THE STATE CAPITAL.

Mr. St. John's Bill to Introduce a System of Canal Towage by Locomotives.

A MONSTER PETITION.

Important Bills Under Consideration in Both Houses.

EXCISE DISCUSSION.

ALBANY, Feb. 6, 1878.

The proceedings in both houses to-day, especially in the Assembly, were more animated and interesting than usual.

In the Assembly two significant resolutions, one asking the Comptroller to furnish information in regard to the propriety of continuing State control over the Onondaga Salt Reservation and respecting tolls on foreign salt, the other asking the Auditor of the Canal Department to give his views to the Legislature as to the propriety of reducing the number of weighmasters and assistant weighmasters and collectors; also assistant and resident engineers now employed on the canals, were introduced by Mr. Brooks and adopted. The resolutions are respectively in substance as follows:—

Requiring the Comptroller to report what advantage accrues to the State, either as to present or probable business, or as to any question of State policy or economy, in continuing State control over the Onondaga salt reservation, or in the right to use the waters for pumping from the Oswego and Erie canals, and also what amount of income is imposed upon foreign salt, and also if the effect of the present toll on foreign salt is not injurious to the trade of the city of New York with the West, and causing shipments via New Orleans instead of by canal. Adopted.

Also requesting the Auditor to report to the House whether there may not be considerable reduction in the number of weighmasters and collectors, with their assistants, hitherto in the service of the canals, and also, on consultation with the State Engineer, whether the services of the engineers, resident and division, and of the surveyors may not be dispensed with, with no detriment to the proper care and efficiency of the canals. Adopted.

A resolution offered by Mr. Cormack alludes at length to Dr. Hayes' resolution to abolish tolls on the canals and make them free, and proposes that the Legislature shall ask the Comptroller to give it thorough information in regard to the taxes imposed or liable to be imposed upon every county of the State for the support of the canals. Mr. Cormack, who hails from Delaware county, represents the interests of a large number of the inhabitants of the State who suppose they have no interest in helping to maintain the State canals by contributions out of their private pockets.

LOOKING AFTER THE RAPID TRANSIT COMPANIES.

Mr. Thain called from the table his resolution, which was referred to the Committee on Cities, to inquire into the reasons why the rapid transit railroad companies in New York city do not appear to intend to proceed with the construction of the lines now building further north than Fifty-ninth street. Mr. Thain said that the people in Yorkville, Harlem and the Westchester district, and in the Seventeenth and Nineteenth Assembly districts, are deeply concerned in the extension of rapid transit further north than Fifty-ninth street, as many thousands of men doing business in the lower wards of the city are. His alarm at the probable omission of the rapid transit companies to push their tracks up north was increased by an article which he quoted from the New York *Evening Telegram*, which shared in his apprehensions. He made a fervid plea for the extension of the routes up into his district, and finally, since it had been suggested that the Committee on Cities was not the proper one to deal with this matter, he moved that it be referred to the Railroad Committee. His motion was adopted.

A MONSTER MEMORIAL.

When the time came to present petitions in the Assembly this morning, two men, each seven feet high, with beards reaching to their knees, perspiring and groaning heavily, advanced up the main aisle, to the consternation of the page boys and the astonishment of the members, each bearing one end of a huge pile of petitions, wrapped around with red tape and locked together with a chain cable, the pile measuring 42 feet, 6½ inches in length, 1 foot in breadth and 3 feet in thickness and weighing exactly 4,784 pounds. Assisted by several of the clerks and by four or five stalwart gentlemen from the floor (including Mr. Baird, Mr. Frank, Mr. Purdy) they were enabled to deposit their load on the desk of the Speaker, who, in due order and by a gigantic effort, toppled one end of it over on to the shoulder of Clerk Johnson, announcing it as a memorial of fifty-five thousand three hundred and eighty-odd citizens of New York against the bill introduced by Mr. Grady to repeal the act creating and chartering the College of the City of New York. The Clerk, overcome by his burden and glancing reproachfully at the Speaker, fell backward, nearly causing a breach in the front of the rostrum.

Mr. Grady fainted and was carried out of the Chamber, while most of the Assembly rose, shouting in despite of the Speaker's resounding gavel:—"The College of New York must and shall be preserved!" A careful comparison of the dimensions of this petition with the pyramid of petitions for and against the repeal of the present Excise law shows that learning excited more interest than liquor. And that is saying a great deal.

CURTAILING MAYOR ELY'S PATRONAGE.

Among the reports from committees of the Assembly this morning was one in favor of the bill giving the appointment of marshals of courts in New York city to the civil justices and the Corporation Counsel instead of to the Mayor, as now. Mr. Holahan moved to lay the report on the table and endeavored to give his explanation of his reasons for doing so; but as they concerned the deliberations of the Committee on Cities he was peremptorily ruled out of order by the Speaker. His motion was lost by 47 nays against 42 yeas, and the favorable report of the committee was adopted.

A motion by Dr. Hayes to recommit the resolution restricting the salary of the Commissioner of Jurors and the pay of his clerks and assistants to the Committee on Cities, was protested against by Mr. Grady but adopted by the House. Dr. Hayes explained that the return of the bill to the committee was intended to enable a "slight amendment" to be made.

INVESTIGATING COMMITTEES NOT HASTILY TO GRATIFY THE GENTLEMEN WHO ASK FOR INVESTIGATION.

Mr. Browning's resolution, which desired the Railroad Committee of the Assembly to investigate and report to the House within twenty days the facts in regard to the coal combination, is in a state of suspense in that committee. Yesterday, to be sure, the committee, in executive session, informally considered the matter, Mr. Browning having presented to it his data and statements. No line of probedure was, however, agreed upon by the committee, and the matter was put over for consideration on Tuesday next. By a singular fatality the time during which the committee was requested to report expires next Tuesday, when it will have possibly advanced just so far as to say whether or not in its opinion the Legislature has power to deal with this matter at all. It is questionable if the Assembly will, at Mr. Browning's solicitation, grant the committee further time.

Mr. Fitzgerald, too, who rose to ask the Speaker whether his resolution in regard to tolls on the Hudson River Bridge at Albany has been attended to, was informed by the Chair that the House has received no information on that subject.

BILLS UNDER CONSIDERATION.

The bills—that is to say, the important ones—before several of the first committees of the Senate and Assembly, or recently considered by them, are the following:—

All the New York city bills, including the Hayes charter, Comptroller Kelly's Finance bill and the Fish charter, resurrected from the vault to which Governor Robinson consigned it last spring. The consideration of these three bills in the committee has been postponed until a week from to-morrow, Thursday, the 14th inst.

Before the Committee on Ways and Means of the Assembly there are three important bills in addition to one or two bills which have been reported from the committee already:—

1. A bill repealing the present act, which requires specie payments on all contracts or obligations, payable in this State, in dollars, and made after January 1, 1879.
2. For the relief of the towns, incorporated villages and cities, against which bonds are now outstanding that were issued to aid in the construction of railroads.
3. An act to provide for the appointment of special game constables, in order to protect and increase game throughout the State.

The Railroad Committee of the Assembly is considering—

1. The bill in regard to the Queens County Railroad Company.
2. The bill to compel the introduction of stoves into street cars in New York and Brooklyn, and give a seat to every passenger who pays his fare.
3. Two bills in relation to Buffalo—one to amend the general railroad law so that tracks can be laid across Main street, in that city; another to reduce the fares on Buffalo street railroads.

The Committee on Banks had before it only one bill of general interest—a bill introduced by Mr. Chappell, of Monroe, which proposes to remove the restriction of five per cent interest now paid by savings banks and put the payment back to six per cent.

In the Committee on Public Education the following bills are pending:—

1. Mr. McDonough's bill changing the prescribed ages of scholars allowed to attend public schools in New York city from the present limit of four to twenty-one years to the limit of five to twenty-one years, thus making the limit correspond to the law in regard to the rest of the State.
2. The constitutional amendment in relation to schools of two years ago.

COMMISSIONERS OF JURORS.

Mr. Astor to-day introduced a bill intended to regulate the appointments of Commissioners of Jurors in all counties of the State. It provides for the termination of the leases of office of existing Commissioners of Jurors, except in Kings county, within thirty days after it becomes a law; and that thereafter Commissioners of Jurors, who are to hold their offices for terms of six years, shall be appointed by the Presiding Justice of the Supreme Court and another justice in each county, to be selected by them. The pay of Commissioners is not to exceed $4,000 a year for each, and that of the clerks and assistants in each office is to aggregate not more than $3,000, both of which sums are to be paid out of the county treasuries. The Commissioners of Jurors will, under this bill, if it becomes a law, receive no fees, all moneys received in the form of fees and fines having to go, in the city of New York, to the Comptroller, and, in other counties, to the County Treasurer each month.

EQUALIZATION OF TAXATION.

It becomes more evident that there is to be a severe conflict when the question comes up of the regulation of the assessment of property in the State and its taxation. The old opposition between New York and Kings counties and the rest of the State in connection with this matter will be renewed. Mr. Holahan's measure in behalf of the two great cities has been before the Assembly a fortnight, and to-day another resolution was offered proposing to instruct a committee of the Assembly to inquire into the reasons why New York city and Brooklyn have cheated the rest of the State out of so much money in taxes. Last evening a meeting of members representing interior Assembly districts was held and an approach to an agreement to a plan favoring the interests of their constituents was made. A bill was proposed having for its object the assessment and taxation of all property in the State.

It provides for the election of town assessors as under the present law, and for assessing all real estate at its true cash value. For the assessment of personal property it is proposed to issue proper blanks to every inhabitant, who shall enter therein the money value of all the personal property owned by him, no matter where invested, including all personal property in his possession or under his control as agent, trustee, guardian, executor or administrator, except mortgages upon real estate in this State and stocks or shares in moneyed corporations or associations in this State other than banks and banking associations, together with a statement of his aggregate indebtedness, for which he received valuable consideration, and which is payable at certain dates or on demand of the owner, and that he has not transferred or invested any portion of his personal property, within three months, to avoid taxation, and make oath to the truthfulness and correctness of the same, and return it to the assessors. After deducting the aggregate amount of indebtedness from the gross amount of personal property, the remainder will show the amount of personal property upon which he shall be assessed. If the statement required above is false, either in regard to the amount of personal property or indebtedness, the affiant shall be liable to the penalties of perjury, and the assessors shall increase his assessment fourfold upon the amount so misrepresented. Provision is also made for the taxation of moneyed corporations. Taxes upon real estate mortgaged or pledged for the payment of indebtedness shall be paid by the owner or occupant of such estate, but he shall be entitled to recover from the mortgagee or owner of such indebtedness or have the same applied upon the interest or principal of the same, the amount of the taxes by him so paid, which shall bear the same proportion to the whole tax as the mortgage or indebtedness bears to the assessed value of said real estate.

COMPENSATING EXPERTS.

A heated debate took place in the Senate this morning on the subject of Mr. Pomeroy's bill to provide for the compensation for expert witnesses in criminal cases. The bill enacts that on the trial of any cause in the courts of record of this State, in which the people of this State are a party, it shall be the duty of the presiding justice or judge on such trial to determine, by an order to be made for that purpose, the compensation to be paid to any physician, surgeon or chemist who shall have attended upon the trial as a witness in behalf of the people to testify as an expert. To this, the first section, was added on motion of Senator Raines, the following:—"But this act shall apply only in cases where preceding or during the trial the consent in writing of such Justice or Judge to subpœna said physician, surgeon or chemists shall be procured by the District Attorney of the county," and, on suggestion of Senator Hogan, the following—introduced by Senator Hughes in writing—was also adopted as part of the first section:—"And the Court may order or allow such experts to be subpœnaed for the defendant at the expense of the county in cases where they are satisfied such defendant cannot otherwise procure the same." Upon the question of adopting this as part of the bill the debate turned. It was argued on one side that it opened wide the Treasury doors, and no proper limit to the expenditure being made on the bill no one could tell how many thousands of dollars would be annually expended. In answer it was claimed that it would be unfair to allow the powerful and wealthy government to put a defendant at a disadvantage by using machinery which was beyond the reach of individuals. The bill, as amended, was formally reported and ordered to a third reading.

THE TOLL SHEET.

The canal toll sheet, over which a debate was waged in the lower House yesterday concerning the addition of flour, leached ashes and petroleum to the free list, was adopted in the Senate as sent up by a vote of 22 to 2.

BLACKMAIL.

Mr. Pierce has introduced a bill making it a misdemeanor punishable by fine and imprisonment to attempt to extort money by threat or blackmail.

MORTUARY LEGISLATION.

Mr. Ecclesine has introduced a bill to facilitate the removing of human remains in cities.

A NEW CANAL SCHEME.

Senator St. John to-day introduced a bill intended to secure the introduction of a new towage system on the State canals, and to simplify the collection of revenue from the canals. It is as follows:—

AN ACT to secure to the public the free use of the canals. The people of the State of New York, represented in Senate and Assembly, do enact as follows:—

SECTION 1.—All acts or part of acts for the levying of tolls upon the canals of this State are hereby repealed.

SEC. 2.—In lieu of tolls, all boats, floats or rafts, hereafter navigating the canals of this State shall pay twenty-five cents per mile for towage for a greater or less distance.

SEC. 3—To economize in the expense of canal navigation and in the collection of its revenues, the Buffalo, Syracuse and Albany Railway Company, its successors or assigns, are hereby authorized and empowered to introduce upon the canals of this state, and in its behalf, a system of towage by locomotives upon tracks to be laid upon each bank of the canals, so as to cause the least inconvenience to the present system of towing by animal power. In connecting the tracks across the canals where desirable, it shall be done in such manner as shall be approved by the State Engineer or the Superintendent of Public Works.

SEC. 4.—The Buffalo, Syracuse and Albany Railroad Company, its successors or assigns, shall tow for hire, by the locomotives or by animal power, all the boats, floats and rafts that may be offered, loaded or empty, at twenty-five cents per mile for any (greater or less) distance, except where other means of towage may be used by other parties. In that case tolls shall be paid not exceeding one mill per ton per mile on all freights, and on lumber, sawed, one and a half mills per 1,000 feet per mile, and on lumber in rafts two and one-half cents per 1,000 feet per mile, and on timber in rafts one cent per 1,000 feet per mile, of which tolls shall be collected by the said railroad company or by any State collector to be designated by the Canal Board, to be paid over to the State on account of the sums specified and stipulated in the fifth section herein next following.

SEC. 5.—From the tolls thus to be collected and of the proceeds of the twenty-five cents for towage collected, the said Buffalo, Syracuse and Albany Railroad Company shall pay to the Treasurer of the State, on the 15th of each month, from May to November, both inclusive, the sum of $128,571 42, being $900,000 yearly, and shall retain a residue of the sums to be collected by them in full compensation for cost of establishing and maintaining said system of towage and of collecting said tolls.

SEC. 6.—In order to prevent any discrimination in prices to be charged by the said railroad company in the transportation of persons or property on the railroad to be constructed by the said company it is hereby provided that they shall not charge a higher rate than three-quarters of a cent per ton per mile for through freight moved on their tracks, and no more than one and one-half cents per ton per mile, and twenty cents a ton for loading or unloading local freights in all cases not less than a car load, and in like amounts such uniform rates as the railroad company may establish, and rates not exceeding one and a half cents per mile upon passengers, through or local.

SEC. 7.—The system of towage hereby authorized shall be subject to the supervision and control of the Canal Board, and the same shall be subject to all the rules and regulations established and to be established by the Canal Board for the navigation of the canals.

SEC. 8.—In case the said railroad company, its successors or assigns, shall neglect or fail to introduce said system of towing on the Erie and Oswego canals, between the Hudson River and the lakes, within two years after the passage of this act, all rights and privileges herein granted shall cease, and said company shall remove all structures erected by them on the banks of the canals and replace the banks, as found, if required to do so by the Canal Board.

SEC. 9.—The Legislature may at any time alter or modify the provisions of this act.

SEC. 10.—This act, except for purposes of construction, shall not take effect until the road shall have been opened for use from the Hudson river to the lakes, and fifteen days' public notice of the same shall be given by the State Engineer or Superintendent of Public Works.

COAL OPERATORS' MEETING.

BETHLEHEM, Pa., Feb. 6, 1878.

The individual operators of the Lehigh region met here this afternoon.Ario Pardee presided and Judge Hamburger acted as secretary. After a harmonious session of two hours it was agreed that the allotment of coal to each operator should be based on the two best months' shipments during the past two years. The amount shipped will depend on the wants of the market. It was also agreed that every operator should ship his allotment each month or lose his tonnage, except in cases of strikes or other trouble. A committee of one from each region was appointed.

CHARGES AGAINST A POSTMASTER.

PROVIDENCE, R. I., Feb. 6, 1878.

The charges against Postmaster Brayton, of this city, which were presented in the House of Representatives by Mr. Landers, this afternoon, are known here to be generally false and malicious. Two of the affidavits are made by discharged Post Office officials and the other by a disappointed obscure politician. Nine-tenths of our business men would probably indorse Mr. Brayton as one of the most efficient postmasters Providence has ever had.

AN OFFICER SHOT BY A MURDERER.

MEMPHIS, Tenn., Feb. 6, 1878.

About one o'clock this morning Officer Restemermeyer, while on duty near the Mississippi and Tennessee Depot, heard a shot fired in a shanty near by and the scream of a woman. Running toward the house, the officer met Bob King, a notorious negro, running out, and ordered him to halt. King instantly fired, the ball striking the officer in the jaw, inflicting a fatal wound. It was afterward ascertained that King had shot and fatally wounded Laura Burnshill, colored, and was fleeing when met by the officer. So far he has escaped arrest.

PRISON HORRORS.

New Jersey State Prison Investigating Committee at Work.

SHOCKING INHUMANITIES EXPOSED.

Convicts Tortured and Burned Into Submission.

[BY TELEGRAPH TO THE HERALD.]

TRENTON, N. J., Feb. 6, 1878.

The State Prison Investigating Committee met in the Senate Chamber at eight o'clock to-night. Patrick H. Laverty, Sheriff of Hudson county, was the first witness sworn. He testified that he knew nothing of any cruelty having been practised on the criminals. He referred to Freelander, a convict from Hudson county. "I didn't know of any cruelty practised on him, except what I practised on him myself; this man was arrested in Hoboken and sentenced to State Prison; when he was first arrested he weighed 200 pounds; while in jail he would not do any work; he became conveniently afflicted with paralysis; two or three men carried him into court for sentence, when it was found he was a fraud; I visited him in the jail two or three days before he was taken to the State Prison; found him lying on a mattress in a corridor of the jail; told him to get up, but he would not; I stuck a pin into the calf of his leg, when he arose; he pretended to have a fit; I proposed to give him a cold bath, when some of my men interfered; but for that I would have drowned him or made him walk; I took him to Trenton, when two or three men proposed to pull him out on the sidewalk, when he crawled out on his knees; he was taken to the prison and put to work; he is the man upon whom the newspapers stated alcohol had been poured; that was a mild treatment, and I would not have been so mild with him, although I am a humane man; there are but few saints in the State Prison; this man had threatened to kill me; his age is about forty-five or forty-six; he is a German Jew and was convicted of false pretences; he was sentenced to one year and a half."

THE CHAPLAIN ON THE STAND.

Alexander H. Warner testified that he was chaplain of the prison nine years and five months; left on the 31st of last August; was chaplain for seventeen months while General Mott was keeper; "I know very little" he said, "about the punishments, because I was afraid to speak; I saw a man suspended by his hands from the ceiling of a cell one time; I could not tell whether his feet touched the floor or not; I merely cast my eye in; I have seen convicts in the cells at other times by the walls, but not suspended; I had to keep my eyes straight before me or I would get in trouble; that is the reason I did not stop and look; there was no such punishment practised in Mr. Hennion's time; the dungeon punishment has always been in use; it did not do for me to interfere; I have heard squealing; used to sleep in the prison at night; I frequently heard the convicts use profane language; a prisoner behaving himself at his work and in his cell is allowed four days off every month, while for self-control, &c., he is allowed another day which is allowed by the moral instructor; that is a powerful lever—a strong law; the gag in the mouth is a common and severe punishment; I saw half a dozen men in the centre hall at one time with gags in their mouths; that punishment was never used before General Mott's time; General Mott interfered with my duties as chaplain and prevented me from talking with the prisoners; in the prison there was no law defining my duties until General Mott made a law for me; he had no right to make a law for me; some of the prisoners whose constitutions were broken down could not keep up with their work and they were then punished; I saw a scar on a man's thigh which was said to be the effect of alcohol; he was lying naked in his cell; he was said to be deranged; I saw only one man pulled up by a pulley in his cell; I found there was a great deal of austerity in General Mott and there was very little intercourse between us; I felt there out of self-respect; Mott treated me with indignity."

A PHYSICIAN'S TESTIMONY.

Dr. John W. Ward, Superintendent and Physician of the State Lunatic Asylum at Trenton, testified that a man came direct from the prison to the asylum who was afflicted with epileptic insanity; he had no sore on his leg, only a red mark; that would not cause insanity; cannot give any information of my own knowledge about the alleged cruelties.

John Bates testified that he had been employed by a shoe company keeping machinery in repair in the prison; he said the boot heel gag was used and men were often standing in the centre with bags on their eyes; saw men's wrists much cut; a few weeks before I left the prison saw two or three men with gags in their mouths at work; sometimes they would work and come near choking; one man with the gag in his mouth was in the shop for about three-quarters of an hour.

George W. Brook, a shoemaker, testified that he had worked in the prison for one week as instructor; first punishment I saw inflicted was on two men for not finishing shoes well; Cooper and Thomson were their names; they were taken out, and when they returned had gags in their mouths from which they suffered from a half to three-quarters of an hour; Cooper said he would rather be strung up than have the gag; saw one man suffering great agony from the effects of having been strung up; he was crying bitterly; another man showed me his wrists, which were cut to the bone and a deep ridge around them; he said he had been strung up, he had been reported for not having properly put heels on shoes; I refused to report a convict a second time and was then discharged; I had to report a little or I would not have been there as long as I was; was reprimanded one time for calling a convict "mister;" the foreman said to me, "It never does to let a prisoner know or think that he

the Gover... ships in Hunter... counties, which were laid over till next week.

JUDGE JOHNSON'S OBSEQUIES.

UTICA, N. Y., Feb. 6, 1878.

The funeral of the late Judge Alexander S. Johnson, of the United States Circuit Court, was very largely attended to-day by the leading judges of the United States and other courts and prominent representatives of the Bar of the State. Bishop Doane, of the diocese of Albany, and Rev. Dr. Van Dusen, of Grace Church, with other clergy, officiated. All the flags of the city were at half mast. Chief Justice Church, Judges Earl, Andrews, Folger and Rapallo, of the Court of Appeals; Judges Wallace, Gray, Mason, Pratt and Foster were the pallbearers. The remains were deposited in the Chapel of Roses of Forest Hill Cemetery, where the committal services took place.

Judge Mason presided at the general meeting of the Bar, which made suitable expression of the respects of the Bench, Bar and citizens generally over the loss of the distinguished jurist. Addresses were made by Judges Mason, Wallace, Gray, Merwin and Williams, John F. Seymour, C. D. Adams, Ward Hunt, Jr., and others. Appropriate resolutions were adopted. Letters of regret, condolence and sympathy were read from Secretary Evarts, Senators Conkling and Kernan, Justice Hunt, Governor Seymour and leading jurists and members of the legal profession.

HENRY STANLEY IN LONDON.

HIS FRIENDS AND ASSAILANTS AROUSED.

[From the Regular Correspondent of the New York Tribune.]

LONDON, Jan. 24, 1878.

Mr. Stanley arrived in London on Tuesday. All along his road—at the Cape, at Cairo, at Rome, at Paris—he has been received with honors. But his approach to London has roused the old jealousies and enmities of a certain section of the Royal Geographical Society, and they have renewed the attacks on him which they began while he was still in Africa. He has escaped the tender mercies of the Congo savages only to endure a furious onslaught from their English friends. While Italy was hanging medals around his neck and France putting a palm branch—one of her rarest honors—into his hands, England was calculating how many "niggers" he had needlessly shot, and the President of her Geographical Society was writing to the papers to contradict the report—creditable, if not credible—that the Albert Hall had been taken for a public meeting in his honor. What is called the humanitarian party was rearing its head once more.

If I use that word in connection with the set of men who are assailing Mr. Stanley it is not because I think they are entitled to so honorable a name, but simply because they themselves have seized on it. It is neither apt nor descriptive, but since they claim the title they shall have it, and if it turn out, as I believe it will, that they usurp and abuse it their condemnation will be only the more signal. It would be a curious subject for inquiry how many of Mr. Stanley's accusers are among the defenders and eulogists of the Turks. They were, at any rate, writing in considerable numbers to the authorities of the Geographical Society to protest against any recognition by the society of Mr. Stanley's labors and triumphs. Some of them announced with solemnity that if steps were taken to offer him a welcome they would resign. Sir Rutherford Alcock, its president, is a man of peace, and for a while seemed disposed to make any sacrifice rather than risk a disturbance. It was under the influence of this feeling that he wrote the note I have mentioned above. Presently, however, a better spirit showed itself. Other members began to make themselves heard. The British love of fair play asserted itself, as it did before when a concerted effort to break down Mr. Stanley had to be abandoned in deference to the indignation of the public. A meeting of the Council took place, and it was resolved—though not till Monday of this week—that a public meeting should be held, under direction of the society, at which Mr. Stanley should be invited to give an account of his travels and discoveries, and that a dinner should be given in his honor at Willis' Rooms by the Council, at which the Fellows of the Society and their friends might be present. The dates of these two ceremonies remain to be fixed. St. James' Hall, the largest in London, except the Albert Hall, is to be taken for the meeting on the first evening on which it can be obtained, which will not be till after the 1st of February. It was settled, also, that if the "humanitarians" should attempt to disturb the meeting they should be told by the President that they were out of order; that the society was assembled for geographical discussion, and that if they desired to offer a protest against Mr. Stanley's proceedings in respect of the Africans, it would be open to them to convene a meeting of their own for that purpose. I believe I risk nothing in saying that this decision was taken in obedience to the wish of the great majority of the most distinguished members of the Geographical Society. The minority, which assails Mr. Stanley before having heard his defence, does not include many persons of importance. I do not know that it includes any, but it has access to the columns of one or two newspapers of some consequence, and it is noisy in proportion to its weakness. In justice to Mr. Stanley, I ought to say that I am not repeating anything I have heard from him, or from anybody who represents him. I have neither seen him nor heard from him since he reached Europe. But I have conversed with some Fellows of the Geographical Society, who, though not Mr. Stanley's personal friends—some of them do not even know him by sight—have resented and resisted the attempt to fasten a stigma on him in his absence, and are determined that he shall have a fair hearing.

Permit me, nevertheless, to say one thing on the faith of my previous knowledge of Mr. Stanley. I judge him to be one of the coolest men I ever saw; as cool as he is resolute; and as unlikely as any man now living to take to shooting negroes in a panic—for that is what the accusation against him amounts to. His enemies—I mean his English enemies—accuse him of conduct that can only be imputed to terror, or to mere wanton delight in massacre, of which, also, I believe him incapable. A man slow to anger, I should say, but quite certain when he had made up his mind that a certain piece of work was to be done to do it thoroughly, whether it were shooting negroes or any other form of disagreeable exertion. I read at the time of their publications those letters of his which are held to raise against him a presumption of cruelty or of indifference to cruelty. They must be within the memory of many of my readers, but I do not hesitate to say that to my mind they fail to support the inference which Mr. Stanley's opponents have striven to draw from them. Whatever the truth be, it must come out. There can be no disposition on his part to withhold it. The man who has fought his way through a score of barbarous tribes in Central Africa is not likely to shrink from the ordeal offered him by armchair critics or Exeter Hall sentimentalists who have followed his track with a keener desire to find him out in a fault than to recognize the great qualities to which his great success is due.

It is anything but pleasant to be obliged to add that some part of the animosity which pursues Mr. Stanley seems to be due to his American nationality. Whether he be American by birth or only American by due process of naturalization I neither know nor care. But there is a set of people who assume that he is English when credit is to be claimed for his discoveries, and American when obloquy is to be fastened on him for alleged cruelties. An elaborate indictment appears against him this morning in the leading tory organ; none the less an indictment because it puts on the garb of an impartial suspense of judgment and contains an appeal to the Geographical Society to arraign and try him. The writer, whoever he may be, knows his trade and his public well. If he had found space for his attack in a liberal journal, he would have omitted the suggestion on which he relies for reaching the lurking animosities of his tory readers. It is not on the English liberal press the word American acts as a red flag; liberal readers show little disposition to keep alive the military hatreds and the dread of free institutions which come readiest to the lips of the old fashioned Tory.

It is this latter who is expected to hear with approval that "Mr. Stanley's American experiences and relations were not likely to render his regard for the lives of hostile barbarians particularly sensitive or scrupulous." What "experiences and relations" appear to be the Indian policy of the United States has exercised this baneful influence on Mr. Stanley. The Indian policy of the United States is the last thing I should think of defending, but this is the first time I have heard that Mr. Stanley is responsible for it, or that he had been intrusted with the execution of it, or any part of it. To connect his name with a justly odious policy without proof, without even venturing to insinuate, except by the mere collocation of sentences, that he had anything to do with it, seems to me almost as shameful an act as the shooting of African negroes in self defence. The authorship of this attack is sufficiently indicated by the opinion hinted on behalf of it is the duty of the Royal Geographical Society to hear and adjudge the cause and to tell the world, which looks to them for guidance on such a question, how far the methods employed by Mr. Stanley in the bloodshed he has caused were justified by the political state and urgent peril, or otherwise excused. This is precisely the contention of the "humanitarian" party in the society thus appealed to. Outside the council, they are seeking to kindle a feeling among the outside public, to be used partly with a view to modifying the action of the society, and partly with a view to organizing a demonstration against Mr. Stanley, when he shall make his first appearance on a public platform.

I have written, perhaps, more fully than I need on this subject, and much more fully than I meant to when I began. With some feeling, also, perhaps; for I do, however, I do not mean to offer any excuse. It is a feeling which springs from close personal relations with Mr. Stanley, whom I know but slightly, a feeling of sincere admiration for his splendid qualities; for the rare combination of personal gifts that carried him through; for his immense force of character and brilliant courage, and, not least, a feeling made up partly of indignation against the cabal plotting to blacken his character, partly of gratitude for the fresh distraction he has won for a profession among whose members he must rank henceforward as one of the most illustrious. G. W. S.

AN EDITOR'S SUIT.

Suit has been commenced by Augustus Maverick against Demas Barnes to recover the sum of $291 90, salary due, and $1,000 damage done to his reputation by the sudden stoppage of the paper, of which the defendant was the owner. The latter, who was proprietor of the late Brooklyn *Argus*, employed the plaintiff as managing editor, and that gentleman claims that he was entitled to one month's notice, which he failed to receive. He was paid at the rate of $3,000 per annum for a time, and that amount was subsequently increased to $3,500. Mr. Barnes denies that there was an understanding as to the termination of the contract, and a counter claim is set up for $1,200 for advances made and for $1,500 for injury done to the paper.

NOT A BAD INVESTMENT.

A sailor was induced, yesterday, while on the dock at the foot of Main street, Brooklyn, to invest $1 in a prize package by a man named Doherty. The first chance he took Jack won a greenback. He then purchased $2 worth of packages, and finding that they contained no money he grabbed three prize parcels and ran away. Doherty gave chase and caught hold of the sailor, who struck him in the eye. A policeman interfered and took both men before Police Justice Walsh. The magistrate opened one of the packages, and finding a $2 bill in it he gave it to the sailor, who was discharged. Doherty was fined $3 for peddling without a license.

THE FINANCIAL ROUT.

Heavy Defalcation in the Bank of North America.

UNDETECTED FOR YEARS.

The Confessed Misappropriations of a Teller.

OTHER BUSINESS EMBARRASSMENTS.

Wall street was agitated by reports of another defalcation yesterday. At first by vague rumors, then in more definite form was circulated the story of a heavy loss by some moneyed institution at the hands of one of its servants. Toward the close of business it became known that the institution which had sustained the loss was the Bank of North America, No. 44 Wall street, and the amount was stated to be about $100,000. The chief teller, Mr. Augustus M. Turney, was the defaulter. His peculations had been made to cover losses in speculation for a period of years, during all of which time, it was stated, the bank had remained in ignorance of his evil doings and of the liberal way in which he helped himself to its funds.

On learning so much of the story a HERALD reporter called at the bank, but the officers declined to make any statement at first. They afterward said that a statement would be sent to the HERALD in the evening. Pending the preparation of this statement one of the officers of the bank admitted the truth of the foregoing reports. No explanation, however, was offered as to the manner in which the defaulter had covered up his tracks. When asked whether the capital of the bank would be scaled down to meet the deficiency the President said he as the largest stockholder, was in favor of making up the loss rather than cutting down the capital. He further said that the amount mentioned was the only loss sustained by the bank. Subsequently the cashier, Mr. Joseph A. Beardsley, when asked why the operations of Mr. Turney had not been discovered sooner declined to explain. It was asked whether false entries had been made to cover the losses, and he said there had been no false entries. Prominent business men who discussed the reports of the defalcation current were at a loss to explain how it could have remained undetected if only one person was concerned in the steal. They said you must choose between carelessness and conspiracy. One gentleman, the manager of a large moneyed corporation, said emphatically:—"It was the cashier's place to make this discovery and I cannot understand how it could have remained undetected by him if no false entries were made."

The following is the statement prepared by the President of the bank and forwarded to the HERALD office last evening for publication:—

THE PRESIDENT'S CARD.

NEW YORK, Feb. 6, 1878.

TO THE EDITOR OF THE HERALD:—

We desire to inform the public of the following facts:—On the morning of Saturday, the 2d inst., upon the commencement of an examination by the Bank Department, the paying teller of this bank confessed that he was a defaulter to the amount of $100,000. He has been in the service of the bank for over twenty five years, and was much respected and trusted. He is now under arrest. Since this discovery the bank has been thoroughly examined by the official State examiners of the Bank Department and they have made their report to the Superintendent of that department. By his permission we publish their conclusions as to the condition of the bank. They find the unimpaired capital of the bank after the defalcation, over all its debts and liabilities, after charging against it all contingent liabilities and excluding from their computation all assets classed by them as contingent, to be $716,895 41.

We have recovered, since this result was reached, from the sum taken in the defalcation, $16,029 57, reducing the amount of the loss by the defalcation to $84,570 43 and increasing the sound cash capital, according to the examiner's estimate, to $732,924 98.

WILLIAM DOWD, President.

WHAT THE EXAMINERS SAY.

Last evening Mr. A. B. Kirtland, of Albany, and Mr. William Lummis, of New York, bank examiners, made a statement of their examination to the writer. They said:—"The low figures at which the stock of the Bank of North America has recently sold, and the fact that, although a State institution, the bank had never been officially examined by the Banking Department induced Mr. Henry L. Lamb, the present Acting Superintendent, to order an examination. The investigation was begun upon Saturday morning last, 2d inst., by us. During the progress of the examination, which was conducted in a very thorough manner, a heavy defalcation by the first teller of the bank, Mr. Turney, was developed. The amount of the defalcation was ascertained to be just $100,600. The defaulter confessed that his criminality had been occasioned by losses in speculations dating as far back as 1869 (Black Friday). He had successfully covered up the deficit by alterations of his book, and it had remained undiscovered and unsuspected, increasing in amount to the present time. Since its discovery the bank officers have recovered through the defaulter $16,000 in cash, reducing the aggregate loss to $84,600. They also feel certain of recovering upon the teller's bonds $15,000 more, which will leave the net loss $69,600. The State examiners have concluded their investigation, but do not feel warranted in publishing it until it has been submitted to Mr. Lamb, who will soon arrive from Albany. We learn, however, that the total impairment of the capital stock of the bank, including the balance of some old losses by overcertification in 1873 and previously—the details of which were made known to the public at the time—will be $283,000. The depositors need have no apprehension as to the safety of their fund since this impairment will affect the stockholders only, and the present investigation has been made in a thorough manner, the assets of the bank and the collaterals of every loan having been taken at their actual market value. The impairment of $283,000 was calculated upon the basis of an actual loss of $100,600 by the defalcation. As stated, it has been reduced since $15,500; the remaining $183,000 was made up of old losses on loans and over certifications and discounts which the bank had been carrying along in hopes of reducing them. The examiners have insisted that they should be charged out, and that only such remaining collaterals as had a market value should be counted against them. The bank is strong in cash items, its discounts are carefully made, and the directors are considering the propriety of their reducing the stock or making it again up to par. There is, therefore, no reason whatever to apprehend any more serious results than another unfortunate shock to public confidence and a severe lesson to the officers and stockholders of this institution. The statement of the examiner, it may be really said, represents the darkest aspect of the case. The bank holds certain contingent assets which they estimate worth possibly $30,000: but this, of course, could not be taken into account until realized upon. The liability, also, of $63,000 is a referee's judgment, not yet confirmed by the court. The bank officers are assured by very high legal authority that a refusal to pay it will be sustained; at the same time, this being a present liability, the examiners were obliged to count it as such.

THE BANK.

The bank has a capital of $1,000,000. The net profits last year were stated to be $60,000. The officers are:—William Dowd, President; Henry A. Kent, F. J. Hosford, Watson E. Case, John J. Donaldson, William B. Leonard, Edwin Burkley, John E. Devlin, Harvey Kennedy, John B. Norris, Norman Peck and Henry Havemeyer, directors. The original charter was granted by the State in 1851. On January 8, 1869, it was reorganized. Mr. Joseph A. Beardsley is the cashier. The late Mayor Havemeyer was once president of the bank, and a bust of the deceased Mayor is set in a conspicuous niche in the bank building.

THE ARREST.

About half-past five o'clock last evening Detectives David H. Crowley and Robert McNaught, who have watched Mr. Turney's movements since his confession last Saturday, arrested him and conveyed him to Police Headquarters. Mr. Turney has lived in his own house, at No. 50 West 132d street, and is a man of family. He is said to have been a prominent church member in Harlem and to have had the respect and esteem of his acquaintances.

THE NATIONAL TRUST COMPANY.

Thomas Keiso, an old resident of Baltimore, who gives his age as ninety-three, is seeking through the courts to compel Mr. William J. Best, receiver of the National Trust Company, to return to him certain bonds and stock, which he says he deposited with the company. He specifies as such bonds and stock twenty first mortgage bonds of the Chicago and Eastern Illinois Railroad Company, valued at $20,000; income bonds of the same company, issued on account of the fifteen per cent assessment, valued at $3,000, and stock of the same company, for half accrued interest