

N. J. STONE'S VINDICATION

King-Maker Hubert Howe---Bancroft's Boomerang Lawsuit.

BANCROFT ACCUSED OF CONSPIRING

Prices for Regal Decorations Have Fallen in California and the Historian Will Leave for a More Congenial Climate.

The statement is made that H. H. Bancroft, historian and distributor of crowns, is going to leave this city and the Kings of the commonwealth created by him at so much per coronation, and make his headquarters at Chicago.

Disappointment at the ingratitude of the jury in the Stone case is supposed to be the reason of the projected removal.

The suit was brought in the name of George H. Morrison, Vice-President of the History Company, against Nathan J. Stone, the former Vice-President, and accused him of conspiracy and other things. But the testimony was not that way, and the jury not only vindicated Stone but gave him a verdict for \$50,000, and in their verdict made unkind remarks about the historian. For instance, they decided that the conspiracy was his, and they particularly found that Bancroft after authorizing Stone to sell a branch of the History Company, had tried to wriggle out of his bargain by denying it.

THE BRANCH THAT FAILED.

The department was known as the "Eastern Agency" Department and was one of the non-paying parts of the history mill. The evidence showed that Morrison knew no more about the History Company's affairs than any other employe, except that Bancroft told him he was going to displace Stone, and in a reverential letter Morrison said he would accept whatever the great historian would be good enough to hand out.

Stone has managed the History Company and according to the pleadings made a big profit for the historian, ever since its inception. When, however, the market for blue books and biographies of men rich enough to pay for them was exhausted the historian decided to get another Vice-President.

HISTORIANS ARE DIFFERENT.

A plain, ordinary business man would have asked for his resignation, but the historian's researches among the deep intrigues of courts had taught ways a great deal further around than this, so he got Morrison to demand of the historian himself that suit be brought against Stone for conspiracy.

Now it seems that the verdict of the jury and the depression in the crown business will lose to California the picturesque historian, but the lawsuits that cluster around his name will keep his memory green.

THE EXAMINER, SAN FRANCISCO: SUNDAY MORNING, APRIL 9, 1893.

THE OTHER SIDE.

Can an "Historian" Possibly Be in Any Conspiracy?

The Value of the Good-will of a Business That Never Earned a Cent Jumped \$5000 in an Hour—Tom's Flight.

On Monday afternoon the Bancroftian fidus achetes, whom the historian calls "Tom"—a fat, pudgy little man—was recalled for cross-examination in the suit of Morrison vs. Stone et al. in Department 10. His evidence caused considerable merriment from the start. Replying to questions of the defendant's counsel he raised his voice to such a high pitch and thumped the witness chair with such vehemence that Judge Levy had to call him to order.

"Your manner, sir, is calculated to irritate counsel, and you must desist," said the Court.

Almost the first question asked was as to the value of the good-will of the department over which all this trouble is.

Witness had stated at the morning session that it was worth \$12,500, but when counsel said interrogatively, "You think the value of this good-will was about \$12,500?"

"No, more than that," said the witness, and then confessed that his opinion had altered \$5000 during the lunch hour!

He had spent most of the lunch hour with the mortal and visible representation of Ambrose Bierce's proposed brazen plate exhibit at the World's Fair.

There were several amusing scenes during the afternoon, produced principally by the bellicose attitude of the witness. At one time he insisted on answering a question when all the counsel employed in the case as well as Judge Levy were trying to dissuade him from doing so.

As soon as the short, fat man, who is lovingly called "Tom" by the historian, was put on the uneasy seat yesterday afternoon by the defendant's counsel, his mentor took a seat directly opposite to him in the body of the court, so that the poor man was doubly annoyed.

He was cross-examined for a few moments, and then the plaintiff's case closed.

Then Mr. Campbell started in to show just how much the historian could do in the way of conspiracy. He called "Tom" as the first witness for the defense. It was shown that the History Company had paid to Plaintiff Morrison's counsel \$300, and again at a later date \$100, the testimony being intended to show that Morrison was not, as a matter of fact, the plaintiff, but that the History Company and its founder were really the instigators of the suit.

A most amusing scene followed when it was attempted to elicit from the witness—who had paid the money over to Pierson & Mitchell—at whose instigation the money was paid. To Mr. Campbell he stated that it was at the suggestion of the great historian. For fully ten minutes previous to "Tom's" making this statement the historian had been gazing upward with a look of pride mingled with joy as he mentally passed in review the score or more prominent citizens who, in the zeal which is born of an unalloyed desire to do, without recompense, a great boon to humanity, he had crowned with sparkling diadems (crowns a la C. P. Huntington, Tabor of a thousand-night-shirt fame and others at \$10,000, and crownettes at \$2500 or less). But this declaration woke him up with a start, and from the look he sent in the direction of the witness chair "Tom" had fallen from grace forever.

Recognizing the glance, the witness managed to state to Mr. Mitchell that he didn't know why he thought Bancroft had ordered him to pay the money. Counsel showed much ingenuity, but he could not get the witness to withdraw the damaging statement.

The witness continued his belligerent attitude to counsel and insisted on talking, so much so that whilst the Court was making a ruling he asked permission "to put in a word here." Eventually he was let off the rack and after making a hasty move in the direction of the water pitcher, vanished from the courtroom.

It was shown then by Mr. Stewart that Dorland had offered for sale to him the stock of the Eastern department, minus the serial department.

Then it was conclusively shown by a Mr. Hambly and a Mr. Hartwell that Dorland and Stone consulted together about writing a letter to H. H. Bancroft suggesting the advisability of getting rid of the Eastern Agency Department.

The defendant N. J. Stone was then placed on the stand. He is a man of over medium height and has an intelligent face. He gave his evidence in a quiet, unassuming way, answering counsel's questions clearly and distinctly. He testified that he had an interest in the selling of the "Historical Works of Hubert Howe Bancroft" previous to the formation of the History Company, and then Mr. Campbell read the agreement with the great historian.

The fact was elicited next that the History Company had paid \$310,000 in dividends, but of this amount the defendant "Tom" judgment jumped \$5000 in an hour under the genial influence of the History factor's companionship, had not contributed one cent, so that making society with the aid of blue-books, and monarchs by the folio, is a pretty good paying business.

When this evidence about profits was adduced the historian covered his face with his hands to hide his blushes, and let his elbows rest on his knees in a prayerful attitude.

A few seconds before 2 P. M. yesterday the historian came slowly up the corridor toward Judge Levy's courtroom, attended by the plaintiff Morrison. At the door they separated, the plaintiff going in alone, as, of course, it would not do for the historian to be seen by the jury in his company. The great man lingered in the corridor, pacing up and down, looking wise, continuing the breaking in of his new boots and giving the wind an opportunity to daily gently with his Dunedrearys.

In the courtroom Stone continued his testimony and gave a concise statement of the stock which was owned by the Eastern department of the History Company. Then Mr. Campbell began to read correspondence between the "historian" and Mr. Stone.

This was a very interesting point in the trial. The jury, which seems to be composed of men of exceptional intelligence, immediately showed increasing interest. L. L. Nelson, the well-known insurance man who sits in the corner, ceased fending his luxuriant mustache and toyed with his expensive umbrella, and became more attentive than ever.

The fine hand of the historian in the case was exposed by the letters. Among interesting excerpts from the voluminous correspondence is this from the "historian":

If this (the Eastern department) don't pay I will close it out.

As the present plaintiff was in Mexico with the historian, whence the letter was dated, just exactly how much say he (Morrison) would have in deciding as to whether anything should be sold or retained may be judged.

The majority of the letters from the historian were merely plaintive appeals to cut down expenses in order that he might make more lucre, or else walls that the business in Mexico (the crowning of Mexican kings) was not panning out as well as it ought.

Says the historian in one epistle, "Here am I down here working like the early and late, and trying to make money," and then he goes on to say that he doesn't propose to continue any department or to have any one in his employ who doesn't make money. It was one continual cry of money, money, money, and still more money.

Stone's letters were in strong contrast. They showed a straight desire to do business, but on a good square business basis.

Amongst one of the comical things re-

vealed was that "Literary Industries," which is an alleged history of the historian, could not be sold at all.

Mr. Stone then went on to relate his association with the company, and his direct examination had not been concluded when the court adjourned.

To-Day's Proceedings.

Slowly and sadly the historian wandered into Department 10 this morning. He saw the plaintiff—a man with a forehead which is decidedly a large one, measured at an angle of 45 degrees from the bridge of his nose, but its vertical measurement from the same point would be extremely minute—there, and, remembering the fact that Morrison had walked under a ladder on his way to the courtroom, he sighed audibly. Even historians are affected by hoodoos.

Mr. Stone continued to give his version of the case. The attorneys managed to have quite an interesting time between them. Mr. Mitchell didn't consume any more time than was necessary to object to two-thirds of the questions asked, and things were pretty lively.

It was shown by a letter from the plaintiff to the historian that he wanted Mr. Stone's position as Vice-President of the History Company. The letter was a marvel of soft soap. The historian was plastered with beautiful epithets, describing his "wonderful wisdom," "your immense and unspeakably valuable work," etc. In fact, in colloquial parlance the plaintiff Morrison was "pulling the leg" of the historian for all it was worth.

This letter was laid by the "historian" on Stone's desk, and naturally Stone wanted an interview with Bancroft at once. The interview was somewhat stormy and, according to the witness' testimony, it wound up by the great historian of the Pacific States, the man who has worked so hard for the general benefit of the people of the Pacific coast, saying to Stone: "— you, I will beggar you, I will beggar your wife and your children; — you, I will beggar you all!"

The jury stared, the spectators gasped, and even the Sheriff was shocked. But what did the historian do? He "turned around three times," moved toward the door, sat down in the chair next to Morrison for a second and then bolted straight from the courtroom as though he had been shot.

Yes, the "fine hand" of the historian is coming out in beautiful shape. Then the evidence went on and there was more fun. The witness stated that the great historian had suggested in the presence of his wife that one of the members of the Board of Directors of the History Company throw the defendant Stone out of the window. How the mighty are fallen!

The case is still going on, and it looks as though before it is finished the historian will be shown up in his true light.

STOCK MARKET

Another Advance in Some of the Gold Hill Stocks To-Day.

A Better Tone to Comstock Deal Increase of Business—Silver L A Famous Gold Mine—Notes.

The Gold Hill stocks had another this morning and improved the Comstock market. Although opening, large orders to buy the Point, Bunker, Yellow Jacket, reached higher prices than for quite a time past.

Point has the lead, Old Time which Bannon sold, Old Time Exchange at 9.25 to 95 cents by 1.15 A. M. with over the continued high stock price. Among those that reflect on stocks in the next election of the next year.

The recent price of Comstock may be a future and stocks now which are Gold. Monday share will give the to out of Edw. and for sor

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"THE TRIBUNE'S" CIRCULATION.

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Work goes merrily on in the Kansas Legislature. The Populists in that body are showing that they are reformers from away back. The record that Kansas politicians have made during the last three years is not particularly creditable, and the chief advantages to be hoped for from the present position are that the good men who have been lured away by false lights will retrace their steps and that after awhile the old rule of things will be restored and the State become respectable.

If the Democrats are only as well satisfied to see WALTER Q. GRESHAM in the Cabinet of President CLEVELAND as the Republicans are, that part of the Institution at least will be satisfactorily disposed of. Mr. GRESHAM has been playing sour for four years on the Republican party, always carrying the air that he, being so pure himself, was grieved and shocked at his associates. It will be a relief to the party to see him range himself under the banner of the opposition. It is nothing to fight a foe in front; it is humiliating when a person is looking in front for the enemy, to get every few days a dose of buckshot in the back.

We predict the overthrow of Mr. GLADSTONE's government within four months. We wish it might come within six weeks. We think the defeat of Lord SALISBURY last summer and the defeat of President HARRISON were two most lamentable events. We believe if both had been averted that the silver question would have been practically settled by this time, and, knowing how tough that old Scotch head of Mr. GLADSTONE'S is, how fixed are his opinions, and how impossible it is at this late hour of his life to hope for a change of heart on his part, we hope the overthrow of his government will be very speedy. As long as he shall be Premier, there is no silver man in the United States who will not be in English politics an out and out Tory.

In another article we speak about the mission work to be done in the East and in England on the silver question. The railroads of the West, the companies doing business west of the Missouri river with their agents in the East, ought to be the most pronounced silver men in the world. They ought to realize at a glance that their capacity to meet their interest obligations and to begin to reduce the amount of the principal rests almost entirely on mining. Because of the black-eye to mining, every other eye is closed. Business has for its basis here, mining; without it, this country would amount to simply a stock range and a little old slow agricultural country about like the Dakotas. Indeed, we have not agricultural land enough to make agriculture by itself a matter of great concern to any railroad company. There is very little food product shipped away, and while there is a great deal of food product shipped in, that is due solely to mining. Without it, about all in the food line we would receive would be a little coffee, a little tea, a little sugar, a little rice, and a little whisky. It is time for the railroad companies to begin to help us and to begin to explain to the stockholders that however much they may deride the 70-cent dollar, it is on silver mining that they may hope for dividends, and that without it more than one road across the continent would never pay.

The New York Sun reports a sea Captain, who, being remonstrated with for using violent language, declared he began as a cabin boy, worked his way to the quarter deck, and followed the sea all his life, claims to know a little about sailors, and says, we cannot be easy with them and make them work, and he winds up by saying, "I am not especially fond of sweating, but I tell you I have to make a practice of it to make those beggars work." He gives himself away in the last line. If he did not treat them as beggars, it might be different. There are besotted men probably in the world who have never had any treatment except brutal treatment, who expect it and who do not appreciate fair treatment; but nevertheless the best ships that sail the sea are not these ships on which men are sworn at. To take the ground that this sea Captain does is to doubt the effects of civilization. Sailors do not need to be sworn at any more than men in a who or manufactory, and if men are rightly treated and have all the time an understanding that so soon as they fail in their duties they will be settled with, it seems to us that will take a great deal better than to curse them. Of course that cannot be done aboard ship, but it could be done in a limited way; that is, if men did not do their work, their wages could be stopped until they did it. Down deep, this Captain does not believe a common sailor is entitled to any consideration, and he is not able to conceal that fact from his sailors. Hence there is no weapon that he has except *foak* to wield; he has no respect for them, they return the compliment and refuse to oblige him, and it will always be so. There are more flies caught by honey than by vinegar in this world and always have been.

HUBERT HOWE STILL AT IT.

Some gentleman has sent us an article which goes on to state that "The Book of the Fair" will be an important folio, 12x16 inches, elegantly and profusely illustrated, issued in twenty parts of 48 pages each, price per part \$1; that it is to give a historical and descriptive presentation of the world's science, art and industry as viewed through the Columbian Exposition in Chicago in 1893; that it is designed to set forth the display made by the congress of nations of human achievements in material forms, the more effectually to illustrate the progress of mankind in all the departments of civilized life. And this is to be written by H. H. BANCROFT. With the circular comes also a fly-leaf, which is a blank order on GEORGE H. MORSEMAN, vice-president and general manager of the California Book Company, San Francisco, and which reads as follows:

"Please insert in 'The Book of the Fair,' by H. H. BANCROFT, for which I promise to pay on publication of the same dollars," with a place for the name and address.

In the circular, too, we find, probably from Mr. BANCROFT'S own pen, such lines as these:

The writing and publishing of a book which shall attempt to do justice to the subject offers active food for the richest ambition; it should be in the strictest sense a work of art as well as of material and moral instruction. And above all it should faithfully reproduce this panorama of the nations, so brilliant and yet so transitory. It is the earnest hope of the author that his task will not prove altogether unworthy of this greatest of human displays, but in some small degree will aid, like the Exposition itself, in promoting a broader sympathy and fellowship in humanity.

It is not worth while to spend much space on this except to warn the people of the East in advance that H. H. BANCROFT is an intellectual fraud; that he is a purveyor of other men's brains; that he palms off as his own what purports to be history, when he knows it is not history at all, but merely a partisan statement, written by interested rogues, and to which he attaches his name for money. The San Francisco Wave seems to understand him pretty well, and a few extracts from it will cover the case and give to Mr. BANCROFT such an advertisement as he deserves, whether he likes or not. The Wave begins by stating that Mr. BANCROFT is having trouble with J. M. STONE; it says further that one after another he throw out of the business his brothers and associates, who in long years of struggle and trial have stood by him; that the same treatment applied to the manager of the Historical Company finds less tractable material. Mr. STONE has commenced suit, and in the complaint he gives some of Mr. BANCROFT'S methods. He says he began by blackmailing the Argonauts away back in the early days—those of them who had histories which they did not wish to have published. He further goes on to say that Mr. BANCROFT is credited with possessing about a million and a half dollars; he has a book and stationery business on Market street, of which he owns all but a few shares; he has a store-acre ranch at Walnut Creek, real estate in Berkeley and in San Diego; he owns a controlling interest in the Publishing Company, a block of stock in the Bancroft-Whitney Publishing Company, the History building on Market street, the residence on Valencia street, and a residence on Van Ness avenue. In spite of these accumulations the concern was in serious trouble at the time of the fire. It was then that Mr. STONE began pushing the history, and by his management settled with the creditors and lifted a mortgage of \$450,000 on the Market street property. Then Mr. BANCROFT'S methods of history writing are explained. A few of these we copy, as follows:

Of the series of volumes that bear his name it is doubtful if a single one was written by himself. The volumes on Alaska and New Mexico are the work of H. L. Oats; those on Mexico and Central America were written by Oak and by Thomas Swartz. These are, perhaps the best of the series and perhaps the cheapest. Oak is a man of excellent education, a retired school teacher, and during his years of labor the Bancroft vineyard received \$150 per month. He is now residing at Siegler's Springs, Mrs. Victor is responsible for the history of the Northwest Coast, of Oregon, besides assisting in preparing that of California. She averaged between \$80 and \$100 per month.

A Mr. Nemus was one of the most industrious of the great man's collaborators. A Swede by birth, he was a very hard worker and is credited with having produced the bulk of the History of California. Of course others assisted, but it was his specialty. I believe the magnificent salary of \$125 per month remunerated him for his services on behalf of the Bancroft reputation. Another servitor is Alfred Bates, a writer of polished English, who is responsible for most of the occasional fine passages one finds in the thirty volumes. He has been a slave for over twelve years, and averages about \$73 per month, though at times he had \$100. The ebooks treating of Wyoming and Colorado are mainly his, besides several of the biographies in "Chronicle of the Builders."

Of the business methods of H. H. Bancroft it is difficult to speak temperately. There is no device so low that he will not descend to it for the purpose of obtaining money. His rapacity knows no bounds; beside him Assa Pink is a philanthropist. He quarreled with his brother, A. A. Bancroft, shortly after the fire. They separated, the actor taking the piano agency with an agreement that the old firm should give up desisting in musical instruments. That did not prevent Hubert Howe from immediately re-entering that line with a new make of piano. Now they hate each other. A. A.'s ranch on Walnut creek adjoins that of his brother. The offspring of one are not permitted to speak, even to look at, the children of the other. His encounter with W. B. Bancroft has been detailed in the papers at full length.

His son-in-law, C. C. Richards, tried to do business with him, but had to give it up in despair. A brother-in-law, now located at San Diego, had a similar experience. One, who worked for him so long, threatens to sue him for some breach of contract. In fact he seems to be in difficulties all round. It is rather amusing that in spite of Stone's accusations he remains in the service of the concern, and has not thought it necessary to resign.

In mentioning the authorship of the histories, I forget to speak of the volumes on Utah. The Mormon Church, as can readily be understood, desired to go before the world as creditably as possible, and when the membership of the firm approached the community, an agreement was made to take a large number of copies, provided Franklin Richards was permitted to write the book. He furnished most of it, but the name of H. H. Bancroft appears on the title page. From the foregoing, a part of which we know to be true, the people East and West ought to have a good idea of the value of a history which bears as the author the name of HUBERT H. BANCROFT. As a literary man he is a fraud. He is, entirely conscientious. He told

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the writer of this some years ago in this place, speaking of the Mormon religion, that if he was a young man again he would start a religion himself, carrying the idea that it was the best, paying in the man that ever men engaged in.

Very much of the data which will be put out in his "Book of the Fair" will no doubt be true, because it will be written by conscientious assistants, but his object will be to intersperse through the book biographical sketches and pictures of more or less prominent men, and it can be understood in advance that the characters of those gentlemen will be treated exactly according to the amount they pay. That is, if BENJAMIN HARRISON, we will say, for instance, was able to pay Mr. BANCROFT \$50 for a notice in his history, and some packer in Chicago was able to pay \$3000, the truthful history which Mr. BANCROFT would put before the world, the packer would be ten times as great and good a man as BENJAMIN HARRISON. Our honest opinion is that Mr. BANCROFT is a bad man morally; that his avarice carries him away; that in the pursuit of money neither family ties, the obligations of honor which attach to business men, nor consideration for the reputation of his own name can interpose to prevent his doing for money any outrageous thing demanded of him. His history of Utah, so-called, is a sorry burlesque on the real facts; that is, it was written by a member of the Mormon Church, though we think not the one named above, and gives no more real idea of the true history of this Territory than any other biased, prejudiced and strongly partisan effort could. According to all accounts, Mr. BANCROFT did not write a word of it; but he derived it as his own history, and for it received, as we understand, a profit of \$30,000. That is, the Mormon Church ordered a certain number of copies. An expert, in our presence, figured up exactly what these copies brought and what they cost originally, and it left a profit of \$30,000; and the man who did that proposes now, in order to make more money and to blackmail more people, to put out another bogus book with which to rob the public.

He ought to be denounced by every newspaper in the land, for he is not entitled to the consideration of honor which men at low wages, endorses their work is correct, and takes the credit of what ever literary merit they can weave in their lines. He intends to bleed probably 500 men into paying him from \$50 to \$1000 for notices; he intends to incorporate these in the book, then to make the endorsement of his own name, after making a fortune in the preparation of the book, to make another selling it, and by selling it for twice as much as better historians and better men would be glad to obtain to write an honest book of the same size.

SILVER IN NEW YORK.

The following is clipped from the Chicago Tribune:

A dinner given by some of the bankers of this city to President Cannon, ex-Governor of the Currency, the other evening some surprise was expressed to hear such unanimity of opinion respecting the necessity of the use of silver as a money metal by the Government, coupled also with the necessity of maintaining parity of relation between it and gold. Only one discordant note was heard, and that was uttered by Mr. Horace White, a brilliant but somewhat dogmatic writer upon financial subjects. He agreed with his old friend, Henry Villard, and present associate in the newspaper business, Mr. Villard and Mr. White were Washington correspondents at the time of the war, and they are now the strongest gold standard men, at least the most enthusiastic in the expression of their belief that the only metal the United States should recognize as money is gold. Of all those who have any authority to speak upon this matter, at this dinner, Mr. White pleaded for the exclusive gold standard.

Russell Sage bristled up, as soon as Mr. White opened his lips, and there was fire in the old gentleman's eyes, and his pugnaclous seemed to be carried to the roots of his hair; for though Mr. Sage's hair stood on end as he rose to reply. The old gentleman knows something about money, how to get it and how to keep it, and there were a dozen bankers there who knew that he had a balance in their banks of more than \$1,000,000. That knowledge makes bankers attentive. He told Mr. White that it was perfectly nonsense to suppose that this country would not get along on an exclusive gold basis. He declared that it would be a shame for the greatest silver-producing Nation in the world to discredit its own metal. He insisted that now and in the future, there would be need of that coin contemplated by the Constitution, of which both gold and silver were the material, and he said that the only thing to be done was for this country to stop discrediting its metal and to go to work and do those things which would establish its relative value with gold, and having got that ratio to maintain it.

There was an undercurrent of contempt at the political economy of the exclusive gold standard men, and something of the ring of patriotism in the old man's utterance when he declared that the United States, being a solvent Nation and likely to continue so, not threatened with any great wars in the future, and with nothing to do but develop its great wealth, ought to be able to do those things which would compel other nations to recognize silver as a money metal and to agree with the United States upon the relative ratio between it and gold. Mr. Sage was splendidly applauded when he light the old gentleman.

The foregoing is a straw which shows that the men of New York—at least a few of them—are beginning to take a very different view of silver. RUSSELL SAGE is a hard-headed man; his business is loaning money; he is the man to whom JAY GOULD always applied when he needed funds, and we take it that his position on silver is due to the fact that he begins to realize that his favorite securities—railroad stocks and bonds—are liable, under the present mighty depression, to cease to be good securities. It seems to us that if a determined effort were made by the silver States to get the facts before the New York merchants, bankers and others, whose business is more or less connected with the West, to show them that if this depression continues and grows worse—that is, if gold continues to appreciate in price as compared with everything else—their securities in the West will go to the dogs, their trade will, in great measure, do the same, and, at the same time, to try to rouse them to a comprehension of the narrowness of the position which they assume, that, there might be such a diversion made in favor of silver as would have its effect when the conference meets on the other side in May.

The above says that the dinner party was nearly in rapport with Mr. Sage; that ONLY HORACE WHITE spoke against