

BY TELEGRAPH.

AMERICAN.

NEW YORK, 22.—The splendid record of the Clearing House Exchange given below, surpassing in the rapidity of increase that of any other week for six years, and probably for a much longer time, is sufficient answer to all doubts as to the solidity and reality of improvement in business.

The *Public's* weekly table, to be published to-morrow, shows the following:

LOSSES.	
San Francisco.....	52.8
Syracuse.....	16.1
GAINS.	
New York.....	84.8
Boston.....	41.1
Philadelphia.....	55.0
Chicago.....	55.5
Baltimore.....	46.3
Cincinnati.....	20.8
St. Louis.....	17.2
Milwaukee.....	16.4
New Orleans.....	68.3
Louisville.....	37.8
Pittsburg.....	20.5
Providence.....	12.1
Kansas City.....	41.6
Cleveland.....	35.3
Indianapolis.....	55.5
New Haven.....	16.8
Lowell.....	27.9

The aggregate total of business transactions for this week, this year is \$1,033,000,000 against \$601,000,000 the corresponding week last year. San Francisco's business this week is little over \$18,000,000 against \$23,000,000 last year.

The *Graphic*, referring to the extraordinary demand and remarkable advance in coal stocks, says: We are enabled to state after careful inquiry among officers and directors of coal carrying railroads, that the business of their roads at present is considerably in excess of anything heretofore experienced in their history. The diminished operating expenses by reason of the reduced cost of labor and materials more than compensates for the low price of coal with the present volume of demand, and it only needs a slightly higher price for coal and a slightly increased consumption to restore these great properties to the dividend paying position which they so long occupied before the panic of 1873.

The demand for anthracite coal, by the country and opening of new and large markets in the west and south, is already fully equal to the supply, and the carrying facilities of the roads are taxed to their utmost. It is confidently predicted that at least two of the coal roads will be enabled to resume paying dividends within the next six months. Arrangements are now pending for taking the New Jersey Central roads out of the hands of the receiver.

The steamship *Wieland*, from Europe, brought \$1,413,000 French gold. This makes a total of \$4,541,000 arrived from Europe since Saturday morning. Nearly \$55,000,000 in specie has come into the country since the resumption of specie payments, and nearly nine-tenths of the whole amount has arrived since August 1st.

WASHINGTON, 22.—In the case of Tennessee vs. James M. Davis, argument was continued by Attorney General Devens for defendant and concluded by James G. Field for plaintiff. In continuing the argument in behalf of defendant the Attorney General maintained both the judiciary act of 1879 and subsequent legislation now under consideration, providing for the removal of certain cases from State to Federal courts are valid and constitutional; that the right of a State to vindicate and preserve its peace, is subject to the grave rights of the United States to preserve and vindicate their powers; what was complained of was done by defendant in the performance of his official duty to the United States and that this fact constitutes the Federal ingredient which gives jurisdiction to the Federal courts. The right of the United States to protect its officer and to hear accusations against him, is indispensable to the enforcement of Federal laws. The gravity of the charge can make no difference to the right. No statutory process will authorize the removal of an indictment for an assault, as in the case of Jenkins, (Wallace, Jr., C. C. Reports). The existence of official return to duty and the claim that the alleged crime was committed in the performance of that duty, afford no requisite ground for the removal of the cause.

The Attorney General further maintained that even if under ex-

isting laws there could be no regular jury trial in the Federal courts it would by no means follow that the cause could not be removed. It would still be removable, and it would be for Congress to remedy the defect. Finally, the propriety and necessity of appeal to the Federal courts by Federal officers imprisoned for acts done by them under the color of office is everywhere recognized, and if this defendant cannot be tried in the United States Circuit Court, the truth of falsity of the facts alleged in his petition should be ascertained by examination upon habeas corpus, and he be either discharged or remanded, as the result may require.

To-morrow the court will take up the cases of the Maryland election judges, which involve the constitutionality of the Federal election laws.

A statement prepared for the forthcoming annual report of the Commissioner General of the Land Office shows that during the last fiscal year 348 mineral patents were issued, embracing 13,963 acres of mineral lands. Six hundred and twenty-two mineral entries were made at the close of the fiscal year, and 1,642 remained undisposed of. Eight hundred of this number, however, had been examined and suspended for further proof or on account of contest. Four hundred and forty-seven agricultural claims or lands withdrawn as mineral remained undisposed of, but on 698 of their hearings have been ordered.

Five hundred and seventy-six agricultural claims on withdrawn lands were decided during the fiscal year. Fourteen thousand four hundred and thirty-three acres of swamp lands were certified to the State of California in the past 12 months, making a total of 1,738,163 acres since that State was admitted into the Union. The swamp lands patented to all the States aggregate, up to July 1st, about 69,000,000 acres.

MILWAUKEE, 22.—The *Sentinel* of to-morrow morning will contain an account of the horrible atrocities in the Milwaukee House of Correction. This institution is used at the discretion of the court as a State prison. An intelligent convict, just released, whose character for veracity is vouched for by prominent persons, states he has been an inmate two years. All that time he was not allowed to write to his friends or counsel, and his family supposed him dead. He says the flour furnished the convicts, for which the county pays \$6 a barrel, is damaged cow feed and cannot be baked. The meat is putrid. During his confinement embryos of calves and glandered horses were furnished as meat, and he brings the bones which are in the possession of the editor of the *Sentinel*. The details of the feed are horrible beyond expression. Of the brutalities of the keepers, he says they were beaten and put in the black hole, which is a filthy dog-kennel, five feet four inches by five feet. A man cannot lie at length in it; no ventilation, the floor covered with vermin. The men were placed there for twenty days and two died. A chair factory is connected with the institution. It is charged that the police are in collusion with the superintendent to kidnap men to work on chairs. The whole story is the most startling and revolting published in this country. It is claimed the charges can all be verified.

PITTSBURG, Pa., 22.—A freight wreck, near North Bridgewater, on the Pittsburg and Lake Erie road, last evening, resulted in the instant death of N. C. Lemmon, brakeman, and severe injury to H. L. Know, engineer, and Fulton, fireman. The accident was caused by a cow on the track, throwing the engine and train over an embankment.

Another freight wreck on the Connellsville road, two miles east of Connellsville, at 4 o'clock this morning, resulted in the instant death of Chester Linn, who, with three others, supposed to be tramps, were stealing a ride. The other parties escaped with slight bruises. None of the train men were hurt. The accident was the result of a broken rail, or axle.

CHICAGO, 22.—A concerted effort seems to have been made last night to rob the members of the Strakosch Opera troupe, while the opera was in progress at McVicker's Theatre. Diamonds and other valuables, said to be worth thousands of dollars, were taken from the room of Miss Teresa Singer, at the Grand Pacific Hotel, and the rooms of other members of the company at

the Commercial Hotel, were entered and a considerable amount of valuables secured. No trace of the thieves yet. The police have been keeping the matter quiet.

CINCINNATI, 22.—At the Steam Navigation Convention, General G. J. Negley read a statistical report of the amount of commerce last year, in which he said the cotton crop last year was the largest on record, 6,800,000 bales, 70 per cent of which was exported. Great activity has marked the exportation of breadstuffs and the movement of coal and iron. The shipment of provisions to Europe from this country amounts to 6,000 tons daily.

SAN FRANCISCO, 22.—M. E. Morton, a recently arrived agent of a New York firm, shot himself through the head at the Palace Hotel to-day, attributed to losses in stock in which he invested at a previous visit here some months ago.

The committee appointed by the Chamber of Commerce to consider Leon Chateau's Franco-American reciprocity treaty, made a report taking strong ground against it. The chamber adopted the report.

General Grant left for Sacramento this morning, where he will remain until Friday.

NEW YORK, 23.—A *Herald* cablegram from London says: A cabinet council met this afternoon in Downing Street, and the question of the settlement of Afghanistan was discussed. I am informed on excellent authority that a plan devised by the governor general of India in the council was submitted to it and met with general approval. The plan was, in the first place, that Afghanistan should not be annexed. Since the mutiny, the policy of annexation in India had seldom recommended itself to the conservatives. The old idea has died out that the secret of British success in India is dependent upon the extension of the sovereign rights among the native princes.

Lord Lytton's project is that Afghanistan shall in the future be placed on the footing that the Nizam of Hyderabad's dominions now occupy. The Nizam is bound by treaties with England in virtue of which he nominates his own vizier and the British residents at Hyderabad the effective minister. The government stipulates to recognize his hereditary rank and privileges so long as he remains faithful to the terms of the treaties. It guarantees that the titular dignity, social prestige and private rights of his family shall not be invaded. It gives him entire control of the Nizam, and pays him a stipend, to be fixed by mutual agreement for the support of a subsidiary army of cavalry, infantry and other troops to be officered from the several British presidencies. These privileges and these guarantees are to be conferred on some member of the present Amier's family. It is believed that Yakoub Kahn's abdication will be gladly accepted by the authorities at Simla. His successor has not yet been designated, but this much is certain, that an English resident will be placed at Cabul, and that through him the British government will henceforth exercise a direct influence over the fortunes of the State. A strong contingent of native and English troops will be maintained in the country commanded as at Hyderabad, and English officers will be exclusively chosen. Two points still remain doubtful. One is whether the troops will be massed at Cabul or scattered through the various fortified posts, but it is believed that the occupation of Jellalabad and Ghazres suggests the latter course as the likelier. The other doubtful matter is whether the British Government will pay the troops directly from its own coffers or will allow the Afghan ruler a fixed stipend for their maintenance. The revenue of Afghanistan will be collected by the native officials, as in the non-regulation provinces of Hindostan, but they will be under the eye of British superintendants. The latter will not be recruited, in all probability, from the ranks of the Indian civil service, but according to the system prevalent in the northwest will be military men employed in civil capacities. The civil service will doubtless supply the judicial force of the country as in the rest of Hindostan, but even here more freedom will be left to the Afghans and more native judges appointed. The army will be maintained as in Hyderabad. It

will be distinctly stated that this system is adopted to protect the people from native tyrants, and it is believed that the leading officials at Cabul have already expressed themselves well disposed to some such method of government.

The governor general's project, which is said from internal evidence to be the work of some members of the council, and probably of Sir John Strachey, late lieutenant governor of the northwest provinces, received the earnest attention of the cabinet. My informant adds that it was very favorably received, but the Anglo-Russian embargo is as far as ever from a solution.

Lord Salisbury's speech is said to have raised the strongest resentment at St. Petersburg, and Count Schouvaloff has definite instructions to remain here until Lord Beaconsfield has spoken at the coming Lord Mayor's banquet, on November 9. He will then probably leave unless the Premier's speech is pitched in quite another key from that of Lord Salisbury.

The advices from Constantinople, that Prince Lobanoff would succeed Schouvaloff, have been confirmed by dispatches from the Russian capital. Matters are here believed to have assumed the most serious aspect. Prince Gortschakoff will probably soon go to London, and the results of his consultation with the Czar form already a theme of the liveliest discussion, not unmixed with anxiety. It is certain that the bitterness is increasing from day to day.

The Consul General of Spain states that subscriptions will soon be taken in the principal cities of the United States for the relief of the sufferers by the floods in Spain. Two thousand human bodies have been recovered in the deluged districts.

CINCINNATI, Ohio, 23.—A special from Grayson, Kentucky, relates that two hundred men rode into Martinsburg, Elliott County, on Monday night, surrounded the jail, overpowered the jailor, took two prisoners, John W. Kandall and Wm. McMillan to a tree nearby and hanged them. The men hanged were known to belong to a gang of outlaws.

PHILADELPHIA, 22.—Isaac Jackson, a sailor on the ship *Sea King* has been found guilty of the murder of Chas. D. Brooks, the mate, at sea on the night of August 15th. Several other seamen charged with complicity in the murder will receive separate trials. Sentence is deferred.

BETHANY, W. Va., 23.—Bethany College was partially destroyed by fire this morning. The building is valued at \$150,000. The fire broke out in the north wing of the building at 3 o'clock this morning, and owing to the scarcity of water and the ineffective means for putting out fires, the wing was totally destroyed, the blackened walls only being left standing. The wing contained three society halls of the college library. The only property saved was five fine oil paintings, presented to the societies by Mr. Keene Richards, of Kentucky, which were valued at \$10,000. Some of them were considerably damaged. The societies lost all their property, including their libraries, not a book escaping the flames. The wing was valued at \$30,000, on which there was an insurance of \$25,000. The fire is supposed to be the work of an incendiary.

WASHINGTON, 23.—Gen. S. V. Benet, Chief of Ordnance of the United States Army, has completed his annual report. The total amount of expenditures during the year is \$1,443,998. Gen. Benet devotes a large portion of his report to the militia. He says: "For many years there has been a growing feeling throughout the country in favor of a re-organization of our militia system. To perfect our present organization, or to improve it by alteration requires action of Congress. That Congress has full power to provide for organizing militia in time of peace under the provisions of the Constitution, there can be no doubt; and Congress has exercised this power in absolute and meagre laws now on our statute books, but there has been no practical means provided for enforcing obedience to these laws.

"It seems to me the time has come when the subject of raising an army, equipping, disciplining and keeping in readiness for service a part of our militia, should receive the thorough attention of Congress. That a portion of the militia should be in a sense mobilized, requires no

argument, and this active portion should be distributed equally throughout the country according to population, thus establishing the principle by legal enactment that Congress will help only those who help themselves; and providing that arms and equipment will not be issued to a State except in proportion to its property, and enrolled and organized active militia; and that a per diem for camp services shall be paid to those individuals only who are present in camp, and only for the days that they are present and actually employed. The State and people may be brought to a realizing sense of the necessity for prompt and permanent action in a matter so vital to the military power of the nation. The general government, under the law of 1808 now supplies arms and equipments to the militia of States, and there is no reason why their issue should not be made dependent upon acts to be performed by States, such as the organization and discipline of a certain portion of the militia.

"I have, therefore, to recommend that provision be made by law for organizing, arming and disciplining a militia force of 200,000 men, distributed among the States in the proportion of about 700 men to each congressional district and Territory and District of Columbia. To make this practicable it will require a large annual appropriation, that must be permanent, at least for a few years, in giving a trial to the scheme. In the first place, there should be an annual appropriation of \$1,000,000 for arms and equipments, which would give about \$3,000 for troops in each congressional district. In the second place, there should be an annual appropriation of \$1,000,000 for expenses of annual encampment, the payment of each militia man a per diem for each day's service while actually in camp, etc."

NEW ORLEANS, 23.—The steamer *Louise H.*, from Algiers, Africa, has arrived. The captain reports that on the 18th he picked up in the Bahama Channel 17 survivors of the burned steamer *Nuevo Pajaro Del Oceano*, including Captain Diaz and two mates. The steamer had a crew of 42; about 20 passengers were aboard when the calamity occurred. The rescued were in a terrible state of exhaustion. They had been clinging to the floating debris 18 hours.

From Captain Diaz, of the *Pajaro*, the following particulars have been obtained: The steamer left Havana, October 16th, for Nedvetas, with a general cargo, including a large lot of grain, provisions and ammunition for the Spanish army. Everything was all right until about 4 o'clock Saturday morning, Oct. 18th, when the vessel was in Bahama Straits, between the Pardon and Lobas lights. An alarm of fire was sounded, when the captain, passengers and crew, who were in bed at the time, were aroused to ascertain the cause of the alarm. It was found that the vessel had taken fire amidships and was then in a sheet of flame. General confusion ensued, some of the passengers and crew running to the stern of the vessel and jumping overboard in their night clothes, with whatever small object they could lay hands on to serve as life buoys, while others were trying to lower the boats. The vessel burnt to the water's edge and sank in less than four hours. There were on board 42 of the crew and some 17 or 20 passengers, including about six officers and soldiers of the Spanish army.

The *Louise H.* picked up seventeen of the unfortunates, including the Captain, and five or six of the crew were badly burned and otherwise injured. These parties when picked up had been floating for eighteen hours on pieces of planks, and were almost naked. Five of the crew took to a small boat, and are supposed to have been picked up. One boat was lowered and some twenty persons, passengers and crew, took to it, but are supposed to have been lost. Those who were picked up were in a fearful state from their long exposure to the sun and water. Their flesh is torn and chafed from contact with the rough boards to which they clung, and against which the swell of the sea caused their unprotected limbs to grind and rub until great patches of skin were torn away, while the salt water and fierce sunshine combined to finish the work. Besides they are stiff and sore in every limb, and in their destitute condition present on the whole a pitiable sight. There was one woman, the stewardess, on the *Pajaro*. One of the