National Republican.

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DISGRACING THE ERMINE.

JUSTICE HUMPHREYS MAKING AN ASS OF HIMSELF.

His Remarkable Conduct at a Hearing—Laughing Lawyers, Surprised Prisoners and Astonished Officers Witness His Shameful Conduct.

The case of C. S. Bell, charged with being a fugitive from justice in the State of Texas, occupied the attention of Justice Humphreys for a short time yesterday. Mr. Bell was arrested on Thursday evening, taken to police headquarters, and there turned over to Mr. J. F. Cunningham, to be delivered to the authorities of Texas.

Col. Ward H. Lamon and Mr. H. H. Blackburn, his counsel, called the attention of Justice Humphreys to the matter for the purpose of obtaining a writ of *habeas corpus* to try and secure his release from custody. In the petition presented Mr. Bell states that he is a prisoner, confined in the custody of J. F. Cunningham and Major A. C. Richards, in a cell at police headquarters, in the District, for a supposed criminal offense, to wit: the murder of Wm. Morris in Live Oak, Texas, in the year 1869, and of this charge he claims to be innocent. He says that he has never been duly and lawfully indicted by any proper or legal authority in the State for the offense; that the paper purporting to be the indictment by the authorities of Texas, upon which the requisition was based, and upon which the order of the judge was made, is not a lawful indictment.

The petitioner further shows that at the time said criminal offense is alleged to have been committed he was an officer of the United States in the War Department, and that he was a witness in a number of criminal suits against the said James F. Cunningham for sundry forgeries of auditor's warrants; that Cunningham was indicted on one of these forgeries, tried and convicted, and sentenced to the penitentiary for a term of fifteen years, in the State of Mississippi, in the county of Hinds. The records of that State show that in the years 1872 and 1873 Cunningham was indicted in six cases of forgery, conspiracy, &c., in all of which the petitioner was a witness in behalf of the prosecution, and that the unlawful imprisonment is a malicious prosecution instigated by said Cunningham out of a desire for revenge. He asserts that Cunningham, in seeking his arrest and imprisonment, has invoked the aid of the court to sustain this malicious prosecution.

Accompanying the petition is a sworn certificate, with seal of the court attached, from J. N. Hodges, clerk of the Criminal Court of Hinds county, State of Mississippi, dated July 31, 1874, in which he avers that James F. Cunningham has been for nearly two years confined in the county jail of that county, having been tried on a charge of having in his possession forged auditor's warrants with intent to pass the same, and sentenced to a term of fifteen years in the penitentiary; that he has obtained a new trial in said case and is about to be released on bail; that the records of the office show him to have been indicted in 1872 and 1873 in six cases of forgery and conspiracy, and that he has been on trial once on each of said charges.

The requisition from R. B. Hubbard, Governor of Texas, is dated Austin, July 28, 1877, and is said to have arrived here in the morning of August 2. It calls for the arrest of C. S. Bell to answer the charge of murder, and directs that he be delivered to J. F. Cunningham, agent on the part of the State of Texas, who will receive him without further expense to the State, than the reward offered for his apprehension.

Justice Wylie issued the order to the Marshal to arrest the man if found within his bailiwick and deliver him to the man designated to receive him on behalf of the State of Texas. Accompanying the requisition is a copy of the indictment, signed by the foreman, Curtis Herring, which sets forth that C. S. Bell was indicted for the murder of William Morris on November 1, 1869, with a double-barreled shot-gun.

Justice Humpheys, after hearing the papers read, sent word to Major Richards to know if he would bring the petitioner before him without the service of a writ or process. Major Richards responded by sending the prisoner before His Honor, under the surveillance of Detective McElfresh. Justice Humphreys then fixed his bail in the sum of $1,000, and postponed the hearing until Wednesday next.

At 4 o'clock, repeated efforts having been made to secure bail without meeting with any success, Justice Humphreys gave another hearing to the case in the consultation room, the prisoner having remained in the marshal's office. There was present Col. Ward Lamon, counsel, James F. Cunningham, the officer representing the Texas authorities and others. Justice Humphreys said he had been thinking over the matter and believed it to be the most outrageous proceeding he had ever known, and the most terrible violation of personal liberty that ever came to his knowledge. These papers, referring to the requisition, purported to be issued at Austin, Texas, on July 28, got here and had a writ issued on them on the 2d of August.

He was compelled to believe them forgeries for it was a physical and geographical impossibility for either a person or papers to travel the distance given in the time indicated. This was absolutely an imposition. Cunningham is the man whose name is properly mentioned in the papers. Even the Governor's was not written out in full. Jas. F. Cunningham could not have come from Austin in the time claimed, and the Court would not be imposed upon in the way attempted.

Mr. Cunningham said that the papers came by mail.

Justice Humphreys. It is impossible to reach here by mail in the time claimed.

Mr. Cunningham replied that he never had been in Austin, but that he received the papers from the Governor in room No. 18, St. Cloud building, in a communication dated July 28.

Justice Humphreys. They pretend to be dated at the executive office July 28, together with the letter inclosing the requisition on the Chief Justice of this District, for one C. S. Bell, saying that the Governor has this day offered a reward of $500 for the arrest of Bell, and it is signed by Jno. W. Swindle, executive clerk and private secretary. You went to one of the justices here to impose upon him.

Mr. Cunningham. I went to Judge Wylie's house and presented the documents to him, and after an examination of them he issued the order.

Justice Humphreys. Where were you born?

Mr. Cunningham. In Ireland.

Justice Humphreys. What county?

Mr. Cunningham. Roscommon.

Justice Humphreys. You do not seem to have the Irish brogue, and yet appear like a pretty shrewd fellow. You need not be afraid to speak out, as you will not be troubled. His Honor then asked numerous questions concerning Mr. Cunningham's connection with the Department of Justice; how old he was; how long since he arrived in this country; if he knew R. B. Hubbard, Governor of Texas; if his initial stood for Richard or anything else; whether he was German, Irish, American, or of any nationality; if he lived in Texas or anywhere else, and why he did not sign his name in full to the requisition if it was legitimately done.

Mr. Cunningham declined to answer the questions poured into him like hot shot.

Justice Humphreys. How do you spell this word? (pointing to some word in the paper.)

Mr. Cunningham. I did not write the requisition, and do not know what word you mean.

Justice Humphreys. Well, I do not believe you received the papers by mail.

Mr. Cunningham. It takes four days for a letter to come from Austin, Texas, here, and that is the time the papers had to travel.

Justice Humphreys. I don't believe a word of it. You had better get out of town as quick as possible. You have brought document here that cannot be authenticated. It is the most perfect outrage I have ever seen perpetrated on the court.

Mr. Cunningham. If you think my statement untrue about the mail, I refer you to the Third Assistant Postmaster General for information on the subject.

Justice Humphreys. I don't know the Third Assistant Posmaster General.

Mr. Cunningham. It is Mr. Brady.

Justice Humphreys. You had better get out of this city as quick as you can. This conduct is shameful. I now discharge the prisoner, and hope he will not strike you. I don't want to do anything to you, so you need not be afraid of me.

Mr. Cunningham. I have no fears; I am prepared for any consequence that may result from that or any other matter. You had best consult the authorities in regard to the time it takes to get a letter here from Austin, Texas, before you discharge the prisoner. I shall telegraph to the Governor to telegraph directly to you, in order that you may be satisfied that the documents are correct in every form. I also desire that you should bring the mail-carriers and others here to show what they known about the delivery of this letter to me.

Justice Humphreys. I don't want to hear anything more about it.

Mr. Cunningham. You can do as you please with the prisoner, as you have the matter in your own hands.

The prisoner and his counsel arose at this juncture and were about retiring from the room, when His Honor directed Mr. Bell to again take his seat, remarking that if there was any more evidence to hear in the case he might be induced to change his mind.

Mr. Cunningham demanded his papers, and the Judge declined to let him have them, saying that he would not give him anything.

The conduct of Justice Humphreys was most remarkable, and indicated that spiritual influences had control over himself and actions. He would ask the same question many times, and at times the persons in the room were convulsed with laughter. The gravity of the occasion was entirely swallowed up in the ridiculous conduct of the Judge, and some of those present, unable to restrain their laughter within due bonds, went into the hall and gave vent to their pent-up feelings.

Finally, when the mock hearing had terminated, everybody left the room and building more deeply impressed than ever before of the total unfitness of the Justice for the high and responsible position that he holds on the judicial bench of the District, and hoping that the day is not far distant when this disgrace will be wiped out by Congressional intercession.

A representative of THE REPUBLICAN had an interview with the railroad officials of the Baltimore and Ohio railroad in regard to the time required to travel between Austin, Texas, and this city, and was informed that only 72 hours were necessary. It will therefore be seen that the papers had ample time to come from the Executive of the State of Texas even if written at the time they were dated.

A STATEMENT FROM DETECTIVE CUNNINGHAM.

Mr. Cunningham called at this office last evening and stated that, although it was true that he had been tried for forgery and convicted and sentenced to fifteen years in the penitentiary, yet upon an appeal to the Supreme Court of the State that tribunal had reversed the decision of the court below, and that subsequently all criminal proceedings of every nature and description existing against him in the State of Mississippi had been abandoned, the district attorney of Hyndes county, where the indictments were found, having entered a *nolle prosqui* in each case.

GENERAL CUSTER'S REMAINS.

The Obsequies to Take Place at West Point in October.

[Special Dispatch to the New York World.]

POUGHKEEPSIE, Aug. 2.

The remains of the lamented General Custer arrived in this city this morning by the Atlantic express, having left Fort Abraham Lincoln eight days ago. It was intended to have them sent directly to West Point. Mrs. Custer, however, understanding that there was no receiving vault there, had communication with Mr. Philip Hamilton, of this city, and it was decided, through Quartermaster Miller, of West Point, and Mr. Hamilton that the remains of the distinguished dead should find a temporary resting place in the receiving vault of the Poughkeepsie Rural Cemetery.

The body arrived here in charge of the American Express Company, the cabinet containing it being encased in a strong wooden box. On the box, in the handwriting of the post surgeon at Fort Abraham Lincoln, and signed by him, was written a certification that the remains enclosed were those of Gen. Custer. Early in the morning Quartermaster Miller, Philip Hamilton and one or two others accompanied the remains to the cemetery, and they were deposited in the vault, the trustees of the cemetery giving cordial consent.

A reporter had an interview with Major Gen. Schofield, in command of the West Point department, at the General's residence on West Point, at 8 o'clock this morning, in regard to the future disposition of the remains. Gen. Schofield stated that Mrs. Custer arrived at West Point on Tuesday to consult with him in relation to the obsequies. They took into consideration the fact that at this particular time many of the officers of the post are away on a furlough, and as nearly all of them were old army friends of the dead General it was deemed wise to postpone the funeral respects due the memory of the deceased until some time in October. This will also give his old army friends abroad an opportunity to participate in the solemn exercises. This conclusion was made known to the intimate friends of the family, when Mrs. Custer left West Point for New York. In the meantime the body will remain in the vault of the Poughkeepsie cemetery.

FRANK WALWORTH AT HOME.

His Devoted Mother Hopeful of His Ultimate Recovery.

By Telegraph to THE REPUBLICAN.

SARATOGA, N. Y., Aug 2.

Frank Walworth arrived here this morning from Auburn, accompanied by his mother and younger brother, Tracy. The fact of his pardon was announced to him some two hours before his mother's arrival, so that when she did arrive there was no scene. On her arrival he was once released, and, taking the night train, the party was at Schenectady at day light, and here in Saratoga at 7 a. m. They proceeded at once to the old Walworth mansion, on Broadway, where they have remained all day. Frank is looking very badly. He is a perfect wreck of what he was when he left here four years ago, but was able to take his supper this evening with a better appetite than he has known for years. In fact, as his mother said this evening, she hopes that Saratoga air, Saratoga water and perfect quiet would eventually make "her boy" well again. Mrs. Walworth has been the recipient to-day of numerous cards, letters, personal calls and flowers from friends, whose sympathy for the brave lady is as outspoken as it is evidently sincere.

ANNA BOYLE'S ENGAGEMENT.

A Sharp Note from Mr. J. H. Crane—What He Thinks of the Parties with Whom He Did Business.

WASHINGTON, Aug. 3, 1877.

EDITOR REPUBLICAN.—Allow me to state that the article copied into your paper this day from yesterday's New York *Sun*, concerning my connection with the Boyles at Booth's Theatre in New York, is false in every respect, as is also an article upon the same subject in to-day's New York *Tribune*. I have letters, vouchers and a contract in my possession which fully vindicate me, and prove that I have been the victim of the most shameless beggars, dead-beats and impostors that ever infested any community. If it is necessary to vindicate my conduct, these documents will be given to the public with all the facts connected therewith, otherwise I shall remain silent.

J. H. CRANE.

GOVERNMENT SECRETS.

AN IMPORTANT DECISION BY THE ATTORNEY GENERAL.

No Copies of Recommendations for Office on File in the Departments to be Given Out—The Case of Senator Sargent Against the San Francisco "Chronicle."

An important decision has been just made by the Attorney General, holding that recommendations for office on file in the Departments are not matter of record there, and cannot be inspected except by those personally interested, nor can copies be furnished upon application for use of evidence in the causes to which private citizens are parties, much less for publication. The decision is made upon an application by Charles De Young, of the San Francisco *Chronicle*, for certified copies of the recommendations made by Senator Sargent, of California, for use as evidence in an approaching trial for an alleged libel against the Senator. Last April, and at various times since, the *Chronicle* has published charges against Federal office-holders on the Pacific coast, whom it claimed were recommended, supported and abetted by Sargent and Page.

After making a number of efforts to obtain an indictment of the proprietors of the *Chronicle* for criminal libel in all the counties of the State, indictments were found by the grand jury of Eldorado county against Charles and M. H. DeYoung. It was proposed by the defense to use the recommendations in question in support of the allegations mentioned. An application for permission to obtain certified copies of these recommendations was first presented to the President July 16. It recited the particulars of the circumstances of the case, the "unprecedented method" adopted by Senator Sargent in endeavoring to indict the proprietors of the *Chronicle* simultaneously all over the State, and dwelt upon the consistent support extended by the *Chronicle* to the new policy of the Administration, and its efforts to secure civil service reform on the Pacific coast as well as to end the power of the Federal ring in San Francisco.

An answer was returned to the communication directing the representatives of the *Chronicle* in this city to make application to the heads of each Department, whom the President could not assume to direct in the conduct of their files. A written application was accordingly made in substantially the same form to the different Departments, specifying the officers appointed in California within the period indicated by the communication of the *Chronicle*, 1869 to 1877, to the President, and requesting certified copies of the recommendations made by the parties to the suit. In the case of the Treasury Department this application was accompanied by a sworn statement of the fact required in the rule of the Department denying copies of papers except upon the affidavit of the party interested or his agent, stating that they are needed in a suit to which the United States is not a party, and are necessary in the conduct of the case. Before an answer had been drawn up by the other Departments, the object of this application had come up for discussion between the members of the Cabinet, who had decided to be guided by the opinion rendered by Attorney General Devens. Secretary Sherman, however, referred the application made to his Department to the law officers of the Treasury, and returned an answer under date of July 23, in which the Secretary said:

Assuming that some such papers as are called for exist, and that you have a right to copies of them, I do not think that the form of your request comes within a practicable application of any statute requiring the furnishing of such copies.

After specifying the particular in which the form of the application was faulty, and that the labor which it would entail was excessive, the opinion laid down the following rule:

An application for copies should always indicate the particular paper required, by date, signature, subject or other description, so that it may be identified.

Secretary Sherman proceeded to establish further restrictions which would prevent the Departments from furnishing copies of recommendations. Secretary Sherman says, at ending first, to the reasons already specified:

For these reasons I must decline to cause any examination to be made of the files of this Department, in compliance with your request. I have further to say that the Hon. Aaron A. Sargent appears to have been a member of Congress during all the time covered by your request. I am of the opinion that any official communication from a member of Congress to the head of this Department on the subject of appointments for persons to office in this Department comes within the description of privileged communications a disclosure of which would in general be prejudicial to the public interests. Any communication from any individual which is not official in its character, partaking of the nature of private correspondence, and does not belong to the files of this Department, and so is not of the description of records, papers, or documents of which copies are required or authorized to be published. Very respectfully, JOHN SHERMAN, Secretary.

The proprietors of the *Chronicle* were informed of the decision rendered by the Secretary, and they directed an appeal to the President in the following telegram, which they directed their representative to place in Mr. Hayes' hands. At an interview Friday, July 27, the following telegram was accordingly delivered to the President by the representative of *Chronicle*, and was accompanied by the extracts from Secretary Sherman's opinion, given above, and to which allusion is made in the telegram and a formal application:

SAN FRANCISCO, CAL., July 26, 1877.

To the President of the United States, Rutherford B. Hayes:

SIR: California has been cursed, tax-payers robbed, and the Federal Government disgraced by a ring of corrupt politicians on this coast, many of whom have been appointed through and protected in their positions by the connivance of Senator Sargent, who was himself, as we are prepared to prove, elected by corrupt means to the office of Senator. Through exposures made in the *Chronicle* an investigation has been ordered into affairs in this city.

This inquiry thus far has been apparently conducted more for the purpose of screening guilty officials than with a view of thoroughly exposing the malfeasance and corruption alleged. Notwithstanding repeated announcements made by the commission that witnesses could not be compelled to testify, their refusal to order the production of books and papers necessary to completely establish the charges, the gross attacks made by the chairman upon witnesses attempting to testify on behalf of the Government, and the significant intimations of the chair that it would be dangerous for certain witnesses to give testimony that would criminate themselves, thus intimidating to a certain extent, enough has been shown to prove conclusively that the present superintendent of the mint, LeGrange, has been systematically engaged in robbing the Government ever since his appointment eight years ago. In order to gag the *Chronicle* these unscrupulous conspirators, who have placed themselves on record as opposed to your policy, have inaugurated a prosecution as extraordinary as it is unprecedented. Attempts have been made to have the proprietors of the *Chronicle* indicted in different counties simultaneously, and by means of a packed grand jury they have succeeded in one county.

This will afford the proprietors of the *Chronicle* the opportunity they so much desire of proving the truth of the charges they have already made and of much more corruption that has not yet been made public. We have now in our possession an abundance of testimony to convict the members of the corrupt ring before any jury in the land, but to the end that we may thoroughly substantiate every charge that we may have made, and in order to fix upon Senator Sargent the responsibility of the appointment of bad men with which Federal offices are swarming, we have made application to the Administration to order the heads of the various Departments to furnish us with certified copies of the letters in which Senator Sargent makes recommendations for appointments, as well as copies of indorsements of all applicants for situations appointed upon his recommendation. In reply to this request we are informed that Secretary Sherman has given a written opinion, in which he stated that time, place and person addressed must be given in our application, and that recommendations by Congressmen are privileged communications.

In regard to the first point made, it is only necessary for our representative to take the Blue Book and select the names of all appointees from the Pacific coast, with the dates of appointment, which would closely approximate to the dates of the letters and recommendations, copies of which are requested. With regard to the opinion that recommendations are privileged, it seems to us that it is a violent assumption, and one which, if sustained by the Administration, must prove a serious obstacle in the way of genuine civil service reform. We again most respectfully request that the Government will furnish us with the copies referred to, which can, without a doubt, be found on file with the appointment clerks of the various Departments, and beg to state that any expenses incurred in preparing these copies will be cheerfully met by us.

CHARLES DE YOUNG & CO.

This telegram was examined by the President, and referred to the Attorney General, by whose decision in the specific applications made to them the different Secretaries had agreed to be guided when conferring on the subject the preceding Tuesday.

In supporting the application, before the President and the Attorney General's attention was called to the part that Congressmen, by the terms of Secretary Sherman's order, were screened from responsibility in the discharge of an important duty, since they were protested by privilege if acting officially and were deemed to be making a confidential communication if a personal rather than an official recommendation was made, the Attorney General has prepared the following opinion on the subject, upon which the President bases his refusal to grant Mr. De Young's application:

DEPARTMENT OF JUSTICE, WASHINGTON, July 28, 1877.

The President:

SIR: In answer to your indorsement upon the application of Mr. Talcott Williams on behalf of the San Francisco *Chronicle* for permission to examine the files of the executive departments, with a view to ascertain who and what persons have been recommended for office by Senator Sargent and Representative Page, which communication of yours inquires as to the legality and propriety of a compliance with the request I have the honor to submit:

The provisions for the custody of the records of the various Departments is found in section 161 of the Revised Statutes, which provides that—

The head of each Department is authorized to prescribe regulations not inconsistent with law for the government of his Department * * * and the custody, use and preservation of the records, papers and property appertaining to it.

Certain files of the Executive Departments have definitely the character of public records, and to copies of these parties interested are entitled upon the payment of the fees prescribed. The most important of such files are the patents for useful inventions and the patents for lands.

[See Revised Statutes, sections 213, 439, 460, 461, 515 and 892.]

By section 892 it is provided—

Copies of any books, papers or documents in any of the Executive Departments, authenticated under the seals of such Departments, shall be admitted as evidence equally with reference to the original.

Under this provision it has been customary to furnish from time to time from the various Departments of the Government copies of papers and documents in addition to the public records relating to lands and patents, and these have been admitted, as it is understood, in evidence at the trial of causes by the various courts.

With reference to the recommendations in question, however, I do not understand that they come within the description of either words, papers or documents belonging to the Departments and required to be kept by them. They are papers which are filed from time to time by parties for their own convenience, sometimes in favor and sometimes in opposition to particular persons who are named as candidates for executive offices, and they are permitted (according to the rule which is understood to be adopted in all the Executive Departments) to be withdrawn from the files whenever the applicants for office desire it. While undoubtedly the Department may retain, if it sees fit, any or all of these papers, its custody of them is more generally for the convenience of those parties who file them than for its own. It is believed that in all Departments individuals are permitted to see any objections which have been filed against themselves, upon any grounds whatever, in order that they may know by whom they are filed, and, if possible, may answer or remove the objections, but even in such cases the rule would necessarily be subject to the limitation that it should be only done when the communication was not in its nature privileged.

Recommendations to office are not, I think, ordinarily to be deemed as privileged communications. But the rule in regard to examining them should not be extended, in my opinion, beyond that which now exists. All is done that justice requires when any party is permitted to see any objections or charges which have been filed against himself.

Mr. Williams, on behalf of the San Francisco *Chronicle*, desires to make an investigation, as I understand from his letter, of the recommendations of a large number of officers who, within the last five or six years, have been appointed, with a view of establishing from such examination the fact that improper persons have been recommended to office by Senator Sargent and Representative Page, a fact which incidentally will be of importance in the trial of a cause. The records should not, it seems to me, be submitted to a search of this character. It necessarily involves examination of a large number of which can by no possibility have any interest in connection with the inquiry, and many of which were never intended for such public and general inspection. It would be attended with vast inconvenience, as such a search could only be conducted under the immediate charge of some officer of the department whose duty it would be to guard and prevent any confusion in the papers.

This burden would be an onerous one upon the office and no means of meeting and conducting such an inquiry appear to be provided. I therefore respectfully submit that there is no legal right upon part of the gentlemen representing the San Francisco *Chronicle* to make the search and investigation and that the consideration of propriety in regard to recommendations of this nature are fully met when it is provided that any party is entitled to see anything which is filed against himself.

There remains the question whether or not, provided the San Francisco *Chronicle* will indicate by sufficient identification any papers or recommendations, copies of them should be furnished.

This presents a somewhat more doubtful question, but upon the whole, I am of the opinion that copies of such papers should not be furnished in any case unless the applicant appears himself to have been directly affected by the writing or letter of which he demands a copy.

Very respectfully your obedient servant,

CHARLES DEVENS, Attorney General.

SOUTH AMERICA.

Peace Throughout Columbia—A Change of Government Talked of in Costa Rica—Another Attempt to Get Up a Revolution in Quito.

By Telegraph to THE REPUBLICAN:

NEW YORK, Aug. 3.

The following correspondence from South America was received here to-day, dated Panama, July 25:

COLOMBIA.

Peace prevails throughout the Republic.

SALVADOR.

The Government has made a contract with J. A. DeBeaum, the representative of a company, to lay a cable between that Republic and Panama.

COSTA RICA.

A change in the Government is talked of. President Herrera is to go out *solus solus*, and somebody, perhaps Gen. Guardia, is to go in.

PERU.

Don Manuel Pardo, the last ex-President of Peru, has gone to Chili. He was accused of complicity in the late attempt to overthrow his successor, President Prado.

The prisoners implicated in the revolutionary movement of the 4th of June and the defenders of the Huascar have been set at liberty. The followers of Pierola are for the present still detained under arrest.

CHILI.

An extradition treaty with the adjoining republic of Bolivia is under discussion.

ECUADOR.

Another effort was made June 26 to get up a revolution in Quito. It was unsuccessful.

OHIO.

The Strike Ended at Cleveland, and Grievances to be Adjusted.

By Telegraph to THE REPUBLICAN.

CLEVELAND, Aug. 3.

The strike is fairly at an end, and business on the roads in this section will soon be under headway. The railway managers have made no radical change in the wages of the employees, but they promise henceforth to look carefully into the grievances of the men, many of whom have worked overtime without extra pay. In future the extra service will not be required, or if performed extra pay will be allowed for it. A number of points in dispute have been adjusted in a friendly spirit.

CALLING IN MORE FIVE-TWENTIES.

The Secretary of the Treasury yesterday made the fifty-fourth call for the redemption of 5-20's of the act of March 3, 1865, consols of 1865, as follows: Coupon Bonds—$50, No. 40001 to No. 44000; $100, No. 66001 to No. 76000; $500, No. 50001 to No. 57000; $1,000, No. 85001 to No. 96000—$7,000,000. Registered Bonds—$50, No. 1401 to No. 1600; $100, No. 11601 to No. 13100; $500, No. 7751 to No. 8300; $1,000, No. 25101 to No. 27400; $5,000, No. 7931 to No. 7650; $10,000, No. 11751 to No. 12550—$3,000,000. Aggregate, $10,000,000.

JAY GOULD ASSAULTED.

THE BOLD ATTACK OF AN ENRAGED ELEPHANT UPON A MOSQUITO.

Statements by Messrs. Selover, Gould and Keene—The Supposed Cause of the Unexpected Assault—One of the Perils of Stock Gambling.

The following are the statements of the *dramatis personæ* in the Wall-street scandal of last Thursday, occasioned by the brutal attack of one Major A. A. Selover, a man of elephantine proportions, weighing two hundred and fifty pounds avoirdupois, upon the person of Jay Gould, a feather-weight, who "kicks the beam" at only seventy-five pounds:

WHAT MR. SELOVER SAYS.

When the reporter called upon him the Major was sitting as quiet, rosy and undisturbed as if he had come from a camp meeting or a lunch. In fact he looked as if he rather enjoyed the change, and was glad that anything had disturbed the monotony. A clerk was just darting out of the door with an order from him for the Stock Board.

"I have called," said the reporter, "to ask if you will make a statement of the occurrence that has just taken place down the street?"

"Certainly, sir. You can say that Jay Gould was thrown into a cellar by A. A. Selover—I don't mean a pun—in Exchange place this morning a little before 12 o'clock."

"How did the difficulty originate, sir?"

"It grew out of stock operations between Mr Gould and myself. For the last thirty days he has agreed to leave the Western Union stock alone, or in other words to let it take its natural course. He advised me to sell the stock short, and I did so. It was not long before I discovered that through his brokers, William Belden & Co., he was a steady and large buyer of the stock—in short, that he had gone back on me and was leaving me only the bag to hold. Becoming satisfied of this infamy and that he was playing a treacherous part I was naturally indignant, and, as we say in California, 'I went for that heathen Chinee.' He was coming from Broad street, and I met him near the corner and charged him point blank with deceiving me. He made some evasive reply and half turned on his heel when I caught him by the collar and gave him a good shake."

"Did you strike him, Major?"

"Well, I think I did slap him once or twice, and then I lifted him up and dropped him into the area."

"Did he make any resistance?"

"Well," (smiling,) "not much to speak of, but he hallooed 'Murder! dont let this man strike me.' And I didn't care to strike him very much. I only wanted to let him and his satellites know that there is somebody in Wall street who is not afraid of him, who won't submit to him and who invites an opportunity to bring his damnable 'career' into more public notice than it has yet had."

"Do you think that Mr. Gould had any occasion to be angry with you before this occurrence?"

"I dont know; but he probably has now. The fact is, he is angry all around at having lost the control of the Atlantic and Pacific Telegraph Company."

"How was that?"

"Why, you see this has been one of his playthings on the street—one of his pets. He has used it principally in his Western Union speculations, and held it as a kind of threat to scare people with, but other people saw his little game, and went quietly to work and bought the bulk of the stock."

"Who are some of these people?"

"Well, I may mention the names of James Keene and Russell Sage. Some of their friends, too, have a right sharp handful, and Mr. Gould has found it out when it is too late. He's mad because he's been outgambled, that's all."

"But I should like some further details of your personal encounter, if you will give them—the conversation, the manner of Mr. Gould and yourself, and so on."

"I think you have already got the thing in a nutshell. It was all over in a minute. The conversation on both sides was very brief, and I reckon on my side very forcible, for I told him exactly what I thought of him, and wound up by treating him accordingly."

"Is this the end of it?"

"I don't know, and, what's more, I don't care. I suppose I shall see a warrant for my arrest in the course of the afternoon, but that gives me no concern whatever."

THE STORY OF MR. JAY GOULD.

Mr. Gould is usually unapproachable in business hours save by those who have business relations with him and a few intimate friends. Reporters rarely find him "in," and when found he is often reticent. After the occurrence yesterday, however, there were so many false rumors current, and so much misunderstanding existed in Wall street concerning the little unpleasantness that Mr. Gould, when called upon, promptly admitted the representative of the *Herald* to his private office. The usual noon lunch which Wall street always enjoys had been spread, and the great operator was about to take his seat at a table that was freighted with the luxuries of the season. Not the slightest trace of nervousness, not an unusual shade of paleness, not a mark of any kind, was observable, and no one would have suspected from look or word that but a few moments before he had been the victim of an assault in which his life was endangered.

"You don't seem to be very much hurt, sir?"

"No, I am not. True, I am a little shaken up by my fall, for I am not accustomed to such jars, and there is a kind of numbness in the back of my head, and my lips are a trifle cut, but I have not been bruised enough to speak of."

"Have you any objections to describing the affair as it occurred?"

"None in the world, for I see it has already had as many phases as a diamond has facets. When I met Mr. Selover, near the corner of Broad street, his manner was as kind as usual, and I had no reason to suspect his intentions. He took me by the hand and said, 'Old fellow, I want to talk with you; come up to the office.' I replied, 'Major, you'll have to excuse me to-day, for I am about to take my family from Long Branch to Irvington on the Hudson.' He expressed a word or two of regret, and then said, 'Well, come and take lunch with me to-morrow.' I answered that I would, and turned away. As I did so he caught me by the back of the neck, and, giving me a violent jerk and a blow on the head, exclaimed, 'Damn you, I'll brain you.' I fell forward against the iron railing, when he struck me several times around the face and body."

"Did you call for help?"

"I think I may have done so, for I saw that he was desperate and intent on throwing me into the area. Some gentlemen caught me by the hand, which enabled me to regain my feet partially, when Major Selover lifted or pitched me over the rail, where I dropped eight or ten feet. It was fortunate I struck on my feet or the consequences might have been worse."

"Did the Major stop to see what harm had been done?"

"I don't know, for as soon as I could gather myself I entered the barber's shop, where I remained two or three minutes and then passed out to my office."

"Had you any previous quarrel, or was there any cause for this demonstration?"

"None whatever. On the contrary I have often been of service to Mr. Selover. I have loaned him money, and also put him in the way of making money."

Calling one of the members of the firm Mr. Gould inquired: "How long ago was it that I loaned Mr. Selover $20,000?"

The gentleman referred to his account book, and in a moment returned with the report: "It was about three months ago, when he was in trouble with Rock Island."

"Do you know anything about the Major's operations in Western Union?" asked the reporter.

"Nothing as a matter of fact. I presume that, like others, he was short of the stock and expected to realize on the winning side."

"And do you think his disappointment led to the assault?"

"Ah! That I am unable to say. Men who lose money in Wall street naturally feel bitter."

"But were you the cause of it?"

(Smiling.) "Not that I know of. Major Selover acts on information like other people, and exercises his own judgment."

"But were you not largely instrumental in marking up the price of Western Union by buying a large line of the stock?"

Mr. Gould looked at the innocent questioner as if he thought the reporter the incarnation of impertinence, and twirling a fragment of paper in his hand (which is an invariable custom) he quietly remarked: "That is a question I can't answer. I never let my right hand know what the left is doing. The market is not made by one man. Hundreds help."

Mr. Gould here dropped into his habitual reserve.

The reporter, (after a pause:)—

"Are there any other points that you can give me in connection with this subject?"

"None, sir. I think you've got them all down. Good day, sir."

MR. KEENE'S REMARKS ON THE AFFAIR.

"I have not been away from Long Branch for two days," he said, "and have been very sick for several years and have to take great pains with myself. Yesterday I intended to leave for the White Sulphur Springs of Virginia. I may go away to-morrow. I sympathize with Major Selover and can hardly trust myself to express my opinion of Gould; yet I have nothing to do with Selover's course of action.

Mr. Keene, however expressed himself to his friends with relative freedom. By gleaning these conversations from his various friends the following exhibit of his views was obtained:

He said to one gentleman, according to report, "Jay Gould is the worst man set on the earth since the beginning of the Christian era. He is treacherous, cowardly, false in every respect, and a despicable worm, incapable of a generous motive. As a speculator he is without name. When Selover and myself attacked Western Union first we had to stiffen him up. He wanted to know how every point was to be covered, and quivered while the measure was being carried through. He has treated this man Selover like a villain. He has literally robbed him under the color of a co-operation of all that he has. Gould is destitute of every principle of honor and common humanity."

Mr Keene is reported to have said of the telegraph stock speculation: "Gould assured Mr. Selover and others repeatedly on his honor that he was not buying a share of Western Union. He was nevertheless buying it all the time. He had lost his control of Atlantic and Pacific Telegraph and that frightened him. His motives are not higher nor more honest than those of other men. They are no deeper than mere mammon and childish jealousy. Myself and Sage took control of that stock. Gould then hated us for succeeding him. He went into Western Union combinations, took up the stock we sold and beared down his own creation—Atlantic and Pacific—expecting to buy it in and get control of it again."

As to Selover's attack on Gould personally, Keene said: "If he had dropped him out of a balloon he could have fallen like a shot and been mashed into a shape no bigger than a crow. It would have served him right. Gould is a mere ghoul; he has no relation or sensibility which binds him to men. It having been broached that Gould had protected Keene, who was "long" of stocks during the great strike, Mr. Keene said: "I covered all my shorts at once, took my stock and kept it in a tin box."

Russell Sage said that Keene gathered up all his stock purchases as soon as the strike began, and that he has them now in a tin box.

Mr. Gould is the suffering party. Sam Ward said "Gould is a ghoul, like that wife in the 'Arabian Nights,' who only appeared to subsist on a few grains of rice. Her husband followed her and found she had fed on a grave-yard by night. That's Gould."

COLLECTOR WORTHINGTON, OF CHARLESTON.

The Charleston *News and Courier* of Tuesday last corrects its statement of the day previous wherein it announced the arrest of Gen. Worthington, the collector of customs, in the following words:

The report that Collector Worthington has been arrested cannot be verified here, as all the members of the committee deny and disclaim any knowledge of such an arrest having been effected or contemplated. The truth apparently is that Worthington has been subpœnaed as a witness by the committee, and will arrive here to-morrow morning.

Collector Worthington, who was here yesterday, states that he appeared before the Legislative committee now sitting in Columbia, S. C., on Tuesday in obedience to a subpœna, and testified before the same, and upon the completion of his testimony returned to Charleston, and from thence came North on account of a critical illness in his family, and will return to his post of duty as soon as the improved condition of his sick relative warrants it.

NAVAL GAZETTE.

The United States ship Constellation, Commander E. Terry, left New York on Thursday afternoon for New Bedford. Commander Alfred Hopkins ordered to command the receiving ship Wyoming, at Washington, D. C.; Midshipmen Charles C. Rogers, detached from the Plymouth and ordered to the Monongahela. Midshipman J. C. Gillmore, from the Hartford, and ordered to the Monongahela; Boatswain Charles E. Rich, from the Wabash, and ordered to the Swatara, at Washington.

A naval court-martial met on Thursday at the Washington navy yard for the trial of Lieutenant Arthur H. Fletcher, formerly of the Huron, for conduct unbecoming an officer. The court is composed of Commodores A. Bryson and J. C. Beaumont, Captains J. C. DeKraft, O. C. Badger and A. W. Weaver, Commanders James S. Kennett and F. H. Baker, with Passed Assistant Engineer R. B. Hine judge advocate.

GOV. AXTELL, OF NEW MEXICO.

A petition, signed by all the business men of Santa Fe and prominent citizens of New Mexico, has been forwarded to Assistant Secretary McCormick for presentation to the President. The petitioners state that the charges against Gov. Axtell are absolutely false and originate from impure and unworthy sources, and are inspired by sinister motives; that Gov. Axtell possesses the implicit confidence and esteem of all the people of the Territory, who, without distinction of party, are solicitous that Mr. Axtell should be continued in his present position.

MILITARY GAZETTE.

The order directing Major Samuel Breck, Assistant Adjutant General, to report in person to the Adjutant General of the Army for temporary duty, has been revoked, leave of First Lieut. James Regan, 9th Infantry, is extended four months. Dispatches received at the War Department up to noon yesterday announce the movement of troops to different points, under the direction of Gen. Hancock, but make no mention of any disturbances anywhere.

BUREAU OF ENGRAVING AND PRINTING

DAILY REPORT OF DELIVERIES ON AUGUST 3, 1877.

To the Comptroller of the Currency—National currency notes, $230,000; Loan Division, four per cent. consols, $260,000; miscellaneous, $15,000; total, $505,000. Balance of stock on hand at close of day's work—U. S. notes, $16,897,580; N. C. notes, $11,205,970; four per cent. consols, $66,816,750; four and-a-half per cent. consols, $1,772,750; miscellaneous, $71,387,550; total, $168,080,900.

RELICS FROM MINISTER PIERREPONT.

The State Department has been advised by the United States Minister at London that he has received and will soon forward for the Navy Department certain relics of the "Polaris," found on Littleton Island by Sir George Nares, of her