

SUPREME COURT DECISIONS.

REPORTED WEEKLY BY C. C. CAMPBELL.

JACKSON, Miss., Monday, Jan. 29, 1883. The following cases were affirmed: 3007—James E. Robinson v. State of Mississippi...

The following cases were reversed and remanded: 4122—F. E. Bacon v. J. F. Howell. 4145—Bob Watkins v. State of Mississippi...

SUPREME COURT REPORTS.

October Term, 1882.

REPORTED WEEKLY BY ROBT. SHOTWELL.

EARLHARTS, } LEON BROS. } Appeal from the Circuit Court of Lowndes county, Hon. J. W. Buchanan, Judge.

An execution had been levied by the Sheriff on personal property which was claimed by third parties. The property by agreement was sold and the proceeds held to await the judgment of the court.

Reversed, remanded, the court below to see on the verdict a judgment in favor of the plaintiffs in execution, for so much of money as is not first appropriated to the plaintiffs in attachment proceeding.

Under § 1305, Code 1850, where the defendant is a party to the suit, the sheriff is not liable for the loss of property.

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OKOLOSA SAVING INS. TRUCK & CO.

Appeal from the Circuit Court of Chickasaw county, Hon. James M. Arnold, Judge. Appellants were plaintiff in a judgment against H. This judgment was entered in Chickasaw county. H. brought several bales of cotton out of Monroe county into Chickasaw county, and delivered them over to T. a member of the firm of T. & Co. T. had a landlord's lien on the cotton for rent and supplies furnished. The cotton was bought by T. & Co., and T. was credited on the firm books with the proceeds. Appellants levied an execution under the judgment against H. and T. & Co., made the claimant's issue.

A. Y. Harper and McIntosh & Williams for appellants. W. T. Houston, contra. CAMPBELL, C. J. Held—

The claim of a judgment creditor will not hinder the tenant from delivering the agricultural products of the leased premises in payment of the rent and the advances by the landlord for supplies. The claim of the landlord is paramount to the lien of the judgment, and is enforceable by the sheriff of the chattels by the tenant, and their acceptance by the landlord. Affirmed. (To be reported.)

AMANDA SCOTT, VS. THE STATE.

Appeal from the Circuit Court of Monroe county, Hon. Jno. W. C. Watson, Judge. Appellant was indicted in the statutory form for the murder of her husband, the indictment alleging that she "willfully, feloniously and of malice aforethought, murdered deceased." There was no allegation of an assault. Under this indictment she was convicted of an assault and battery with intent to murder. Upon the coming in of the verdict she moved in arrest of judgment, which motion was overruled.

T. W. Harris and B. S. Stith for appellant. J. L. Harris, acting Attorney General, contra. CHALMERS, J. Held—

A party can only be convicted of a lesser offense than the one charged, where the lesser is, as constituting part of the higher, specifically charged, or by an added count in the indictment or where the lesser is necessarily included in the higher. Affirming the case 59 Miss. 25. Reversed. (To be reported.)

PROCLAMATION.

\$450.00 REWARD.

WHEREAS, It appears by information received by me, that the following named Penitentiary convicts made their escape from the places and at the times mentioned herein, to-wit: Andrew Thomas, from Railroad Construction Co., Holly Springs, Nov. 29th, 1882. Robert Smith, from R. R. C. Co., near Byhalia, Marshall Co., Dec. 5th, 1882. Charles Smith, from J. L. Hebron, near Stormville, Nov. 21, 1882. Priscilla Snodgrass, R. R. C. Co., near Byhalia, Dec. 12th, 1882. Walter Walker, from R. R. C. Co., near Byhalia, Dec. 5th, 1882. Mike Young, from R. R. C. Co., near Byhalia, Dec. 5th, 1882. Joe Young, from R. R. C. Co., near Byhalia, Dec. 10th, 1882. Alex. Ratliff, from R. R. C. Co., near Byhalia, Dec. 10th, 1882. And are still at large.

Now, therefore, I, ROBERT LOWRY, Governor of Mississippi, do offer the above reward for the arrest and confinement of the said convicts, or \$50.00 for each of one or more of them. Said reward is payable by Hamilton, Allen & Co., Lessees of Penitentiary, and I do moreover, require all officers of this State to be diligent in their efforts to arrest said fugitive convicts.

Given under my hand and the Great Seal of the State at Jackson, this 17th day of January, A. D. 1883. ROBERT LOWRY, Governor.

By the Governor: HENRY C. MYERS, Secretary of State.

DESCRIPTION:

Andy Holliday—Age 25; height 5 feet 6 1/2 inches; complexion swarthy; hair and eyes black; scar on forehead; large scar on left arm. Sentenced Sept. 24, 1874, from Tippah county, for 4 years; crime, larceny. Andrew Thomas—Age 17; height 5 feet 6 1/2 inches; complexion dark brown; hair and eyes black; scar in corner of right eye-brow; long scar on right upper lip; scar on right shoulder-blade; scar on lower part of chest. Sentenced from Chickasaw county, Oct. 19th, 1881, for 8 years; crime, burglary. Robert Smith—Age 25; height 5 feet 7 1/2 inches; complexion dark brown; hair and eyes black; scar on left arm; scar on right shoulder-blade; also on right and left temples; scar on left wrist; scar on left hand and on right knee-cap. Sentenced from Lafayette county, Nov. 16th, 1882; term, 2 years; crime, grand larceny. Charles Smith—Age 29; height 5 feet 4 inches; complexion white; hair dark, sprinkled with gray; eyes hazel; scar on bridge of nose; scar on left leg. Sentenced from Neshoba county, Sept. 8th, 1879, for 5 years; crime, burglary. Priscilla Snodgrass—Woman—Age 22; height 5 feet 3 1/2 inches; complexion, fair and eyes black; scar on left thigh. Sentenced from Neshoba county, Feb. 25th, 1880; term, 4 years; crime, forgery. Alex. Ratliff—Age 29; height 5 feet 9 1/2 inches; complexion, fair and eyes black; scars from burn on forehead; long scar on left eye-brow; scar from burn on right elbow; scar on left leg below knee; long scar above left knee, inside. Sentenced from Yazolaha county, Nov. 20th, 1880; term, 3 years; crime, grand larceny. Jan. 24, '83-2w.

THE WEEKLY STAR,

WASHINGTON, D. C.

Established Thirty-Two Years.

ONE DOLLAR A YEAR.

A Double Paper of Fifty-Six Columns.

THE WEEKLY STAR is a large, independent, double or eight-page sheet of fifty-six columns. It contains reports of Congress and all the Government Departments, U. S. Courts, Washington News and Gossip, Political Personal, Society, and Local Affairs, New York Correspondence, Stories, Sketches, Home Articles, Fashion, Religious, and Literary Notes, Telegraph News, having its own direct wire to New York, the Markets, Etc., Etc.

It is published in a spacious building of its own, and printed on the latest and fastest printing and folding machines in the world.

ONLY ONE DOLLAR A YEAR. TRY IT.

Address: THE WEEKLY STAR, Washington, D. C.

Jan. 24, '83-

[To be reported.]

THE EQUITABLE

Life Assurance Society,

120 Broadway, N. Y.

Preliminary Statement of Business,

JANUARY 1st, 1883.

ASSETS, - - - \$48,000,000

INCOME, - - - 11,000,000

SURPLUS, OVER LIABILITIES,

10,500,000

The amount of new business transacted during the past year, \$62,250,000, exceeds the largest business ever done by any other Company in one year.

THE SOCIETY,

In 1878 wrote \$21,440,213 Insurance

In 1879 wrote 26,502,541 Insurance

In 1880 wrote 35,170,805 Insurance

In 1881 wrote 46,189,096 Insurance

In 1882 wrote 62,250,000 Insurance

The reasons for the increased patronage received by the Society during the past five years are:

1st. The fact that the percentage and amount of its surplus over its liabilities, according to the State Insurance Reports (four per cent. valuation) are larger than in any other one of the five largest life insurance companies.

2d. The Society issues a plain and simple contract of insurance, free from burdensome conditions and technicalities, INCONTESTABLE AFTER THREE YEARS.

3d. In the event of death, a policy which has become incontestable, is paid immediately upon the receipt of the proofs of death with a legal release of the claim, thus affording pecuniary relief to the family as quickly as if the amount were in a Government bond, and avoiding the annoying delay of weeks and months, and sometimes years of vexatious litigation, which many have experienced in other companies.

4th. The Society has no contested claims on its books.

5th. The popularity of the Society's tontine system of insurance;—which provides full insurance in case of death, and gives the greatest return for the money paid by the policy-holder if he lives, with more advantageous options to meet an insurer's need at the end of the term, than any other form of policy ever devised.

Persons desiring life insurance will best consult their own interests by communicating with the officers of the Society or any of its agents.

HENRY B. HYDE, President.

JAMES W. ALEXANDER, 1st Vice-Pres't.

SAMUEL BOROOWE, 2d Vice-Pres't.

WM. ALEXANDER, Secretary.

GEO. T. G. WHITE, Southern Manager.

BARROWS & HAYS, Agents, Jackson, Miss.

JOHN CLEARY'S

CLOTHING HOUSE,

On State St., near Pearl,

IS JUST THE PLACE TO BUY YOUR CLOTHING!

SUITABLE FOR ALL SEASONS!

His Stock, which is unusually complete, and selected with greatest care, consists of

Men's, Boys' and Children's Clothing;

Men's and Boys Furnishing Goods,

Men's and Boys' Boots and Shoes,

Ladies', Misses' and Children's Shoes.

Men's Trunks and Traveling Bags, Etc.

Also, LADIES' TRUNKS, Etc.

Call and Examine His Stock.

NO TRUBLE TO SHOW GOODS.

STEAM ENGINES!--FARMING TOOLS, ETC.

For a Reliable and Substantially Built

Engine of Great Power, with all the Latest Modern Improvements, I offer the MURRAY ENGINE. Portable, Detached Portable and Stationary. More of them sold in Mississippi in 3 years than any other Engine. SAW MILLS—of all sizes and best makes, from \$200 up, according to size. BONE MILL—Fifty Dollars will buy the WILSON BONE MILL, with which you make your own Bone Dust and Grind Feed, also. THE PENN HARROW—For Thirty Dollars I will sell you the Penn Harrow, being six Harrows combined in one. Trunk Premium at Atlanta Fair over all others. HAY PRESSES—The Tichenor for Hand Power. The Dedrick for Steam or Horse Power. COTTON GIN—The superior Hall Self-Feeding Gin. Makes a fine sample and very large yield. Over 5000. Rate to 1500 lbs. seed cotton. TURBINE WHEELS—The choice of 12 different makes. CORN MILLS—The Straub and Bradford Mills. None superior. STEAM ENGINES—Besides the Murray, I am prepared to furnish the Phoenix, the Watertown, the Porter, the Hamblin, the Handley, the Eagle, and other popular Engines. Also, TRAMWAY LOGGING LOCOMOTIVES; Boilers, Belting, Shafting and Pulleys.

REAPERS AND MOWERS

Of the most popular makes. Other Gins than Hall's, Cotton Presses, Hay Rakes, Sulky Plows and Cultivators, Case Mills, Rice Mills.

PLANTATION COTTON SEED OIL MILLS.

In short, all descriptions of Machinery and Labor-Saving Agricultural Implements, of the latest invention.

Now that you have the money from sale of your Cotton is the time to buy what you need in Machinery. Write for what you want and how you wish to buy. Time until next Fall, upon part, will be given to responsible customers. Sixteen years in the business is a guarantee of my knowing what is adapted to this section. Remember I sell no shoddy Machinery. Address

G. D. BUSTAMANTE, Manufacturers' Agent, JACKSON, MISS.

jan. 31, '83-3m.

THE MISSISSIPPI CO-OPERATIVE

FIRE INSURANCE ASSOCIATION.

Organized and Chartered Under the Laws of the State of Mississippi.

OFFICERS:

FREDERIC SPEED,.....PRESIDENT

MARYE DABNEY,.....VICE-PRESIDENT

JEFF H. GRAY,.....SECRETARY AND TREASURER

SAMUEL M. SHELTON,.....ATTORNEY

EUGENE A. SHELTON,.....GENERAL MANAGER

HOME OFFICE: VICKSBURG, MISS.

Is organized upon the Mutual Benefit and Benevolent Plan, by which the holders of certificates contribute proportionately to pay losses. The mutual plan of insuring lives, which has been so successfully practiced by the Mutual Benefit Societies, such as the Knights of Honor, Knights of Pythias, American Legion of Honor, United Order of Workmen, Catholic Knights, and many others, and which has proved to be the simplest, cheapest and equally safe with any other, is being applied to this Association, to the protection of property against loss by fire.

AGENTS WANTED IN EVERY COUNTY IN THIS STATE.

And until Agencies are established applications for certificates may be made direct to the office at Vicksburg.

Send for Association Circular Giving Detailed Information as to our Plan. jan. 24, '83-3m.

Royal C Brand Fertilizers!

ARE PREPARED BY THE MOST APPROVED FORMULAE, under the direction of a skilful Chemist.

THEY ARE CHEMICALLY PURE.

THEY ARE FROM FOUR TO FIVE DOLLARS CHEAPER PER TON THAN FOREIGN FERTILIZERS.

THEY ARE COMPOUNDED ESPECIALLY TO SUPPLY THE DEMANDS OF CROPS UPON CLAY LANDS.

They Contain all the Elements of Plant Food, Both for the First and Latter Demands of the Plant.

THEY WILL PREVENT RUST.

Do not longer be content to raise Half a Bale to the acre, when with 200 pounds of our SUPERPHOSPHATES you can double the yield.

GREENS FERTILIZER FACTORY, JACKSON, MISS.

Send for Catalogue and price list. jan. 17, '83-3m.

J. F. HUNTER, M. D. | G. K. HARRINGTON, M. D.

Hunter & Harrington, DRUGGISTS,

Near SEUTTER'S Corner, Opposite Capitol, JACKSON, MISSISSIPPI.

KEEP CONSTANTLY ON HAND A FULL LINE OF

DRUGS, MEDICINES, OILS, PAINTS, LIQUORS FOR MEDICAL USE, Fancy and Toilet Articles, SOAPS, PERFUMES, and everything usually kept in a first-class Drug Store.

THEIR SIGN IS THE RED POST AND BRIGHT MORTAR.

Prescriptions Carefully Compounded Day and Night. dec. 21, '81-4.

FOR GOOD GOODS AND HONEST VALUE, GO TO

W. O. STRAUSS,

State Street.

I HAVE JUST RECEIVED AN IMMENSE stock of

Dry Goods and Notions,

LADIES AND MISSES CLOAKS, CLOTHING, HATS, CAPS, BOOTS AND SHOES,

Selected especially to suit the trade here.

NO TRUBLE TO SHOW GOODS.

PRICES WAY BELOW ANY DEALER IN THE COUNTRY

Convince yourself of the truth of this statement by an early call and examination of my stock.

Attention of Farmers asked to large stock of BAGGING AND TIES, COFFEE, SUGAR, MOLASSES, FLOUR, AND TOBACCO.

at lowest market value.

HIGHEST MARKET PRICE PAID FOR COTTON AND ALL COUNTRY PRODUCE. oct. 4, '82-6m.

W. O. STRAUSS

New Advertisements.

EXCELSIOR FOUNDRY!

MACHINE

—AND—

PLOW SHOPS.

I AM now ready to fill orders for the various sizes of

THE PLANTER PLOW,

an implement that has received the hearty approval of all practical farmers who have tried it.

For strength, simplicity and economy, THE PLANTER PLOW claims to be superior to any in the market. Encouraged by the substantial commendations it is receiving in the shape of steadily increasing orders, I have greatly increased my facilities for its manufacture, so as to fill all orders promptly and satisfactorily.

STATIONARY AND PORTABLE ENGINES AND BOILERS always in shop, new or second-hand.

Agent for CORN MILLS, COTTON PRESSES and GINS.

Material of all kinds for repairs, such as PIPING, CLOCKS, PUMPS, ETC.

ALL REPAIRS promptly done. 3m

JOHN McDONNELL, Jackson, Mississippi.

Jan. 10, 1883-4t.

TRUSTEES SALE.

UNDER AND BY VIRTUE OF A CERTAIN Trust executed on the 2d day of February, A. D. 1881, by Joseph H. Wilson and Gertrude J. Wilson, to the undersigned trustee, to secure a certain indebtedness to Robert Kelle, therein mentioned—the said deed of trust being recorded in the office of the Clerk of the Chancery Court, Hinds county, (First District), Book 11, page 801, the undersigned, as such trustee, will, on THURSDAY, THE 10th DAY OF FEBRUARY, 1883, proceed to sell at public auction, to the highest bidder, for cash, at the front door of the City Hall, in the City of Jackson, Mississippi, that certain portion or parcel of land in said city, being the same conveyed to John Nelson, deceased, by Patrick Connell and wife, Mary, by deed dated December 31, 1864, and more particularly described by the notes and bonds following: Beginning at a point or stake on Pearl Street, five (5) feet and thirty-five (35) feet to a stake, and thence northwesterly two hundred (200) feet to the beginning of the track of the Southern (now Vicksburg & Meridian) Railroad, thence south-easterly with the line of said Railroad two hundred and thirty-five (235) feet to a stake, and thence northwesterly two hundred (200) feet to the beginning. The undersigned will only convey such title as is vested in him as trustee, but the same is considered good. THOS. A. McWILLIE, Trustee. jan. 10, '82-6w.

CHANCERY SUMMONS.

THE STATE OF MISSISSIPPI, } TO JAMES STRAUSS, } YOU ARE COMMANDED TO APPEAR BEFORE the Chancery Court of the County of Hinds, First District, in said State, on the FIRST MONDAY OF FEBRUARY, 1883, at Rules, to defend the suit in said Court of Adam Brooker, wherein you are a defendant. W. T. RATLIFF, Clerk. Jackson, Dec. 27, 1882-4t.

CHANCERY SUMMONS.

THE STATE OF MISSISSIPPI, } TO SOPHIA BROOKS, } YOU ARE COMMANDED TO APPEAR BEFORE the Chancery Court, First District, of the County of Hinds, in said State, on the FIRST MONDAY OF FEBRUARY, 1883, at Rules, to defend the suit in said Court of Adam Brooker, wherein you are a defendant. W. T. RATLIFF, Clerk. Jackson, January 3, 1883-4t.

FOR SALE.

A FIRST-CLASS BUNGALOW AND FIRE-PROOF SAFE, as good as new. Original cost, \$700. Price \$200. Apply to SMYLIE & STEWART, jan. 17, '83-4t. JACKSON,