

BY TELEGRAPH.

PER WESTERN UNION TELEGRAPH LINE.

AMERICAN.

WASHINGTON, 7.—The President has issued the following proclamation:

PROCLAMATION.

It has long been the pious custom with our people, with the closing of the year to look back upon the blessings brought to them in the changing course of the seasons and to return solemn thanks to the All-Giving source from whom they flow; and although at this period, when the falling leaf admonishes us that the time of our sacred duty is at hand, our nation still lies in the shadow of that great bereavement and mourning which has filled our hearts, finds us in sorrowful supplication toward the God before whom we all lately bowed in grief. Yet, the countless benefactions which have showered upon us during the past 12 months call for our fervent gratitude and make it fitting that we should rejoice with thankfulness that the Lord, in His infinite mercy has most signally favored this country and people. Peace without and prosperity within, have been vouchsafed to us. No hostilities have visited our shores. The abundant privileges which our fathers left us in their wisdom, are still our increasing heritage, and if in parts of our vast domain some affliction has visited our brethren, in their forest homes, yet even this calamity has been tempered and in a manner sanctified by generous compassion for the sufferers, which has been called forth throughout our land. For all these things it is meet that the voice of the nation should go up to God in devout homage;

Wherefore, I, Chester A. Arthur, President of the United States do recommend that all people observe Thursday, the 24th day of November, as a day of national thanksgiving and prayer, by ceasing, so far as may be, from their secular labors and meeting in their several places of worship, there to join in ascribing honor and praise to Almighty God, whose goodness has been so manifest in our history and in our lives, and offering earnest prayers that His bounties may continue to us and to our children.

CHESTER A. ARTHUR,
President.

JAMES G. BLAINE,
Secretary of State.

The report of Gen. Sherman, with the reports of Gens. Drum and Sackett, were submitted to the Secretary of War. They set forth that our companies are too small for economy and efficiency, and now that the Treasury is not loaded with debt, our army should not be compelled to do over work, and they appeal for relief. He recommends the repeal of the law limiting the army to 25,000. He holds that no soldier should be compelled to do labor without compensation and recommends the repeal of the existing law to this end. He speaks highly of West Point; he says the academy fulfills its purpose, and can safely be trusted to make soldiers.

Corkhill made a personal explanation in the Circuit Court this morning, that he had not been consulted by the Attorney General in the preparation of the Star route cases, and was not responsible for them. On September 5th he called on MacVeagh and asked if he had any business for the Grand Jury in the Star route cases. The Attorney General said since the President's assassination he had not considered the cases and knew nothing of them, and that Corkhill needn't bother himself about them. He would be sent for by the proper person when wanted. Corkhill therefore dismissed the jury; for which he has been so much blamed, and by which action the filing of information was made necessary. On the 25th of September he called with Cook to see MacVeagh to sign criminal information, and then protested against the insinuations made against him, and said if MacVeagh would state facts it would silence them.

Cook, of counsel for the Government then made his argument against the motion to quash criminal information, prefacing his argument by saying: It might be supposed he would reply to the vituperation which the defense had through hired scribblers and through the press bestowed upon the Attorney General, Postmaster General and himself, but it could not be done. This was not the proper place to do it. A lawyer, in addition to his

other duties, should invariably possess those of a gentleman, and this consideration would restrain him from any reply which might otherwise be justified in regard to these personal assaults. In these cases Cook said the statute of limitation required filing of information. How that happened it was not for him to say. It would live in the annals of the court. The grand jury did take a recess for ten days, and that it was therefore impossible to bring the Star route cases before it within these ten days. He had no notice directly or indirectly of the recess of the grand jury. He had been called by telegraph to Long Branch to consult with the Attorney General, Postmaster General and Mr. Bliss, and when he reached the city on his return, he learned the grand jury had adjourned. There was but one pathway left open, and with great effort and constant work the information was prepared and filed. He had no secure pass on any one. He had a living, breathing man present. There was, therefore, necessity for filing information; otherwise the statute of limitation would have been an effectual bar to prosecution. Cook then proceeded to argue that conviction in these cases would not make the accused infamous, and therefore the position of the defense on that ground could not be maintained. In this connection he quoted from the decision of the Supreme Court of the District of Columbia that crime is infamous; that the penalty must pronounce against the offender deprivation of his civil rights, such as sitting upon a jury, and in the absence of such forfeiture crime was not infamous unless expressly pronounced such.

Brewster on the same side will make argument to-morrow.

A decision of some importance to banks, insurance companies and all corporations which employ agents was rendered in the Supreme Court to-day in the case of the Connecticut National Bank against the Connecticut Mutual Life Insurance Company. The litigation grew out of a deposit of about \$11,000, made in the bank named by A. H. Dillon, general agent of the Connecticut Mutual Life Insurance Company standing on the books of said bank in the name of said Dillon as such agent. It appears from the evidence Dillon was in the habit of depositing in the bank to the credit of his agency account money belonging to him personally, as well as money collected for and belonging to the insurance company, and he drew checks against his agency account for his own personal use as well as remittances which he made, to whose agent he was. In 1874 the bank discounted for Dillon and his wife a personal note for \$10,000, the proceeds of which Dillon used in certain business speculations. When this note fell due it was not paid, and the bank, on June 1st, 1874, charged it to the Dillon agency account. The insurance company maintained that the undrawn balance of the agency account, about \$11,000, belonged to them, and that the bank had no right to pay out of their funds, the note having been given by Dillon to raise money for his own personal use. The company, therefore, brought suit to recover from the bank the amount of its undrawn balance of the Dillon agency account on the 10th of June, 1878. The Court below decided a decree directing the bank to pay to the complainant, the Connecticut Mutual Life Insurance Company, the amount of funds claimed with interest. The bank thereupon appealed this. The court holds that when agents of the bank account designated as one, kept by depositors in fiduciary capacity the bank seeks to assert its lien as banker for personal obligation. If the deposit known has been contracted for his private benefit, the bank must be held as having notice that the fund represented by the account is not individual property of the depositor if it is shown to consist in whole or in part of funds held by him in trust relation. The court further holds, quoting a recent decision of the Court of Appeals in England, in the case of Knatchbull vs. Hall, that if money held by a person in a fiduciary capacity, though not as trustee, has been paid by him to his account at his bank, the person for whom he holds money can follow it and his charge on the balance in the banker's hands, even though it is mixed with his depositors' own money. Also that the bank cannot be permitted to assert its own claim to the balance of the agency account as against the equity of the beneficial owner when the bank has notice

either actual or consecutive of such equity. The decree of the court below is therefore affirmed.

The opinion was by Justice Matthews.

The Massachusetts committee investigating the charges of misconduct of members of the Ninth Regiment on their recent visit to Yorktown, visited the police headquarters to-day and closely questioned the lieutenants of police, and thoroughly searched the police records, but did not find a single charge of misconduct against any member of the regiment during the stay in Washington. The committee has gone home.

NEW YORK, 7.—The *Herald* and *Telegram* profess to have discovered evidence of extensive and corrupt bargaining between Tammany Hall and local republicans. The former says: The Boss is trading off all his other former candidates to the republicans in hope to obtain control of the board of aldermen and black-mail Mayor Grace for the division of the city patronage with Tammany. Even Surrogate Calvin is offered as a victim for this purpose.

Mercantile firms between Union and Madison Squares, on Broadway, have come together and subscribed liberally for a fund for restoring that part of the great thoroughfare to something like decent condition. The so-called street commissioner having utterly failed in keeping it clean, this course was absolutely necessary to preserve their places of business and their goods from the ruinous effect of dust and dirt.

CHICAGO, Nov. 7. — The *Inter-Ocean* has this interesting history: During October J. B. Hobbs, of this city, bought and sold 6,000,000 bushels of corn, the largest grain deal ever made or conceived by one man or firm. He signed checks for \$10,000,000 while making this deal. The chief point in this connection is that during October he had some 3,000,000 bushels of corn ready for shipment East. He told the vessel men he would give them all they could do the rest of the fall, offering them three cents a bushel to carry the corn to Buffalo. The vessel men held off for three and half cents, and after consulting together peremptorily declined his offer. The decision was terrible. Within one hour the railways learned of it and offered to carry the corn to New York for seven cents, which sum was to include the three cents terminal charges. It was an unprecedented offer, which no man could refuse, and Mr. Hobbs' principals telegraphed in haste for him to accept. The offer was accepted and in a twinkling the vessel men found the most gigantic game on which the eyes of an old salt ever laid. They have since come down from three to one cent and even offered vessels free, so as to have ballast. They are now stripping for winter, having refused work enough to occupy every vessel on the lake till winter.

PHILADELPHIA, 7.—The papers say it is a curious and interesting fact that the remnant of the band of Modoc Indians now established in the Indian Territory, have taken very kindly to the teaching and assistance offered them by the Friends. Some of the agencies and missionary laborers of this religious body have been laboring among them with great success and established a meeting for worship after the Friends' order, which the Modocs regularly take part in. Last week six of the lads of the tribe arrived in Philadelphia, having left Fort Laramie on Monday, to be placed at the Emlen School, an institution in Montgomery County, conducted by the Friends.

MEXICO, 7.—The Senate approved the railroad concession granted Frisbie and De Gress, for Huntington and Gould respectively, and, at the request of the President, abrogated the authority of the executive to grant railway concessions, but authorizing him to alter existing ones and transfer those forfeited.

NEWARK, 7.—Cashier Baldwin's bail was raised to \$100,000, and bondsmen are sought for that amount. The defaulting clerk Marchbanks' bail is fixed at \$10,000. He cannot get bondsmen.

KANSAS CITY, 7.—Joseph N. DuBoise, a prominent hide and wool dealer, left the city a week ago and his whereabouts are unknown. It is alleged he defaulted \$75,000. The principal victims are in Milwaukee and Boston. He is supposed to be in Canada or New Mexico.

PLYMOUTH, Mass., 7.—The Court House, the finest in the State, burned to-day. It will probably be a total loss; value \$150,000.

Princeton, N. J., 7.—An incendiary destroyed the Pennsylvania

Central round house and its contents.

QUINCY, Ills., 7.—The water recedes here very slowly and it will be several days before such branches of business as have been interrupted can get back into their natural grooves again. All the open country lying between the north end of the Sny levee and south of Quincy is to be levied as soon as the work can be done and the damaged levee is to be repaired. Many estimates have been made as to the amount of damage by the flood, but the following are the most accurate. The entire losses in the Warsaw drainage district is \$800,000; in the Indian Grove district, \$750,000; in Sny Island district, \$1,000,000; in Quincy Bay and the city, \$30,000; in and about Alexandria, Mo., \$250,000; to the Keokuk and St. Louis Railroad, \$100,000; to all other railroads, \$60,000; to the open lands north of Sny levee and immediately south of this city, \$1,500,000, making a total of \$3,005,000. The full extent of the loss can only be gauged when the river has retired to its banks.

GALVESTON, 7.—In the Flipper case yesterday, it was endeavored to show in the treatment of Lieutenant Flipper, while in the guard house cell and close confinement at the guard house, Col. Shafer was prompted by a spirit not warranted by the customs of the army. The court objected to this mode of examination, on the ground that it had nothing to do with the offense, if any was committed, and it was not within its province to mitigate the punishment. The objections were withdrawn and finally Col. Shafer stated that before relieving Flipper from the commissary department he thought him perfectly honest and of good habits, and if money had been stolen, it had been by some one else. He further stated that previous to the investigation, Flipper's administration had given entire satisfaction. On the 10th of August Flipper was seen in town with a horse and saddle bags, possibly preparatory to a journey. He was ordered back immediately to turn over his funds on hand. Within two or three minutes after entering the quarters (his quarters) some two thousand dollars was found on his desk ready for delivery. I could not say whether it was in the saddle bags when last seen or not. I have learned since that he generally kept the public money in his quarters instead of the office safe. I had always examined the accounts weekly unless absent.

SAN FRANCISCO, 7. — In the Washington Territorial legislature the council killed the woman suffrage bill; there were five ayes and seven noes.

NEW YORK, 7.—The *Times* says, of the recommendation of the naval board, that if 41 new vessels should be built the proposed fleet would be all but useless for coast or harbor defense, some provision for which is obviously our most pressing need. The necessity for supplying forts and big guns is more urgent than any such reorganization.

The *Tribune* says: One of the most noteworthy exhibits of the Atlanta Exposition is that made by the Woman's National Silk Culture Association. Their object is to show their progress in introducing this old new industry among the women of our farming population. Cocoons of as fair a quality as those from Italy are shown from 19 States, and reeled silk from 12 States.

WASHINGTON, 7.—Sir Leonard Tilley, Canadian minister of finance, is here to consult with West, the British minister, in regard to the international copyright treaty.

Pickering, United States commissioner to Melbourne, in Australia, is here, and has rooms in the State Department, and he will distribute prizes and diplomas to American exhibitors.

In the criminal court, this morning, Scoville asked Judge Cox to decide on his request for papers in the hands of the District Attorney, and for the postponement of the trial. The Judge said, though anxious to accommodate, he couldn't postpone without mutual consent. He could not order the delivery of the papers sought to Scoville, but the prosecution had assured him yesterday that Scoville would be allowed to examine the papers in their possession, that he would have no difficulty on that score. Scoville replied that he desired not the inspection of the papers under the supervision of the District Attorney, but that he considered those papers his, as a matter of right to take and revise with his associate counsel. They could be accepted for and their contents noted. There were certain clippings

from newspapers made by Guiteau during the six weeks before the shooting, these clippings evinced the influences brought to bear on the prisoner's mind and the motives which operated on him and were valuable as bearing on his insanity. There are, I suppose, letters that had been written to the prisoner during that time, by accomplices, instigating him to the act. Understanding his mental condition, would not the counsel for the prisoner be entitled to their possession in order to show their influence on his mind? Instead of such letters being addressed to the prisoner in person, they were, he understood, certain printed documents, or printed letters, addressed to him in common with all the people of the United States, and counsel thought he was entitled to the examination of them to assist in making up his case, also a printed book, the property of the prisoner, which had been taken from him during the six weeks before the act was committed. Guiteau was engaged in a notation that book along its margin, altering, correcting and adding to it. These were important as bearing on the condition of the prisoner's mind and the legal responsibility of the counsel for the defense had a right to these documents, and not through grace of the district attorney. Three weeks ago Guiteau prepared a communication for publication and sent it in an envelope with a note to himself, Scoville. The warden brought it to his room, but not finding him, left it with the district attorney. That letter and communication he had been unable to get after repeated application, and he left the matter to the court. Judge Cox said: He should say that Scoville was entitled to these papers, but in the absence of the district attorney he could not make any order as to the book referred to. Yesterday the district attorney told Robinson that he would give him a copy of it. Scoville said: But a copy is not sufficient. The court thought the matter could be arranged without any formal order.

Subsequent to Scoville's argument Corkhill said the papers demanded, being evidence he would not concede the right of any person to them. He never received any communication of any kind addressed to Scoville, and had nothing of the kind in his possession. Scoville said he would to-morrow present an affidavit of Warden Crocker regarding the matter.

CHICAGO, 7.—It is authoritatively stated that the President recently promised the friends of John C. New, that he would recognize New, and that he has decided to make him minister to Russia. New's friends say he will accept.

NEW YORK, 7.—The weather is cold and gloomy and there is a general apathy all over the State. New Jersey is more interested and polling a heavier vote. It is stated that Murphy, republican, for Congress, from the ninth district, votes in some precincts holding two votes to one for Hardy, democrat. Many democrats are supporting him. It is stated that an attempt will be made to defeat Edward Hogan, the democratic candidate for senator from the fifth district, and entire county democrat ticket, by not delivering the tickets from the printer. The contest for Congress between Astor and Flower is hot and close.

Boston, 7.—A very light vote all over the State.

Albany, 7.—The democrats claim the county by 4,000 majority. The republicans concede a defeat. Braman, stalwart, for senator, thought he was making an earnest canvass.

Philadelphia, 7.—A light vote; much cratching. The independent candidacy of Woolfe for the State treasury attracts much attention in some wards, but apathy generally prevails.

Richmond, 7.—Mahone telegraphs the prospects throughout the State are excellent.

PORT JERVIS, 7.—A terrible accident occurred on the Erie railroad 10 miles from here. The engines of the two freight trains ascending the mountain collided, killing the conductor Geo. Dan, Jerome Grove and Mark Coxson. The trains were badly wrecked. There was an engine at both ends of each train.

BROOKLYN, 7.—The election is quiet. The vote will probably be far short of the register. There is an interesting contest in the mayoralty. There will probably not be 1,500 majority either way. Lowe, the republican candidate, gets a big vote in the aristocratic wards, but in the strongholds of democracy, Howell is reported as holding his own.

The Germans favor Howell and may elect him.