

19
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BEFORE U. S. COMMISSIONER LUSHER.
Walker vs. *Walker* THIRD DAY *in Charge of*
The Court opened at 11 o'clock. Defendants present. *1359*

R. F. Eddy sworn—is the mate of the Philadelphia steamship; that vessel came from New York on the 19th; can't say when she arrived here. He was told by the Captain, on Monday, 3d October, that the ship would go to Aspinwall that evening. Knows the destination, but never saw them on the Philadelphia.

Mr. Scott sworn—Is the Chief Engineer of the Philadelphia; made the last trip on that steamer; does not know who sent any arms on board; he first knew of it one day last week; he left the vessel on the night of Saturday, 8th, a quarter before 9 o'clock.

Mr. N. P. Bonicorth sworn—Was the purser of Philadelphia; knew nothing of any arms. His duty is to assist first officer in receiving freight, pay discharge men, make out the office accounts, etc. Steward attended to victualing the ship. He believes

Mr. Murphy sworn— is a Custom-house officer; the Philadelphia in charge; took charge of her October 11th; he was ordered to search the vessel Saturday, 8th, and not to seize her; he was disappointed about the coming of a stevedore's gang; t

Mr. Villaverde—is of the house of S. De Vissio Co., agents for the U. S. Mail Steamship Company, owners of the Philadelphia. Has received instructions in writing relative to the destination of the Philadelphia on her last trip. [The following letter

"New York, September 1
"Messrs. S. De Visser & Co.—Gents: You
doubtless aware that our contract with this Gov-
ernment for carrying the U. S. Mail will expire, by
own limitation, on the 30th inst. I have just ma-

special arrangement with the Department to bring New Orleans the mail this left California on the 1st. I have directed, therefore, Capt. Griffin to go on the steamer, and rejoin his crew for Aspinwall, will, therefore, take no passengers or freight on the 1st.

trip. We shall continue the New Orleans, Havana, New York line as usual. - Capt. Griffin may require some extra provisions, which you will deliver him respectively. (Signed) M. O. R. Keith.
Had no other instructions from the owners, and O. Griffin never said anything further about the debt.

Mr. C. Roberts gave C. I. Fayson at Francis Morris request

Passage from N.Y. to Newburg
on the St. Nicholas Bap^t Ch^{urch}

Mr. Villanueva recalled.
To Defendant's Counsel—If the passengers had left on the Philadelphia, they could not have made any connection.
Mr. McEnerny sworn—Is a custom-house officer who Philadelphia the night she arrived at the

Mr. Abraham Banta sworn—Was an officer on the Philadelphia; saw nothing of arms; his business is the engine-rooms.

The District Attorney was stated that he had no further testimony to offer until the attachment issues for witnesses at the Balize were returned. He had understood that the defense thought of introducing some now.

Mr. McKay informed the Court that such was their intention. They should wait until the prosecution were through.

FOURTH DAY.

The Court opened at 11 o'clock, defendants present. The Commissioner stated that he had received dispatch from Mr. Wells, stating that he could not physically be here until to-morrow (Friday) morning.

The Commissioner replied that he considered that order to further the ends of justice, all facilities and

reasonable delay should be granted witnesses at distance; and that he should not decide upon the charges, both as touching the defendants or the Philadelphia, until he had thoroughly examined all points.

He would accordingly adjourn the court until tomorrow at 11 o'clock, at which time Mr. Wells would be present.

EXAMINATION CLOSED—DECISION RESERVED.
The Court opened at 11 o'clock.
Mr. McLaughlin sworn—is of the house of S. Visser & Co. They are agents of the Philadelphia Register from Mr. M. O. Roberia, President of

Company, we have the only information on the subject of the purposes to which the vessel was to be put. We on the "Philadelphia" on the afternoon of the 5th of October. Knows Mr. Eddy, the first officer; went aboard at his request; he told him that the vessel had been raised and damaged him in a board and

what was the matter. He went, and found that the vessel was in the hands of the Custom-House officers. Captain Griffin has been from time to time Captain of the Philadelphia. The Captains change very often. He made no statement to me about the Philadelphia.

Witness knew nothing of the ATU on board; not connected with any business at the Custom-House for Vinner & Co. [To Mr. McKay, for defense:] The defendant never applied for passage on the Philadelphia; don't think under any circumstances that they would have taken them, for fear of setting the ship on fire.

Mr. Wells sworn—Was and is the telegraph operator at the South-west Pass; he did not see the Panther, as it was about nine or ten o'clock at night; he would not be positive what night it was; he could not say whether it was a male or female.

had conversation with one gentleman that night and the Panther got there, whom the slave learned was Capt. Payson; Capt. Payson's business was to telegraph, and he did telegraph, but he can not recollect to whom the telegraph was directed or what it contained: it was not unusual for dispatches to be sent.

late as that; don't think the dispatch said anything about a vessel; he didn't have any conversation with Capt. Fayson; he had not seen the men or the Prussian then; Mr. Fayson received answers to all dispatches; he does not recollect sending any dispatches; however, the next day recollects having

believed that he telegraphed a little every day; and most of the dispatches were directed Mr. McKay, as far as I can recollect; don't know what Mr. McKay is now; couldn't tell how many dispatches he sent; some were written and some were oral; one was

"What right has Hatch to arrest me?" he would not trust his mind to quote any other message; the dispatches left no impression upon his mind that they were going anywhere or returning; didn't think there were dispatches to Payson said anything about the steamer. Witness received dispatches from

the tow-boat owners to witness, telling him that the men on the wharf could come up on the Jax. L. Deane. He subsequently received a notice that tow-boats were ordered not take them; witness was anxious to see them get back, as they were getting out of prov-

Q Now, Captain Fayouzi spoke to him a good deal, did he not mention anything about the men? The whole of the ten messages were delivered back to Mr. Fayouzi, is that his request. It was not the usual manner of transmission of their business, but it was always done whenever we were concerned. Very few of the messages were written down, were they?

ten. Mr. Faysoux tore the languages up, and the
were of no use to witness. Witness did not know
Mr. Faysoux's name until he was arrested. He had
seen as many men down there before, especially
about election times; there would be a large crowd

Murray sent a message to Mobil saying that he had been arrested. Colonel Anderson did not send or receive any messages—Mr. Scott did not. Wilson mixed with the men very little; none of them seemed disappointed except one, to the Associated Press. The

crowd were quiet; they joked a good deal about the cutter, but they did not complain. The cutter annoyed him more than they (the men) did. He thought it was a pretty good crowd to go fishing. He did not have sufficient curiosity to ask them what they were going to do. He thought it a pretty good look for

who hoisted the flag. "Thought it was to annoy the cutter, who had her gun hoisted out, threatening to bombard the place. He thought that the flag was merely hoisted up in place of a black and rather

when the big woman up: [District Attorney -] Did y
 xipened to be humbarbed?" He could not tell w
 they would not do. It was about twenty-four ho
 now, the men landed that the order came that
 could come up on the towboat Jan 1 day and 8
 1900

They had no provisions. They were catching themselves fishing. It is a good fishing spot—plenty of abrimbs and cynters.

After asking for Capt. Whitney, of the towboat Service and he not being on hand, the District Attorney

no witnesses to offer, and submitted the case. The District Attorney also submitted it without argument. The Commissioner stated that he should reserve

In the Circuit Court, Richmond, Va., on the 14th inst., Edward Argentine, indicted for the forgery of Paul & Hinton's signature to

check for \$4100, was convicted, and sentenced to eight years confinement in the State Penitentiary.

Master Ship Philadelphia



THE SAYERS AND BRETTE FIGHT IN ENGLAND.

From the London Advertiser, September 21.

No pugilistic encounter has for a long time produced such an interest, both in London and the provinces, as that which took place yesterday. Brettle is considered one of the best men brought out by the Birmingham division. The last time he appeared within the ropes, prior to the present match, he fought and defeated Travers, the scientific "dandy." Brettle, like other men of aspiring ambition, waited to reach the championship of England, which title he wrested from the Tipton Blaster on the 12th of June, 1887. When this match was brought on the "evening" the general opinion among sporting men was that Brettle, although undoubtedly a great man, had in the instance overstepped the line of prudence, and had only one result to anticipate defeat. The Birmingham school, however, held quite a contrary opinion in the London "selects." They admitted that Sayers had all the advantages that could be derived from name and position, but they regarded the difference there would be very little in the weight of the men; and also saw very little advantage that would possess over the stout opponent in height; therefore when such tempting odds were offered as 200 to 100, they did not see why the star of the London ring should not have chosen of throwing "a few more," even though opposed to the "champion of England." Brettle took his "breathings" in the neighborhood of Ashburnham, Hampshire, having for his attendant, John Hopkin, of Birmingham, and Bob Travers the black; while the champion took his ellipses at Newcastle and elsewhere, under the guidance and companionship of Harry Branton, of the George and Dragon, Scotch street, Barbican.

Sayers was 10 lbs. and all muscle; he was from top to toe the very perfection of condition, with an ounce of superfluous flesh. Brettle, as regards condition, was also all that his friends could desire, and looked the same 6 lbs. Such, however, is the extraordinary development of the champion's frame that, when out of their "tops," he looked a stone and a half bigger man.

Brettle took his departure from Birmingham on Monday, and thousands assembled to wish him "good luck." Messrs. John Dixon and Alex. Evans effected excellent arrangements for conveying the belligerents and their friends to the scene of action, and yesterday morning the "meet" took place at the London bridge station, the time for starting being 7 o'clock a.m. Some 1400, as it is the record, were conveyed by the train, and such arrangements were made by the officials that the start passed off with the most regularity.

After a journey of some fifty-eight miles the ring was pitched on the admirable piece of turf, being an enclosed field surrounded by picturesque scenery. "Old Tom Oliver," himself officiated upon the occasion, while Inspector Duncan and his pugilistic corps of constables were indefatigable in the arrangement of the innering, which was extensively patronized.

Brettle was the first to enter the ring, but had not got to wait before Sayers responded to the challenge. Sayers, who was the time for coming, had for his second Macdonald and Branton, while Hopkin and Travers waited upon the friends of Sayers, laying the odds of 2 to 1 with freedom.

At five minutes past 11 o'clock, the men were left to begin the contest. On putting themselves in attitude the constables of each man was flanked with a good-tempered smile. After a display of some pretty points, in which Brettle measured to keep away from his man, having laid 50 to 20 that he was not safe and within ten minutes, Sayers got home on the florica with his left, and thereby decided the first of the evening; Brettle, on the termination of the bout, after being hit heavily, going down and falling forward on his hands, but was not allowed to rise.

In this contest the combatants displayed considerable skill; Brettle, who kept away from his antagonist, dodging all round the ring. At length both men countered heavily, when Sayers, in getting away, threw a right hand, which landed in a "knock-down blow" for Brettle, but the referee would not allow it.

Before the termination of the third round, "Iron" Sayers was the big net as regards time and in the fourth, Brettle, in the counter-fighting, succeeded in knocking his man with a heavy left hand.

The match now proceeded with the utmost spirit up to the seventh round, when Brettle, who had previously injured his left hand, attempted to deliver a heavy left, but in the attempt he overexerted himself, and in hitting twisted his arm round on Sayers' shoulder, while the blow whistled. On the instant it became apparent that there was something wrong, his left hand being extruded to his own corner, followed by his opponent.

Brettle made the attempt to renew the battle, but his seconds, finding it would be useless, at once interfered, and got before him, when the sparge was thrown up in token of defeat, and the champion once more hailed victorious, having from the above accident, vanquished his opponent in fifteen minutes. He left the ring without any perceptible mark.

On examination it was found that Brettle had had a blow on his left shoulder, and that it did not seem for this mishap his friends imagine that he might have shown as had chance.

From the Brighton Gazette, Sept. 22.

The combat between Sayers and Brettle came off on Tuesday at Bellingham, Wadhurst, near Hasting, Sussex. Tom Sayers winning in seventeen minutes, after which rounds had been fought. Brettle, who had been badly hurt, was brought to the scene, and was afterwards taken to the hospital. The match was 200 to 100, the greater amount being of course on the champion's side, who consequently pocketed the 200.

A LETTER OF WEAVER.—The following very characteristic letter of Mr. Webster has never before been published:

Dear Henry—I have received your letter Dec. 31, giving an account of the high tide and storm, and of the breaking away of the Dykes. I regret the occurrence; but it is no occasion for regret or complaint. It has happened that in a course of high tides, and at a moment of a violent east wind, the sea has invaded the land with such violence as to overcome the barriers which man had erected against its encroachments. Very well. This is an event beyond human foresight, or, at least beyond the power of human prevention, and is, therefore, no cause of remorse, although it may occasion regret. No wise man supposes that the agencies of nature, or the power of physical causes, will fail to have their full effect and operation always. If high tide and a strong wind will be, to some extent, usually overpowered, both the just and unjust must alike bear the consequences. In all this there is nothing wrong, nothing to complain of, nothing to regret. At whatever Providence ordains, is right; and the violent convulsions and agitations of the elements are but processes in the general administration of Providence.

The winds, the sea, the clouds, commit no mistake. If our new barn (if I may illustrate the point) blown away by the winds, (like one of its predecessors) or burnt up by lightning, it would not cause me a moment's pain. Nothing would remain but to re-build it. But if it were to be burnt through the carelessness of a careless man, I should I confess, be angry enough, almost, to wish that he himself had been a little scorched in the same fire. Therefore, my dear Henry, go to work, repair or rebuild the dyke. If any of the trees are killed, let them go and let the wind blow as it will. If the English meadow be injured, remedy the injury as best you may, and guard as well as you can, against future casualties. The sea, though the instrument of Providence, is not Providence. You may, therefore, war against it without irreverence; and if you can so far shut it out, restrain it, and get the mastery of it, as to be able to say that it will do it shall come, but no further—there is no impiety in so saying. Give the Atlantic, then, to understand that hereafter you do not expect to see its unwelcome and officious waves overtopping your meadow interfering with your till, and spoiling your orchards. Yours, truly, (Signed) DANIEL WEBSTER.

C. H. T. EAT.

RAILROAD LANDS.—Under the provisions of the act of Congress, approved 24 June, 1866, the Secretary of the Interior has approved and the Secretary of the Treasury has transmitted from the General Land Office to the State of Louisiana four lots of lands in the Natchitoches and Monroe Districts, entering to the Vicksburg, Shreveport and Texas Railroad, embracing in the aggregate an area of 255,122 acres. [Washington Constitution.]

At the municipal election in Savannah the 10th inst., Dr. R. D. Arnold, the Independent or Democratic Reform candidate was elected Mayor by a majority of 248 over T. Turner, the regularly nominated Democratic candidate. All the Democratic Reform candidates for Aldermen were likewise elected.

Information has been received at the St. Department, Washington, of the death of George A. West, the U. S. Consul for New Zealand, at the Bay of Islands, on the 28th May last. Mr. West was a native of New Carolina.

The Hon. Samuel A. Smith, of Tennessee newly-appointed Commissioner of the General Office, arrived in Washington on the 11th inst., and entered upon the discharge of duties of his office on the 11th.

We learn from the Evening Citizen that Senator Gwin left Vicksburg on Saturday, 15th inst., for his brother's plantation in Jackson county, Miss., whence he goes to Washington to join his family.

The Nashville City Council, on the 13th inst. re-elected Wm. A. Glenn, City Recorder, Jr. M. Smith, City Treasurer, and W. M. Brown, City Marshal. N. D. Cross was elected City Attorney.

James Allen, convicted of the murder of Michael Hibbels, in Lowndes county, Ala., has been sentenced to be hung on the 9th of March next.

The Natchez Courier has a report that the residence of Col. John K. Routh, on Lake Natchez, was destroyed by fire on Tuesday, 11th inst.

The City Council of Charleston has appointed Thursday, the 27th instant, as a day of general Thanksgiving and prayer in that city.

The Vicksburg Sun says the City Hospital is full to overflowing with sick levee laborers.

MURDER AND LYNCHING IN MOLEMAN COUNTY, KY.—The Louisville Journal, of the 12th inst. says:

A gentleman called at our office yesterday and gave us the particulars of a horrible tragedy in Moleman county. It appears that a negro fugitive, a citizen of Moleman county, a negro to Mr. Martin Hancock, of Henderson last week. The negro certainly did nothing to change matters, and was sent to the county seat of Moleman, for the purpose being taken care of until Mr. Hancock should call for him. To make sure of this, Mr. Jero Oliver, by request of Mr. Higgs, attempted to take charge of him. He found him in a grocery store, and asked him to accompany him [him] to the negro's refusing to go, Mr. Oliver held him, when he [the negro] drew a knife and inflicted three stabs on Mr. Oliver, fell and died instantly.

Immense excitement was caused through the town and surrounding country, and a large crowd gathered around the jail, where the gro had been in the meantime taken, and threatened summary vengeance. To allay the feeling, it was thought best to have a judicial investigation at once, and for this purpose a negro was brought out of the jail to be made their appearance with the negro [street], they were overpowered by the 6th the negro was forcibly rescued from the taken a short distance from town, and fled a free.

THE CASE OF ALBERT KENDRICK.—From The Memphis Bulletin, of the 13th inst. says:

A. M. Hendley, the individual arrested Monday last, charged with the crime of stealing, made his appearance before Judge McKernan, of the Criminal Court, yesterday on an application for release on a writ of habeas corpus, which was argued at some length and the accused discharged. Meanwhile Grand Jury had taken the case under advisement, and returned a true bill of indictment against Hendley for an attempt to commit felony, whereupon he was again arrested, required to furnish bond in the sum of \$25, his appearance for trial before the Criminal Court, now in session.

We learn from the Bulletin that Hendley tried in the Criminal Court, on the 13th, to attempt to commit felony, convicted, and sentenced to two months imprisonment in the city jail, coupled with a fine of \$50.

It appears that the specific charge against Hendley, was attempting to effect a double of the boy alleged to have been stolen. [Appeal remarks that in all probability a revision from the Governor of Louisiana await Hendley's release from prison.]

ATTEMPTED ASSASSINATION IN NASHVILLE.—The Nashville Patriot, of the 14th inst., says: Early after breakfast yesterday, Mr. Milligan, an engineer, in the employ of the Nashville North-western Railroad Company, accompanied by his wife, called at the residence of Dr. V. Briggs, on Vine street, and asked to see a gentleman. Upon the appearance of the doctor, Milligan asked for his bill, stating that he was going away and wished to pay it. Doctor replied that he had sent it to him days ago, and he had kept it. He then asked for the bill, and was told it could be sent to him in a few minutes. He then desired to pay it, and I would like it now," responded Mr. V., putting his hand in pocket and drawing a pistol, with which he immediately shot the doctor twice, once taking effect in the abdomen, the other in the arm.

We are glad to say that neither was in serious, though the escape of the doctor from assassination was very narrow. So it is an outrage has seldom, if ever, been perpetrated in our city. Milligan was arrested and held for his appearance at the next session of the Criminal Court. It is urged in extenuation of his offense, that he is partially, if not wholly insane.

TOM SAYERS AND HERMAN.—Wilkes of the Times, of the 15th inst. says:

In accordance with the suggestion which made last week, Aaron Jones, who had been put up for a match with Sayers for the championship of England, has conceded his place for the first chance at Sayers to Herman, and in accordance therewith, we dispatched a request to the editor of Bell's to forfeit for Jones, and to put Herman in his place. Herman will then stand next on the list of Sayers's opponents after the match with the Unknown, and a prize of £1000 is fixed for the 15th of November, and perhaps he ended sooner by a forfeit of part of the Unknown, the American champion is sure to be able to measure himself against the redoubtable master of the English ring, next May, or, at the latest, by next June.

'E SAYERS AND BREITLE FIGHT IN ENGLAND.

the London Advertiser, September 28.

pastoralist encounter has for a long time produced a certain kind of literary mystification. Bretzke is concerned with the best men brought out by the burning of the bush, and the best men are those who are best prior to the present match, he fought and died for his country. The men who are best in the present match are men of searing ambition, wanted to reach the "topmost round," and as the reader knows, the "topmost round" is the top of the world. The man who is best in the present match is the man who is best in the present match, and the man who is best in the present match is the man who is best in the present match.

ers was 10 at. 10 lbs., and all muscle; he weighed up to two the very perfection of condition, his appearance of superfluous flesh. Brette, as regards his skin, was also all that his friends could desire. He checked the beam at the scales. Such, however, was the extraordinary development of the champion, that the scale finger man.

He took his departure from Birmingham County, and thousands were enabled to wish him "good night." Messrs. Gibson and Alon Keeler effected arrangements for conveying the Keellenger to his friends to the scene of action, and yesterday morning the "meet" took place at the London

gation of the time named for starting being 11 a.m. Some \$400, at \$110 per head, were paid by special, and such arrangements were by the officials that the start passed off with the usual ease.

Of a party of fifty-eight, thirty-eight were seated on a most admirable piece of turf, enclosed field surrounded by picturesque scenery. "Tom Oliver" himself officiated upon the course, while inspector Duncan and his pugilistic cronies were indefatigable in the arrangements. The inner ring, which was extensively patronized, was the first to enter the ring, but had to wait before Sayers responded to the challenge. The first round was a draw. The second round Macdonald and Bruston, while Hodgkins was waited upon the Brun, the friends of Sayers and the odd of 3 to 1 with freedom.

five minutes past 11 o'clock, the men were left in the contest. On putting themselves in attitude of offense each man was illuminated with a contemptuous smile. After a display of some pretense of skill, the referee stepped in and told his men, having laid out 200 to 20 that he was to finish within ten minutes, Sayers got home on the head with his left, and thereby decided the first round; Brettle on the termination of the bout, said he was tired and wanted to go home to his friends. This was claimed as a knock-down blow and not allowed. The second round the combatants displayed considerable skill; Brettle, who kept away, was the victor all over the fight. As length of time counted heavily, when Sayers, in getting away, was down. Many wanted to claim this as a knock-down blow for Brettle, but the referee would not permit it. The termination of the third round, "Brettle" was the victor.

[illegible]

From the Brighton Guardian, Sept. 22.
In combat between Sayers and Brittle came off today at Etchingham, Wadhurst, near Hove, Sayers winning in seventeen minutes, after which his had been fought.
Brittle, who had received very little punishment did not afterwards be brought to the arena unhelpfully dislocated his shoulder in a fall. His stakes were £400 against £50, the protest being of course on the champion's side.

LETTER OF WEBSTER.—The following characteristic letter of Mr. Webster has not been published :

Dear Henry—I have received your letter of 21, giving an account of the high tide in the Gulf of the Unsettling way you regret the occurrence of the high tide, I cannot understand it. But it is no occasion for complaint. It has happened in a course of high tides, and at a time of a violent east wind, the sea has been driven to the land with such violence as to overcome the barriers which man had erected against its inroads. Very well. This is an event of human foresight, or at least the power of human prevention, and it is no cause of regret. It is, although it may be, a calamity. No wise man, supposes that the forces of nature, or the power of physical laws, will fail to have their full effect and to do their work in any emergency that arises always. If the sea overcame the land

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(Signed) DANIEL WEBSTER.
H. T., Esq.

RAILROAD LANDS.—Under the provisions of an act of Congress, approved 3d June, 1850, the Secretary of the Interior has approved and caused to be transmitted from the General Land Office to the State of Louisiana, four hundred and thirty-one sections of land, situated in the parishes of Iberville and Monroe, Louisiana, including the Vicksburg, Shreveport and Texas Railroad, embracing in the aggregation an area of 353,122 acres. [Washington

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MURDER AND LYNCHING IN MCLEAN COUNTY, Ky.—The Louisville Journal, of the 12th inst., says:
A gentleman called at our office yesterday

and gave us the particulars of a horrible tragedy in McLean county. It appears that Mr. Hines Bligge, a citizen of McLean county, sold a negro to Mr. Martin Hancock, of Henderson last week. The negro certainly did not like the change of masters, and was sent to Calhoun, the county seat of Madison, for punishment. He was very smart and crafty, and Hancock should call for him. To make sure of him, Mr. Jerome Culver, by request of Mr. Bligge, attempted to take charge of him. He found him in a grocery store, and asked him to accompany him (Mr. C.) On the negro's refusing to go, Mr. Culver took hold of him, when he (the negro) drew a knife and inflicted a severe stab on Mr. Culver, who was instantly injured.

Immense excitement was caused throughout the town and surrounding country, and a large crowd gathered around the jail, where the negro had been in the meantime taken, which,

judicial, it was thought best to have a judicial investigation at once, and for this purpose the negro was brought out of the jail to be taken to the court-house. As soon as the officers made their appearance with the negro in the street, they were overpowered by the crowd, the negro was forcibly rescued from them, taken a short distance from town, and hung on a tree.

THE CASE OF ALLEGED KIDNAPING AT MEMPHIS.—The Memphis Bulletin, of the 13th inst., says:

Monday last, charged with the crime of negro-stealing, made his appearance before Judge McKiernan, of the Criminal Court, yesterday, on an application for release on a writ of habeas corpus, which was argued at some length, and the accused discharged. Meanwhile the

Grand Jury had taken the case under advisement, and returned a true bill of indictment against Headley for an attempt to commit felony, whereupon he was again arrested and required to furnish bond in the sum of \$250 for his appearance for trial before the Criminal Court next in session.

We learn from the Bulletin that Headley was tried in the Criminal Court, on the 13th, for an attempt to commit felony, convicted, and sentenced to two months imprisonment in the city jail, coupled with a fine of \$50.

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Early after breakfast yesterday, Mr. Milligan, an engineer, in the employ of the Nashville and North-western Railroad Company, accompanied by his wife, called at the residence of Dr. W. T. Briggs, on Vine street, and asked to see that gentleman. Upon the appearance of the doctor, Milligan asked for his bill stating that he

tor, Milligan asked for his bill, stating that he was going away and wished to pay it. The Doctor replied that he had sent it to him some days ago receipted, and he had kept it. Milligan again asked for the bill, and was told that it could be sent to him in a few minutes, if he really desired to pay it. "I would like to pay

it now," responded M., putting his hand in his pocket and drawing a pistol, with which he immediately shot the doctor twice, one shot taking effect in the abdomen, the other in the arm. We are glad to say that neither wound is serious, though the escape of the doctor

from assassination was very narrow. So gross an outrage has seldom, if ever, been perpetrated in our city. Milligan was arrested and held to bail for his appearance at the next term of the Criminal Court. It is urged in extenuation of his offense, that he is partially, if not wholly, insane.

TOM SAYERS AND HERRAN.—Wilkes's Spirit of the Times, of the 15th inst., says:

made last week, Aaron Jones, who had a deposit for a match with Sayers for the championship, forfeited his privilege.

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A PRIZE AFTER THE COMEDY.—Yesterday, in the U. S. District Court, came on the suit of the U. S. Government against the steamship Philadelphia, which, last summer was seized by the Custom-House officials of this port, for having stowed away in her hold a quantity of dens and ammunition, not directed to any particular consignee or consignees in this city, and never discovered to have been sent to any other particular consignee or consignees.

The fact that four well known sporting gentlemen (Maury, Anderson, Payson and Scott) went down to the Balize on a towboat, with fishing-tackle, to try the quality of the red-snappers of that famous locality just about the time the steamship was to clear for Central America, or some anchorage in that direction, aroused the terrors of Government, and a very loud "smell of rats" pervaded not only the whole Mexican Gulf, but most infamously, in all the northern ports of said Gulf, were looked upon as dangerous and suspicious characters by the eyes of Uncle Sam and the other big dogs of the Northern world. The comedy of the trial of the four merry fishermen, as everybody knows, was acted out last last year: no connection

Douglas's position and support his Presidential aspirations, must support Seward.

The *Courier* alludes to the charges in England of false weighing and packing in cotton, and urges that these charges be investigated, and if true, that the guilty parties be denounced and held up to public scorn; and if false, the reputation of our city be vindicated. The Chamber of Commerce has this matter in charge and a committee is now engaged in making inquiries into the subject.

A POLICE DIVORCE.

The *Bulletin* urges the "elimination" of the political sympathy portion of our police, and says justly enough that those who have planned to accomplish this great object should not content only to oppose those of others, but should bring forward their own scheme. It repeats its own plan of a police commission to be appointed:

One by the Governor of the State, two by the Chamber of Commerce and two by the Common Council serve six years, and providing for the expiration of the term of one man or two every two or three years the place or places to be filled by the Governor, the Chamber of Commerce or the City. It proposed that this Commission should appoint the whole to be under the control of a Chief. Would this divorce the police from politics?

The *Bulletin* forgets the constitutional difficulty in the way of its plan. The Constitution gives the people of the city of New Orleans the exclusive right of organizing and appointing their police. There are other difficulties we need not repeat. Indeed, there are difficulties in all such plans, and the first of them arises from the partisan passions and prejudices of the people, which, overflowing their proper limits, intrude into a sphere from which they should be sedulously excluded. No system will effect any permanent benefit and reform until a thorough change is effected in the people themselves. When that is done, any plan will prove efficient.

Thursday, October 20, 1876

The *Crescent* pays a high compliment to Jephtha Fowlkes for his energy, boldness, and sagacity in fighting the Southern Pacific Railroad through its difficulties. It is elicited by the Doctor's letter of resignation in favor of J. Edgar Thompson, Esq., it is said, has assumed the Presidency of

being established between them and the terrible steamship.

The Government now blocks the steamship for having on board the hardware and other things which were supposed to be the surgical instruments and medicine intended for the relief of a very sick Central American State, known by the name of Nicaragua; all because the Government thinks that the Isthmian invalid had no need of visits or prescriptions from the talented and sportive gentlemen whom she claims as her own private family physicians and property. Witnesses were examined, and nothing particular found out, more than heretofore. Arguments are not today. The three is a short and sweet one: and in brief, Uncle Sam and the steamship, one on the other, or both conjointly, will have to foot up the gas bill and other expenses of the entertainment.

2 thing about it. He knew nothing about the men's going
down until he saw it in the newspapers. He had or-
3 dered Capt. Rezeau to go and take a tow. The very
4 first he heard about the men going down was from a
5 Custom-house officer. He never told Capt. Rezeau
6 that he had been employed to take down men.
7 *By the Defense*—Has been engaged in the tow-boat
8 business for twelve years. He has been down to the
9 Balize several times, and with a good many, and had
10 given out invitations to more to go down.

11 A discussion here arose in reference to an adjourn-
12 ment, from the fact of the non-appearance of Mr.
13 Wells, who is an important witness, alleged on the
14 part of the prosecution to be a connecting link. Mr.
15 Wells is the telegraph operator at the South-west
16 Pass. Mr. Wells was served, and then telegraphed
17 that he could not come until Tuesday, as there was
18 no operator.

19 Mr. Soule spoke, and wanted to know if the Govern-
20 ment were to be excused, because, in the reckless
21 manner in which this prosecution had been conducted,
22 they had not taken the legal and necessary precaution
23 to have such important witnesses as Mr. Wells subpe-
24 naed. That the Government occupied in the prosecu-
25 tion a position of perfect equality with the defendants.
26 He would show, before the prosecution was ended,
27 that the Government officials here had acted upon
28 orders which were far from being obligatory.

29 Mr. Miller, District Attorney, said that though he
30 heartily agreed upon the question of equality, the
31 Government had certain rights, and intended to ob-
32 tain those rights. He was sorry to hear the gov-
33 ernment man for the defense anticipating the trial by oc-
34 casional allusions to the entire innocence of the accused.

35 Mr. Soule replied that the great principle of law
36 was, that every man is presumed to be innocent until
37 he is proved guilty. He did not wish to see time
38 squandered, and was anxious for the case to be
39 brought to a close. He knew the District Attorney
40 was anxious to perform his duty in such a manner as
41 would be perfectly acceptable to the Government and
42 to himself. But he wanted to know why witnesses
43 had not been attached regularly. Why was an attach-
44 ment sent by telegraph, which is no attachment at all?
45 Why were not the ordinary means employed to furnish
46 transportation to the Marshal to the point required?
47 The Government had the money, and the power, and
48 why were they not exercised?

49 Mr. Lusher stated that the Government had money,
50 it was true, but it did not supply its courts with it to
51 use in such extraordinary cases. He received a dis-
52 patch from Mr. Wells stating that he would be unable
53 to come on Monday as there was no other telegrapher
54 at hand, but would come up soon. He considered
55 that the excuse was good in this case, but he had
56 again been telegraphed to come up at once.

57 The defense urged an attachment for Mr. Wells, to
58 be returnable Thursday morning, which was granted.

59 After issuing attachments for witnesses for the pros-
60 ecution, by request of the District Attorney the Court
61 adjourned until this morning at 11 o'clock.

62 The accused, as usual, were dismissed upon their
63 original bonds, from day to day.