspicuous among them were Mr. Lockwood and Mrs. Conklin. Said the former, with an expression of extreme disgust: "Here are half of our members pledged to support me. When Mundy called people, not a man of them dared to rise. Talk about freedom, liberty of speech! They wont even allow a man who is a member of the Union to express himself on a question which concerns the very government of the Union. If Mundy is going to run this thing with Captain McCullagh, I and others who want fair play will get out."

Mrs. Conklin grasped a meek-faced man who had faltered in the time of trial, and fiercely demanded why he did not sustain Mr. Lockwood. He gave a stumbling excuse. "You cowards," she cried out, "there you sat like so many statues, and not one of you dared to open his mouth." This running fire of scorching talk was carried on all the way to the door, to the great edification of the crowd.

## EXCISE INVESTIGATION IN BROOKLYN.

RESULTS OF INQUIRIES AS TO LICENSES.

When the present Brooklyn Board of Police and Excise came into office, in November, 1877, it gave permission to the Society for the Prevention of Intemperance and Crime to examine its records. It also appointed a special officer, to be paid by the society, who should, in company with some of the society's officers, visit and inspect places where liquors were sold, to investigate their character and their compliance with the laws. The work in the First Ward has been completed, and a delegation of the society appeared before the board on Saturday to make a report and urge reforms in the Excise Department. In this ward, the representatives of the society said, 101 licenses had been given, of which 77 were of the first class, 7 of the second and 17 of the third class. Of the 77 places of the first class, which were licensed as "taverns" or "inns," only 13 were provided with the accommodations for travellers required by law. The remaining 64 were selling liquor in violation of the law. Twelve saloons without licenses were found in the ward. As the First Ward is considered the most respectable in the city, the committee thought that other wards must present a much more startling condition of affairs.

The committee asked that the regulations relative to granting licenses be revised; that the licenses of the first class be refused in all cases where the commissioners are not well satisfied that the applicants have complied with the law; that improperly granted licenses, or those that have been forfeited, be revoked, and that the police be required to be more rigid in enforcing the Excise law. The society also offered to pay for the services of officers who should continue in the other wards the work that had been begun in the First Ward. The commissioners promised to consider the report carefully.

Complaint was made to the Brooklyn District-Attorney last week that the law of 1862, prohibiting the sale of liquors in places of amusement, was being violated in the Park and Olympic Theatres, the Theatre Comique, and the Niblo and Volks Gardens. District-Attorney Catlin warned the proprietors that prosecution would be begun unless they complied with the law. All the proprietors obeyed, and the Volks Garden has been closed for two nights.

## EXCITEMENT IN STAMFORD.

UNEARTHING LIQUOR-SELLERS THROUGH NEW-YORK DETECTIVES—THE LIVES OF THOSE CONCERNED IN THE WORK THREATENED.

Liquor troubles have greatly disturbed the peace of the pleasant town of Stamford, Conn., recently. It is under a "local option" law, and the town decided against liquor selling, but the traffic went on in secret. People were seen drunk in the streets, although the tiplest drink could not be obtained openly. Every means was devised to discover the guilty persons, but in vain. The officers of the town could find nothing. At length some of the best citizens of the place—about six hundred of whom do business in New-York—formed a committee secretly and raised $10,000 to be spent in ferreting out and punishing all violations of the law. The matter was placed in the hands of the Society for the Prevention of Crime, in this city, and detectives were sent to Stamford. The greatest caution was necessary. So intense is the hatred of the anti-temperance people toward their opponents that the lives of any who should move openly in the search for evidence were threatened.

The detectives took their facilities with them when they began work six weeks ago. They hired houses and began housekeeping, talked of buying a farm, and gradually established the reputation of being harmless people. In time they collected all the evidence necessary for their purpose. Liquor was sold with the most thorough precautions against detection. Guileless looking tobacco stores and barber shops were found to be the entrances to concealed bars. In the rear of the shops were generally two doors. One of them would open only to the initiated, who knew how to press the handle or to turn the knob. One door being passed, at the end of a half-way the lover of ardent spirits was confronted by another door which yielded only to a certain "sesame." At the head of a narrow stairway, still another door was to be opened. Beyond it, however, was all the liquor desired. These and many other devices were resorted to, and the dealers believed the traffic to be perfectly concealed and safe.

The detectives collected their evidence, and consulted with the District-Attorney and the Judges. Complaints and warrants were prepared. On Saturday six warrants were served, and within twenty-four hours, sixteen in all will have been executed. The greatest excitement prevails in the town. Some of the persons arrested are politicians of influence. The lives of the detectives were threatened, and they left the place in haste. This morning they will return to Stamford, to testify as witnesses. It is feared by some that a riot may occur, and the court-room will be guarded. It is thought that the evidence is perfect, and that conviction must be the result.

The prisoners, on conviction on the first complaint, will be fined $100. Immediately a second complaint will be preferred, and $200 will be the fine for a second conviction. The dealer will then be arrested immediately on a third complaint, and the result of a third conviction will be $500 fine and imprisonment for thirty days. His case will then be considered disposed of for a month. It is intended to treat each person arrested in this way, and the temperance people are determined to spare no expense or labor to enforce the law. They do not act openly, however, but through New-York detectives and the officers of the law.

## *CONDUCT OF THE HOUSE.*

### A LETTER FROM A MEMBER.

WANT OF ORDER—CALLING THE ROLL—CHARACTER OF THE RULES—"UNANIMOUS CONSENT"—THE MORNING HOUR.

*To the Editor of The Tribune.*

SIR: I have read with great interest the communication of "Onslow," in your issue of Friday, relative to the transaction of business in Congress. I desire to offer a few additional suggestions in connection with this subject.

The radical vice of all is the want of order in the House of Representatives. Men will not take an interest in public proceedings if they cannot hear what is said, and that is impossible in the confusion of the House. The result is, that in the absence of anything sensational, the majority of the members fall into general conversation, write private letters or retire to the cloak-room, leaving the public business wholly neglected, except perhaps, by a dozen members. It would be safe to say that were the House at any time during the mere routine of business, called upon to give an intelligent explanation of the pending legislation, not over a score of members could do it. There is no reason why three hundred men, charged with as important interests as that number of men well could be charged with, should not keep order. Yet ask any old member why this disorder is permitted, and he will answer, "It has always been so." Create a public sentiment among members, which shall discountenance loud conversation during the sessions of the House; let the Speaker bring the business to a halt or standstill, and refuse to go on except with the best of order; prohibit the transaction of private business during sessions; remove the desks, and provide each member with a chair with a broad arm, such as is used in college recitation rooms; give him a pencil and writing-pad, such as newspaper men use, and you have equipped him for attendance on his public duties. Then appoint one doorkeeper who shall receive all cards addressed to members during a session, and who shall allow no card to pass except such as pertain to the business of the session, and you have removed another great impediment to the transaction of the public business. You will be met with the objection that "it has always been different;" but when great public measures can be passed, and it takes ten years to discover whether members knew of their existence, or whether they were passed "surreptitiously," this venerable argument loses something of its weight. Assign a calicoy, grand and gorgeous, if you please, for the use of celebrities, but admit no one except the members of the two bodies on the floor during session.

It takes three quarters of an hour to call the roll of the House, the clerk being required to read in full the names of each member. Can mortal man give a good reason why the clerk should be required to call out "Ebenezer Alexander Darius Smith!" instead of plain "Mr. Smith," as is done in the Senate? Yes; two reasons for this have been assigned: One, that the full name is "more dignified," the other, that "it has always been so."

What "Onslow" says about the complicated and arbitrary character of the rules is quite true, yet I apprehend that these could be mastered and understood but for the constant and bewildering confusion of the regular order of business by obtaining "unanimous consent." This ought never to be permitted, paradoxical as it may seem. The regular order of business should never be suspended except upon a two-thirds vote of the House. Whatever "unanimous consent" may be in theory, in practice it throws all the responsibility of objecting upon one member, and if he is not howled down at once, as is most generally the case, he becomes a marked man in a way which most men do not aspire to. Hence "unanimous consent" is usually given where a two-thirds vote could not be obtained.

Legislation in the morning hour is a mockery upon the name. A committee have had a subject under consideration for weeks, perhaps months; they report in the morning hour; no report has been printed and laid upon the members' desks; no examination has been made of the subject by the House. A member of the committee speaks for a few minutes, perhaps is not heard by one-quarter of the members—probably two-thirds of them are writing letters or engaged in conversation—the "previous question" is moved, and the bill passed! Thus are quietly made into laws some of the most important measures before Congress. The trouble with the system is, that it is neither the one thing nor the other. Not infrequently a committee presents in this way its most careful and conscientious work. In the quiet indifference of the House, some member with good lungs, savage his gong, cries "fraud" and "let slip the dogs of war." Members look up from their writing and inquire what it is all about. Not one in ten knows. Confusion ensues, and in the general uproar the work of the committee goes to destruction. Whatever the remedy may be, one thing is obvious; no important bill should pass until the printed report of the committee has been placed on the desks of all the members, and they have had at least one day to examine it.

It was said a few years ago in Congress that the rules of the House had been purposely constructed so as to throw the business into the hands of a few leading members. Whether this be sooth not, such is the practical effect. A few committees, like those of Ways and Means, Appropriations, Judiciary, etc., absorb the business, and, under the arbitrary rules of the House, shape and control legislation, leaving a majority of the members without responsibility, power, or much, if anything, to do. Men do not like to remain mere cyphers in a legislative body, and so some take refuge in the introduction of bills, others in motions to adjourn, while others of more pluck and energy indulge in a general guerilla warfare, to see how many times they can get their names inserted in the record. Thus members do a great many frivolous and superfluous things, which they would not do if the business of the House were more generally distributed among its committees.

Under the rules on whole days are wasted by some committee men in drawing out a speech, which cannot command the attention of half a dozen members, and is never read. Oral debate in deliberative bodies, as in Courts of Justice, should be for the enlightenment of those whose duty it is to decide. If all debates in the House could be made more general, and confined strictly to the pending question, and no member, no matter how distinguished allowed to speak more than twenty minutes on any one question, with a considerable margin of that devoted to questions and answers, or what is now generally known as a "running debate" more practical benefits would be derived from actual discussion in the House.

Then let Saturday of each week be devoted exclusively to general debate. Let a list of the speakers be announced, and let each one depend upon his merits for an audience. This would give leading members ample opportunity to be heard upon general questions of statesmanship both by the House and the country, and Saturday night thus become one of the most interesting days of the week, instead of being, as it now is one of the dullest. A MEMBER OF THE HOUSE.

*Washington, D. C., Dec. 31, 1877.*

### COUNTERFEIT BILLS IN PENNSYLVANIA

PITTSTON, Penn., Jan. 13.—Thomas Irving, a prominent member of the Methodist Church of West Pittston, was arrested this forenoon by Detective Brown on a charge of passing counterfeit $5 bills on the First National Bank of Hanover, Penn. This section of the country is flooded with these counterfeits. Irving has heretofore enjoyed the confidence of the public generally.

WILKESBARRE, Penn., Jan. 13.—At Kingston, Peter Walcott, proprietor of the Kingston House, was arrested, last evening, for passing counterfeit $5 bills on the First National Bank of Hanover, Penn., and was placed under $5,000 bail.

### ROBBERY OF LETTER-BOXES.

PHILADELPHIA, Penn., Jan. 13.—John M. Butler, a discharged letter-carrier of this city, arrested on suspicion of having robbed the street letter-boxes, had a hearing yesterday, before United States Commissioner Smith, and was held in $1,000 bail to answer at the United States Court. When arrested, Butler had on a letter-carrier's uniform, and two keys fitting the street letter-boxes, together with a number of addressed envelopes, were found upon him.

### NAVY INTELLIGENCE.

WASHINGTON, Jan. 13.—Minister Bingham has officially informed the Department of State of the presentation to the Emperor of Japan of Rear-Admiral Patterson and his suite of eleven officers, the particulars of which have already been published.

Lieutenant-Commander F. W. Dickens is ordered to duty at the Naval Academy.

HAVANA, Jan. 12.—The United States steamer Plymouth sailed for Key West to-day.

The recent discussion of the question of future punishment recalls an anecdote of Elder Shaler, some years since a well-known Baptist minister at Haddam. He was to preach in Clinton, and upon going into the house was told that the Universalists were making head in the parish. "Ah!" said he. "Well, I'll give them a touch," and he did. "My brethren," said he, in beginning his discourse, "some say that all men will be saved, but we, my beloved, hope for better things."—London Telegram.

# IN THE HANDS OF ASSIGNEES.

## RESULTS OF RECENT REVERSES.

ASSIGNMENTS BY JOHN F. HENRY, CURRAN & CO., AND HEGEMAN & CO.—DEPENDENCE ON THE SETTLEMENT OF DUNNING'S AFFAIRS—OTHER FAILURES IN VARIOUS BRANCHES OF TRADE.

Assignments for the benefit of creditors have been made by the drug firms of John F. Henry, Curran & Co. and Hegeman & Co., whose paper went to protest on Friday. The amount of their liabilities and assets depends largely on the settlement of E. J. Dunning's affairs. Several other assignments in various branches of trade were made on Saturday. The losers by the irregular transactions of H. M. Cutter & Co. have found 1,100 bales of the cotton obtained from them.

### CONDITION OF THE SUSPENDED FIRMS.

LIABILITIES OF JOHN F. HENRY, CURRAN & CO. ESTIMATED NOT TO EXCEED HALF A MILLION—STATEMENT OF MR. HEGEMAN'S ASSIGNEE.

The assignment of John F. Henry, Curran & Co., wholesale druggists, at Nos. 8 and 9 College-place, was made to the cashier of the firm, Benjamin H. Dewey. Messrs. Henry and Bowen, members of the firm, subsequently stated that they had acted in accordance with the advice of counsel, and that the assignment became necessary to prevent the attachment of their goods and the locking up of their books by several small creditors who were clamorous for their money. They wished to treat all of their creditors alike, and as Mr. Curran was a resident of New-Jersey, the assignment was the only means by which they could protect all interests. The assignee was acting under the advice of United States District-Attorney Tenney, of Brooklyn, and Nash & Holt, of this city. Many of their largest creditors had called upon them during the day, and extended their sympathy with offers of aid. The assignee would be unable to make a statement of the condition of the firm, until E. J. Dunning had furnished a statement of his affairs. Mr. Dunning had over $100,000 of their paper, upon which he had made no return.

The members of the firm said that on Monday and Tuesday of last week they gave Mr. Dunning $30,000 in their notes, on which he promised to pay the money, but he was unable to negotiate the paper and hence had not kept his promise. One of Mr. Dunning's checks was returned to them late Wednesday afternoon as not good. This was the first information they had of his failure. They at once called in a few of their friends, and under their advice they gave orders not to receive any goods which had been previously bought, and which were coming in from different parts of of the country. They also cancelled the orders that had been given. It was impossible to estimate either the assets or liabilities with any accuracy at present, as they depended largely upon the statement to be made by Mr. Dunning. Mr. Bowen said that all of the workmen had been paid in full, and that it was in the power of the assignee to make such arrangements as he deemed advisable. The firm intended to go on with the business, if the creditors would permit it. He thought that the liabilities would not exceed $500,000, and that every cent of this would be paid.

THE HEGEMAN SUSPENSION.

The assignment of Johnston N. Hegeman, as the only surviving partner of Hegeman & Co., druggists, of No. 203 Broadway, was made on Saturday to William J. A. Fuller, of Abbott & Fuller, lawyers, No. 220 Broadway. The assignee said that he had intrusted the property to Mr. Baker, the bookkeeper, and had given him orders to take an inventory of the stock as soon as possible. Not even an approximate estimate of the liabilities could be given. The firm had had large dealings with Dunning, in whom implicit confidence had been placed. Mr. Hegeman had been confined to his house in Orange, N. J., since Christmas, with rheumatism. As he attended to all business with Dunning, no settlement had been made for several weeks. Mr. Fuller thought that there would be no assets other than the stock in trade, estimated at about $20,000. He feared that the liabilities were very large. The house had contracts for supplying medicines to the United States Government. The business of the firm was intertwined so closely with that of John F. Henry, Curran & Co., and E. J. Dunning, that the suspension of those two dragged down Hegeman & Co. Had Mr. Hegeman been able to attend to his business, doubtless matters would not have reached such extremities. Mr. Hegeman was a son-in-law of ex-Governor Fenton, and the house of Hegeman & Co. was one of the oldest and best known houses in the city.

OTHER ASSIGNMENTS.

E. V. Bell, the assignee of E. J. Dunning, jr., stated on Saturday that he had been unsuccessful in the attempt to make an arrangement between the banks which were creditors of Mr. Dunning and the merchants whose paper they held. He hoped that an extension of time would be granted by the banks.

Several other assignments were made on Saturday. Flanigan & Co., dry goods, at No. 629 Eighth-ave., filed an assignment through their attorney, John Post, to William H. Owen, for the benefit of their creditors. The liabilities are estimated at from $70,000 to $80,000, scattered among the large dry goods jobbers in this city, Philadelphia and Boston. The value of the assets is unknown. Abraham Bogardus, the photographer, of No. 872 Broadway, has suspended; his assignee is Peter A. H. Jackson. John W. Kettlemen, a Washington Market butcher, has gone into voluntary bankruptcy. His liabilities are $30,000; assets, $3,000. George Hoaer, proprietor of Palais Royal, at Broadway and Fourteenth-st., suspended on Saturday. Business will be continued as usual, as a large number of the creditors at once signed an agreement for a settlement at thirty-three cents on the dollar, payable in notes at two, four and six months. The liabilities are $37,000; assets, $16,000.

At a meeting of the creditors of Deshannes & Dann, hardware merchants of Houston, Texas, held at the rooms of the Hardware Board of Trade, in this city, about seven-eighths of the creditors being represented, it was agreed to accept their notes in instalments for two years for 100 cents on the dollar, without interest, secured by a policy of insurance on the life of each partner, payable to a trustee for the creditors. The committee on affairs of R. E. Bell, of Dallas, Texas, reported in favor of accepting forty cents on the dollar, secured by Bell's acceptance on the City Bank of Dallas.

### CUTTER & CO.'S DEFALCATION.

ELEVEN HUNDRED BALES OF THE PURCHASED COTTON TRACED.

The losers by the defalcation of R. M. Cutter & Co., the cotton brokers, were busy all day Saturday looking through the New-York warehouses for cotton which they had sold for shipment to New-England mills. Only about 1,100 bales, valued at about $60,000, thus far have been accounted for as diverted by Cutter from its destination. It was stated that Mr. Collins had secured the cotton sold by him to Cutter. Robinson, McLeod & Co. have identified forty-one bales of their cotton in Richards' storehouses. Henry Hentz & Co. have found some of their cotton at Richards' storehouses and at the Standard Press Works on Washington-st. Some of the cotton has been traced to Ralli Brothers, to whom it was delivered by Grant Price & Co. Ralli Brothers state that they had bought from G. H. Price & Co. more or less for years. They did not know whether or not the cotton came from Cutter & Co. They would not deal directly with the latter firm, as they were not members of the Exchange. One of the firm of Reid & Smith, of No. 211 Pearl-st., said that they loaned G. H. Price & Co. $8,000, in two different amounts, on Thursday, to be paid the next day, but it had not been returned yet. This money was loaned on warehouse receipts for 200 bales of cotton stored by Cutter & Co., and in addition to the warehouse receipts, the policy of insurance was deposited as collateral. Mr. Reid said that the firm were not in the habit of loaning money in this way, and that this was their first experience, having loaned it on the representations made by G. H. Price and Co.

It was rumored on Saturday that Mr. Cutter had been arrested but this report proved to be untrue. It is stated that Cutter in making purchases of cotton, and in having the warehouse receipts hypothecated, worked in such a shrewd way as wholly to disarm suspicion. Among the creditors are Bolmer, Potter & Co., $2,000; Henry Hentz & Co., $7,000; Robinson, McLeod & Co., $5,000; Alexander Burgess, $5,000; H. G. O'Hara, $5,000; Woodward, Stillman & Co., $700; Thomas J. O'Donnell, trackman, $800. Other firms are also losers to small amounts. Bolmer, Potter & Co. have obtained writs of attachment against Cutter's supposed balances at the Continental Bank, and with G. H. Price & Co., John S. Richards, the Ralli Brothers, and others.

## *THURLOW WEED'S LETTERS.*

*To the Editor of The Tribune.*

SIR: Desirous to see just what arguments could be brought in favor of silver as unlimited legal-tender, I read the letter which Mr. Weed published in your columns. It struck me as essentially weak, abounding in unproved assertions, and not straightforward. When Mr. Weed asserts that making silver legal-tender for sums below $20 and not for larger is providing one currency for the poor and another for the rich, and intimates that the poor will not submit to this ("their patience and submission can be overtasked"), he simply provokes a smile, for no one can believe that a man of Mr. Weed's intelligence would not instantly see through such an argument if urged by another. The answer is simple enough. We want a stable currency, all parts of which shall be freely exchangeable one for another. We want a currency such that if a laborer, or a capitalist, or anybody (the same for all) is paid in silver, he can go to any bank and exchange his silver at par for gold or paper; such that if a debt, large or small, shall be paid part gold, part paper, part silver, all shall be "bankable." We no more want depreciated silver than we want depreciated notes, which the Resumption Act is to relieve us of. Now it is certain that if silver is made unlimited legal-tender this equality can not be preserved. It can be preserved if silver is made legal-tender only to the extent of $5 or $10—probably if for $20. But the larger the amount the greater the probability of a premium on gold, and as soon as that comes our currency is out of joint, gold disappears as currency and becomes an article of merchandise. It is utterly untrue that by making silver legal-tender for a small sum a worse currency is provided for the poor than for the rich; it is, in fact, the reverse of truth, because by keeping the limit low we keep silver currency at par with gold, and have the two exchangeable at their face value.

Mr. Weed's talk about the bondholders, put into plain language, is simply: "Honesty, in my opinion, is not the best policy, and, therefore, I will not adopt it." Now, Mr. Editor, I am not interested, directly or indirectly, to the extent of one dollar in any Government security, but I believe in paying them, principal and interest, in gold or its equivalent, because it is right to do so—it is right to keep one's word and perform one's contracts. And for those who, like Mr. Weed, prefer expediency to honesty, it may be added—however base the argument—that honesty pays in the end. L.

*Philadelphia, Jan. 10, 1878.*

## *HYPOTHECATED SECURITIES*

THE LAW AND THE STATUTES.

*To the Editor of The Tribune.*

SIR: The "unfortunate" collapsing of Netter and of Bonner has already raised several questions with which our Courts will be employed for some time, and the question whether the purchaser of the rehypothecated securities has a good title will, in all probability, again and again come up for decision in one shape or another. Ordinarily the bona-fide purchaser of a so-called negotiable security is protected against all claims, by whomsoever presented, and yet stock transferred "in blank" has been declared not to be negotiable in California. But a case has recently been decided by one of the learned Justices of our own Supreme Court, which is of intense interest in this connection, but which has not yet become known to the public. I refer to the case of the Grand Rapids and Indiana Railroad Company against Joshua C. Sanders, recently tried before Judge Van Vorst, the facts of which, as given in his opinion, appear to be as follows: In 1861 the Grand Rapids and Indiana Railroad Company, a corporation of Michigan and Indiana, executed a mortgage to three trustees to secure first mortgage bonds to the amount of $4,500,000. The president of the company came to this city for the purpose of negotiating the bonds, with full authority from the company to use them to raise money by hypothecation, if he should deem best to do so, rather than by sale. As the bonds were unknown in the market, it was easier to borrow than to sell, and the president made several loans, giving bonds as collateral, and signing, what in Wall Street parlance is called a "stock-note," giving the lender of the money authority to sell the bonds on non-payment of the loan. All this was done by Mr. Lomax, the president of the railroad company, and as its president.

Justice Van Vorst finds that the thirty-one of these bonds in suit were pledged in this manner, and that the loan not being paid, the pledgees sold them for value to a person whom he calls "a purchaser in good faith." Shortly after this person, Mr. Duncomb, had become owner of the bonds, he informed President Lomax of his having purchased them, giving him, at his request, their numbers, and no objections to his ownership were raised by the latter, and no hindrance offered to a disposal of them. In 1869, Mr. Sanders, the defendant, bought the bonds from the person who had purchased them from the pledgee. It would appear that subsequent to this purchase by Mr. Sanders, the railroad company published an advertisement, stating that the old bonds were illegal and void. There is no evidence, it would seem, to show that either Duncomb or Sanders were informed of this, and in view of the fact that the president had had the interview with Duncomb, as previously referred to, the further fact that no personal notice was given Duncomb of an intention to contest is not a little singular. This is also curious in view of the testimony, that before purchasing, Mr. Sanders made particular inquiries of the officers of the railroad company, as to the validity of the bonds, and was informed that arrangements had just been made with the leading capitalists insuring the completion of the line and payment of all its obligations. And such was the fact, for the new parties soon issued $9,000,000 of first mortgage bonds, which are on the Stock Exchange list to-day, and are occasionally quoted, and also gave a bond of indemnity to the trustees of this $4,500,000 mortgage, to secure them against any claims which might be made upon them on account of any of the bonds outstanding.

Several years ago Mr. Sanders began suit against these trustees, and in April, 1875, obtained judgment against them for the full amount of his thirty-one bonds and the coupons, and also interest thereupon. As an effect to that judgment, the present suit was begun by the railroad company, Colonel Scott being now president, against Sanders, and the claim was made that the bonds were void in the possession of Sanders, and should be delivered up to the company for cancellation, President Lomax only hypothecated them. Upon this tribe the facts were found by the judge as above stated. They may be summed up as follows: President Lomax, having full authority to do so, hypothecated certain bonds; these bonds were sold by the pledgees in due course to a bona fide purchaser, who owned them. This latter purchaser is called upon to deliver them up for cancellation, upon the plea that the president having pledged the bonds for a loan, the pledgees had no authority to sell, and the purchaser at such sale could not acquire title. Upon these facts Justice Van Vorst refuses the prayer of the railroad company to have the bonds cancelled, but finds for the defendant only for such a sum as will repay him for the amount he paid for the bonds with interest on that amount.

Both the defendant and the plaintiff have appealed, but it will probably become time before any further decision will be reached, and in the meantime the purchaser of hypothecated or rehypothecated securities should be very cautious. And if this decision is affirmed, it would seem to be an easy thing for many of our railroad companies or other corporations, to rid themselves of a vast mountain of debt; for they would only have, according to it, to pay a much smaller amount than called for by the bonds hypothecated. It would indeed be a new version of "a new way to Pay Old Debts," worthy the attention of many an enforced "financier." HASKIN.

*New-York, Jan. 10, 1878.*

## *THEATRICAL NEWS AND INCIDENTS.*

WHERE PLEASURE-SEEKERS MAY BE GRATIFIED.

The principal theatrical attractions of the week will be the Bruiguier benefit, Edwin Booth at Booth's Theatre, Madame Modjeska at the Fifth Avenue, John T. Raymond in a new play at the Park, and Lester Wallack's first appearance at his own theatre this season.

Edwin Booth, whose reappearance in this city was greeted with much enthusiasm, last Monday, will appear at Booth's Theatre in "Richard III," with the exception of Saturday evening, when he will take the parts of *Cardinal Wolsey* and *Pescara*.

Lester Wallack will appear for the first time this season at his own theatre, this evening, as *Mahony Ferrygreen* in Charles Mathews's comedy, "My Awful Dad."

At the Fifth Avenue, Madame Modjeska will appear as *Camille*, for the first time in this city.

Barclay Campbell's new comedy, "Risks; or, Insure Your Life," will be put upon the boards at the Park Theatre, and John T. Raymond will take the part of *Pennington Pinbroke*, "ye insurance agent." Miss Marie Gordon (Mrs. John T. Raymond), who has been suffering from congestion of the brain, was much easier yesterday, and her physician thinks that, if she continues to improve, she will be able to perform with her husband in "Risks."

Charles Fechter will appear as *Obeneizer* in a dramatization of the "No Thoroughfare" of Dickens and Collins, at the Broadway Theatre.

At the Union Square, "The Man of Success" will be continued until January 28, when "A Celebrated Case" will be produced.

No change is announced at Niblo's, where "The Duke's Motto" will continue to be produced.

A new piece entitled "The Great Unerushed" is announced by the San Francisco Minstrels.

Heller announces the last nights of his present programme.

On Wednesday a pigeon show will begin at the Aquarium. It will be conducted by the National Columbarian Society. The prizes amount to $2,000.

A too quick-witted critic lately condemned Miss Rose Coghlan for lack of knowledge in needlework, because as *Grace* in "Won at Last," she sews a button on *John Fleming's* glove by carrying "the thread over and over instead of through and out." One better versed in needlework criticises the critic mercilessly by merely citing the fact that glove-buttons are sewed on by eyelets "over and over," not "through and out" of holes as shirt buttons are. Evidently Miss Coghlan is right, though why she should dexterously change the white thread with which she is pretending to sew a button on a white glove is a deeper mystery.

An action has been begun against Miss Rose Eytinge by George Francis Rowe, for violation of his copyright of "The Geneva Cross." The amount involved is only about $100.

A large number of entries has been made for the poultry show, which will open at the New American Museum on January 14. None but unique and interesting varieties will be received, and the name and peculiarity of each bird will be placed in a conspicuous place on its cage.

WATER FOR THE EYES.—A writer in *Fraser's Magazine* thinks that, whatever hesitation there may be justly called for in recommending one or another of the various lotions now so popular, there need be no such doubt in respect to cold water or pure water. He says in cases of much inflammation or difficulty of opening the eyelids in the morning, experienced by so many, the water should be warm, and it may be mixed with warm milk, but in nearly all other cases it should be cold. All those who have been engaged in reading or writing during several hours at a stretch, and especially at night, should carefully bathe the eyes with cold water before going to bed and the first thing in the morning's ablutions. All artisans, too, who work at a blazing fire, ought often to wash their eyes with cold pure water, and so should all those who work in wool, particularly carders and spinners, and those likewise who are employed in woolen and cotton manufactures, the fine dust which such works disperse often producing cataracts, obstinate inflammations, swelled eyelids, etc.

DEATH OF M. RUHMKORFF.—The sudden death of Henry Daniel Ruhmkorff took place at Paris, December 20. He was the inventor in 1851 of the famous "Ruhmkorff coil," now an indispensable part of every well-equipped physical laboratory, since it furnishes electric sparks of extraordinary length and power. M. Ruhmkorff was of obscure origin, and before he entered on his career of discovery in magneto-electricity, was at one time employed as a porter in the laboratory of Professor Chevalier; but in recent years he was the recipient of many honors. The earnings of his toil and genius were almost wholly expended on behalf of science and in works of benevolence. The largest Ruhmkorff coil in this country is probably the one at the Stevens Institute of Technology, Hoboken; it gives sparks of over two feet in length, which will pierce several inches of solid glass with their lightning strokes.

# A WRONG TO THE INDIANS.

## A LAND GRAB IN INDIAN TERRITORY.

SEVERAL BILLS AND A SINGULAR REPORT BEFORE CONGRESS PROPOSING A TERRITORIAL GOVERNMENT—A VIOLATION OF TREATY FAITH PROPOSED.

[BY TELEGRAPH TO THE TRIBUNE.]

WASHINGTON, Jan. 13.—The yearly attempts to dismember the civilized Indian tribes of the Indian Territory have been renewed in the present Congress by the introduction in the House of one bill to authorize the election of a delegate to Congress from that Territory, and two bills to organize a full territorial government; and in the Senate by one bill for each of the above purposes. The House bill for the election of a delegate has been referred to the Committee on Indian Affairs, and it is understood will be favorably reported at an early day.

Briefly stated, its provisions are that "a general election shall be held in the Cherokee, Creek, Seminole, Choctaw and Chickasaw Nations;" that "no one but a member of said Nations, either by blood, marriage or adoption, shall be eligible for the office of said delegate;" and that "all male residents of said Nations for one year previous to said election, shall be competent to vote at such election." The Senate bill is substantially the same, but defines more clearly the qualifications of voters, thus: "All male persons over the age of twenty-one years who have resided in either of said Nations for one year previous to the holding of said election, and all male members of said said Nations, by birth, marriage or adoption, of the age of twenty-one years, not disqualified by existing laws of any of said Nations, or of any State of the United States, shall be entitled to vote at said election."

The anomalous political condition of the Indian Territory is assigned by the advocates of these measures as a reason for their advocacy of them. It does not seem to occur to them that there would be anything anomalous in seating in the Congress of the United States a delegate who might not be a citizen of the United States, and a majority of whose constituents are not and do not desire to be recognized as citizens of the United States.

The plan of having an Indian representation in Congress is not new. The very first treaty we ever made with the Indians a century ago (that with the Delawares, concluded September 17, 1778) contains the following clause still in force:

And it is further agreed on between the contracting parties, should it for the future be found conducive for the mutual interests of both parties, to invite any other tribes who have been friends to the interests of the United States to join the present confederation, and to form a State whereof the Delaware Nation shall be the head and move a representation in Congress, provided nothing contained in this article to be considered as conclusive until it meets with the approbation of Congress.

The motive of this provision at that time, when the feeble colonies were struggling against the power of Great Britain, which had succeeded in arraying against them nearly all the Indian tribes, is apparent enough. After peace was declared it ceased to exist. Seven years later, in 1785, the first treaty was made with the Cherokees, and a desire to conciliate them and secure their confidence inspired the following article (12) of that treaty:

That the Indians may have full confidence in the justice of the United States respecting their interests, they shall have the right to send a deputy of their choice, whenever they think fit, to Congress.

The same privilege was renewed in the treaty of 1836. It cannot be claimed that either of these provisions contemplated that the deputy or delegate should be anything more than a tribal representative, or that others than members of the tribes should be entitled to vote on his election. In the several treaties made with the Cherokees and others in 1866, a general council of all the tribes in the Indian Territory who assented to it, to meet annually, was provided for, and sessions of this council were regularly held until Congress ceased to appropriate money for that purpose several years ago. In the treaty of 1866 