WANTS.

TO BORROW—$200 to $250 for 12 months, secured by mortgage on real estate in Shelby county, 12 miles from Memphis, worth about $2,000 for taxes, and worth much more. Address A. B., Savings Bank of Memphis. feb14

SALESMAN—An experienced and active salesman will find immediate and permanent situation in a wholesale and retail grocery house, upon satisfactory recommendation, by addressing J. C., at this office. feb14

SITUATION—By an honest, sober and industrious young man; grocery business preferred; good city references given. Address L., Appeal office.

AN active PARTNER, with a capital of two or three thousand dollars, to run a Saw Mill, already established, close to Memphis. Address A. J., this office.

TO LOAN.

$1000.—Address F. A., Appeal office.

TAKEN UP

COW—One cow. The owner can get same by paying charges and proving property. Apply to JOHN McVILLIN, McVille, Tenn. feb14

HORSE—On the evening of the 6th, a gray horse, saddle and bridle. The owner is requested to call for same and pay charges, at No. 68 Union street. feb9

REWARDS.

$500 REWARD is offered for the discovery and apprehension of the person or persons who cut loose six empty cotton bales Friday night at the point, near Fort Pickering.

HORSE—$50 REWARD—From me while in camp, on night of 8th inst., near the National Cemetery, six miles east of Memphis, a light chestnut-sorrel horse, eight or nine years old, about 15½ hands high, one or two small saddle marks on his back, shod all round with light shoes, often slops suddenly when ridden hard, and raises his right hind foot, apparently from corking himself, is not gelded. I will pay $50 for the apprehension and delivery of the horse and thief, with sufficient evidence for conviction of the thief, or ten dollars for delivery of the horse. Or information communicated to me, at Hickory Withe, Fayette county, Tenn., that will enable me to get him.

J. P. BONE. feb12

MULES—$25 REWARD—Strayed from the steamer Legal Tender, on Tuesday, 31st January, 1871, two bay mare mules, about 15 hands high, no marks noticeable, had on rope halters. Any one delivering the above mules to McCleary & Brother's stables Second street, will receive the above reward.

MARCUS J. WRIGHT, Sheriff.
By D. T. Noon, Deputy Sheriff.
February 4, 1871.

FOR SALE.

FURNITURE—Of a gentleman's room and room for rent. Inquire of S. & M. HIRSCH, 314 Main st. feb14

NON-EXPLOSIVE LAMP.—The Peckins & House Non-explosive Kerosene Lamp is now offered to the citizens of Memphis as a perfect protection against all the dangers accompanying the use of coal oil in other lamps. In addition to its absolute safety, under all circumstances, it emits no odor in burning, and it gives more light, with less consumption of oil than any other lamp in the market. It challenges comparison with all other patents, new or old. Retail depot in Memphis, No. 313 Second street, southwest corner of Monroe, upstairs.

R. G. PATTILLO, General Agent.
Canvassers wanted for Shelby and surrounding counties. feb12

PISTOLS.—At No. 81 Jefferson street, Memphis—Parties for the New Bull Dog Revolver Pistols. They are convenient to carry. They extract the exploded shell, and they excel in shooting qualities. Prices, No. 1, $5; No. 2, $6; Derringer size, $7; cartridges, 75 cents per box. Agents wanted. Ladies' patent silver and gold Spring Garter also for sale. Price—50 cents and 75 cents. feb12

CHESTER HOGS.—Three young boars. Apply to JOHN P. BOUGHNER,
feb9 No. 5 Madison st.

L. EDWARDS, 101 Union street, has best Ash Wood and Hickory Coal for sale, delivered free to any part of the city. feb

60 HEAD of Plantation Mules; also a lot of large No. 1 Mules, Plantation Horses and Mares, second-hand Buggies and Harness, at Armstrong's Commission and Sale Stable, 65 Union st., cor. Third. feb8

BLUFF CITY MILLS, 197 Poplar street; in good repair; will sell on easy terms, or rent. D. R. MYERS.
feb12 297½ Main street.

LEASEHOLD—Of sixteen years on a fine brick Residence, well suited for an extensive boarding-house, and offering unusual inducements. Ground-rent, $300. Will be either sold, rented or traded, at a great bargain.
feb2 ROYSTER, TREZEVANT & CO.

LOT AND COTTON SHED—142 feet on old Market st., between Lagow and Charleston depot, now occupied by J. W. Walker.

Also—LOT on east side of Lagow, between Court and Madison streets. Inquire of THOMAS WICKERSHAM, 76 Jefferson st.

SECOND-HAND COTTON MACHINERY FOR SALE—Consisting of Openers, Lappers, Cards, Drawing, Speeds, Spinning Frames, etc. This machinery is but partially worn—all in good condition, and will be sold cheap. For description and price, apply in person or by mail to THOMAS S. SHAW,
Agent Tremont and Suffolk Mills,
jan7 eod4w Lowell, Mass.

FOR RENT.

STORE AND DWELLING—No. 49, corner of Main and Overton streets; 24 feet 9 inches front, by 75 feet deep. Apply at No. 12 Overton street. feb14

PLANTATION TO RENT.—On the 23d day of the present month I will rent the Brown Plantation, on the St. Francis river, and will sell the stock (one third this year) and other property with the place. Notes, with approved security, required. Steam-power gin and Saw Mill on the premises.

GID. J. PILLOW,
feb10 Agent of Receiver.
Helena Clarion copy twice.

ROOMS for rent, over the store No. 347 Main street. Apply to
feb8 F. W. JOHNSTON & CO.

HOUSE—LAND—The fine dwelling house and seven acres of land on Rayburn avenue, known as "the Andrew J. Donelson place." The house has ten or eleven rooms, and is in fine repair. The lands are rich and productive—fruit trees and shrubs, raspberries, strawberries, and large asparagus bed, etc.; two large cisterns and good well; servants' houses, stables, carriage house, etc. The neighborhood is most excellent and healthful. Apply to

A. J. MARTIN, Attorney,
In Kit Williams Block
Corner Second and Madison streets,
Or W. N. Speers, on the premises. jan22

HOUSE.—A fine two-story brick dwelling house, No. 127 Alabama street, with 8 rooms, well built, with gas, cistern, etc. Inquire at A. HARRIS, 226 Main street.

STORE—No. 37 South Court street, a few doors from Main street; store-room and basement 20 x 70 feet, front 20 feet. Possession given immediately. Apply to

R. C. BRINKLEY,
de10 No. 35 Madison street.

FOR RENT OR SALE.

PLANTATION—One of the finest plantations in Shelby county, situated on the Hernando road, five miles from the city, containing 750 acres, about 200 acres of which is under good fence, and was cultivated last season; well improved and watered.

FARM—Also, a small farm in Arkansas, on St. Francis river, near Linden, Ark., containing 200 acres—100 of which are in a state of cultivation.

FARM—Also, a small farm on Horn Lake road, 5 miles from Memphis; about 40 acres in cultivation—30 acres in the track.

We will rent or sell either of the above described places on reasonable terms to reliable parties. HILL, FONTAINE & CO.,
fe2 No. 329 Front street.

FARM—A valuable farm of 99½ acres—75 cleared and very productive; good house, orchard, garden, iron, etc., etc., on Lagrange road, one mile south of Raleigh, and near Mt. Moriah R. R. Will sell cheap, or will trade the same for 1871. For particulars call on M. D. L. Stewart, Memphis.

ANDREW STEWART.
feb9

LOST.

WATCH—A small double-cased silver watch, with G. W. Mosby on the inside cases. The finder will please leave the property with Messrs. Mosby, Hunt & Co., No. 304 Front street, and they will be rewarded for their kindness. G. W. MOSBY.

GRAHAM Flour,
Cracked Wheat,
Oatmeal,
Rye Flour,
Corn Starch.
OLIVER, FINNIE & CO.

GAS FITTING, 315 Second street.

LOCAL NEWS.

—Leddin's College.

—Attend Robertson's College.

—W. Z. Mitchell's school, 303 Third St.

—J. J. Suter, Furniture, 282 Second st.

—Gold and silver plating at 42 Monroe st.

—Cleaning and dyeing to perfection, at B. A. Hollenberg's, 262 Second street.

—The DAILY APPEAL, five cents per copy, can be had of all newsmen in the city.

—Fine lunch spread daily at Hole in the Wall. Don't fail to call on George, No. 19 Monroe, opposite Peabody Hotel.

—Will. Mansford, at his book and periodical store, has all the late magazines and illustrated and weekly papers.

—The DAILY and the WEEKLY APPEAL can be had of all the newsmen in the city—Joe Locke, on Main street, Mansford, on Second, and Emmons & Son, on Jefferson street.

BROWER & BROWER, 315 Second street.

THE DAILY APPEAL can be had on the day of its issue of S. A. Wells, News Agent, at all points between Memphis and Little Rock, for $1.50 per month.

STEAM FITTING, 315 Second street.

CONTENTS OF THE WEEKLY APPEAL.

The WEEKLY APPEAL for the current week will be ready for delivery this morning, at the desk of the counting-room. Its contents embraces, among other articles, the following interesting matter:

FIRST PAGE.

POETRY—"In the Tunnel," by Bret Harte.

THE SHIREVALTY—Decision of Chancellor Morgan in the great Wright-Curry Case;

THE CUBA HORROR—Continuation of the Report of the Trial of the Band charged with Hanging young Schofield, etc.

SECOND PAGE.

THE CUBA HORROR—Continued; Death of one of the Prisoners; Close of the Testimony, etc.

EDITORIALS—Able Reviews of Questions of the Day.

TELEGRAMS, Poetry, Miscellaneous, etc.

THIRD PAGE.

LOCAL AFFAIRS—Embracing Reports of Matters of Interest transpiring during the Week;

MARRIAGES AND DEATHS;

COMMERCIAL REVIEW OF THE WEEK—A carefully prepared Resume of the Business of the Week, including the Daily Cotton Market, Financial Matters, State of the Markets Abroad, Prices Current in this City of All Branches of Business, Tabulated Statements of Vital Interest to Business Men; Miscellaneous, New Advertisements, etc.

FOURTH PAGE.

FEARFUL—Another Terrible Railroad Accident; Full Details of the Disaster; Gross Bestiality of the People at the Scene of the Accident;

ANOTHER HORROR—Family Murdered by Indians in Texas; A Hint to the Government;

MURDER—Brutal Murder in Illinois; The Knife; Another Hint to Congress;

SPEECH OF HON. LINTON STEPHENS—A Paper Deserving the Attention of Every Man in the South;

ENGLAND—The Queen's Speech on the Opening of Parliament;

MISCELLANEOUS—The Tomb of Lee; Black Soldiers in the English Army; Indian Atrocities; Schenck and Sumner; Fenians and "the Negro," etc.

Single copies, 5 cents; put up in stamped wrappers, ready for mailing, 10 cents. Merchants and others desiring large quantities will be treated with by special agreement.

CITY PARAGRAPHS.

—Rev. Father Byrne succeeds Father Kelley.

—The City Council convenes to-morrow evening.

—Lamp-burners in some places need cleansing.

—The arguments and oratory in the Graves-Poston case will begin to-day.

—The German Casino ball this evening will be brilliant and largely attended.

—Sons of Belial there be 'round town putting up shekels as to whether or not the Cuba prisoners will be convicted as chargeth in the indictment against them.

—Will Mansford, the Indomitable, has been down the town with costly as well as cheap Valentines. He has all the illustrated and popular weekly and monthly periodicals.

—Joe Locke, on Main, near Jefferson street, has our thanks for news favors. Joe has Valentines of every style and price, from five cents to twenty dollars. This is the day to see him.

—A rich case has been before 'Squire T. J. Elliott, wherein a girl of a dusky hue sued a white man, living near Elmwood Cemetery, for $500 damages. The evidence went to show that the plaintiff and defendant had been exceedingly intimate. The Justice allowed her damages, and the case was appealed to a higher court.

—Dr. Hurd, in experimenting with his newly discovered illuminating gas, was somewhat injured by the bursting of a receiver. The gas is a good thing to knock one's incisors down one's throat, and may be popularized among dentists. Dr. H. is an enterprising, ingenious master of his profession, and his mishap is one that often befals dwellers in laboratories.

—Dave O'Connor is well and favorably known at Mason's Depot, has taken charge of the hotel at that place, and is refurnishing the rooms and making other improvements that will guarantee his guests accommodations in good style. His table will always be furnished with the best the country affords. In connection with the above he will run his hack between Colliersville, Tennessee, leaving Mason depot at 4 p.m.

—Barney Hughes, of the *Railway Record*, attributes the explosion of the Arthur to a certain kind of electrical currents which bear on the centrifugal points of the rust, creating a galvanic congestion of the vat, which, rebounding with double the intensity requisite for the attractiveness of the velocity propelling the steam gauge at an unusual heat, and with a magnetic tendency to electrotype the congealment of the mud, which must necessarily ensue on the points thus brought in contact with the air qualifications of the negative solution of copperas formed thereby; which we think is correct.

RAILROAD NEWS.

TIME-TABLES.

MEMPHIS AND LITTLE ROCK RAILROAD.

Until further orders, trains will run daily (Sunday excepted) as follows:

	ARRIVES:	LEAVES:
Hopefield	6:30 p.m.	7:00 a.m.
Brinkley	12:30 p.m.	1:00 p.m.

Freight train will leave Hopefield Mondays, Wednesdays and Fridays, at 8 a.m.

Freight train will leave Brinkley Tuesdays, Thursdays and Saturdays, at 4 p.m.

Ferryboat will leave the wharfboat, foot of Union street, at Hopefield Tuesdays.

No through tickets will be sold after January 30, 1871.

R. D. WILLIAMS, Gen'l Supt.
B. P. ROSSON, Ass't Sup't.

MEMPHIS AND LOUISVILLE RAILROAD.

	ARRIVES:	LEAVES:
Day Express	12:05 p.m.	4:15 a.m.
Night Express	4:25 a.m.	1:40 p.m.
Nashville Express	9:00 a.m.	4:15 p.m.
	3:30 p.m.	7:45 p.m.

Ticket Office, 327½ Main street, one door north of Jefferson. Depot at head of Main st.

MEMPHIS AND CHARLESTON RAILROAD.

Leave Memphis:	
Through Mail Train	11:40 a.m.
Through Express Train, Junction accommodation	5:45 p.m.
Way Freight Train	2:30 p.m.
Somerville Train	4:15 p.m.
Arrive at Memphis:	
Through Mail Train	12:15 p.m.
Through Express Train	8:30 a.m.
Way Freight Train	8:15 p.m.
Somerville Train	9:45 a.m.

Mail Train WILL NOT STOP at Flag Stations west of Moscow. C. L. ANDERSON, Sup't.

MISSISSIPPI AND TENNESSEE RAILROAD.

	ARRIVES:	LEAVES:
New Orleans Mail, daily	2:50 p.m.	12:30 p.m.
Express, daily	9:00 a.m.	4:30 p.m.
Freight, daily except Sun.	2:15 p.m.	6:40 a.m.

Depot at foot of Main street. Ticket office, 327½ Main street, one door north of Jefferson.

LITTLE ROCK AND FORT SMITH RAILROAD.

Mail Train leaves Little Rock (Hunterville) at 8:30 a.m.

Returning, leaves Louisburg at 1 p.m., arriving at Little Rock at 4:30 p.m.

D. W. C. BROWN, Gen'l Sup't.
L. S. RICHARDSON, G. T. A.

GAS STOVES for Restaurants, at Browne & Browne's, 315 Second street.

VALENTINES.—Go to J. C. Eyrich, 346 Main street, for your valentines—comic and sentimental. He has sentimental valentines from 5 cents to $5; also all the latest periodicals, magazines, etc.

A DOLOROUS DITTY—WHAT A PITY!

Drinking shops are on the wane;
Some can't pay upon the spot,
But the old Bay Horse of D. McLean
Leaps, runs, neighs, or strikes a trot.
He lifts his head and bows his neck,
And pawing, shakes the ground;
He snuffs the battle from afar,
Or sighs and makes a fearful sound.
The purest beverage ever known
Is that called "heaven-distilled;"
Such alone a Bay Horse drinks,
And with such alone is the
BAY HORSE filled.

NOTICE.

MAYOR'S OFFICE, CITY HALL,
MEMPHIS, TENN., Feb. 12, 1871.

The General Council of the city of Memphis will meet at City Hall on Wednesday, the 15th instant, at 4 o'clock p.m.

JNO. JOHNSON, Mayor.

THE members of the Memphis Club are requested to attend a special meeting tonight. L. IGLAUER, Sec'y.

WORSHAM HOUSE.—The recent change in the proprietorship of this house and its reduced change in rates from $3 to $2 50 per day, will make it the most popular house in the city. The table, under the recent change, has been much improved, and we feel confident that we can safely guarantee that our old friend, Captain Billy White, former clerk, will make comfortable and at home all who favor the Worsham with their patronage. We can also say that Captain Schley, the other partner, will not neglect to look out for the comfort of the guests. Both are old Confederate Captains, and know the requirements and wants of the public. Call and see them, and we will guarantee that you will find things homelike.

TRIAL OF THE CUBA PRISONERS.

The Last Battle of the Witnesses—The Hecle "Alibi" in the Field with his Flag of Hope still Floating in the Breeze.

Tremendous Charge of the State Forces toward the Close of the Day—New Batteries Opened—The Defense Unlimbering a Heavy Piece.

"Tucker" Played Out—A Fierce Skirmish round the Fireplace—A Slight Glimpse at the Huge Labors of the Sub-Sheriff in Hunting up Witnesses.

A Ray of Moonshine that Quickly Fades Out—The Defense and the Prosecution Mutually Agree to "Rest their Case Here"—A Solemn Moment.

The case of the Cuba prisoners was resumed yesterday morning before a very slim audience. The court-house did not present the cheerful and exciting appearance of the previous week, when the evidence given was in reference to the very life or death of the case. The scene was eminently gloomy yesterday morning. The fire in the large stove failed to throw a genial influence over the large and chilly hall. The noses of the jury were red, and the toes of counsel and reporters suffered a trifle from the low thermometrical state of the atmosphere. The business for a long time was confined to solo voce debates between counsel about the merits of various almanacs. After a tedious delay, the Judge inquired:

HAVE YOU SOLVED THAT PROBLEM YET?

Let us postpone any further examination of the heavenly bodies, if there are any other bodies here to examine at present.

Sale (reading almanac)—The sun rose two minutes after five on the morning of the 14th July, 1870, and the moon set 24 minutes after eight, and on the 15th of July, 1870, the moon set 23 minutes past eight. There! this almanac is wrong; no reliance to be placed on this. Another almanac produced, and discussion continued on the merits of both books. It was finally agreed that the moon was three hours high at the time of the hanging. Sale would submit both almanacs as evidence before the jury. A juryman stood up to inquire of General Sale if he could tell them what constellation the moon was in at the time of the hanging, so as to be able to arrive at the true astronomical condition of the question.

Sale—I am bound to confess my profound ignorance of the whole thing.

A. TIENCH

was put upon the stand as an expert in moonshine. He said that his knowledge of such things reached to the extent of knowing that whenever the sun rises the moon sets, and when the sun sets the moon rises.

Sale—I was under the impression that the moon rose at midnight sometimes, but I never knew that the sun set at that hour round here. You know for a fact that the moon rises over there toward China, don't you? Stand aside.

Horrigan—Hold on there a moment. Have you any considerable acquaintance with the man in the moon?

Sale objected to the question. I do not want moonshine introduced witnesses case, because we have introduced witnesses here to testify upon an important fact as throwing light on certain circumstances connected with it.

Bullock—Mr. Tiench, do you know those signs (holding up an open almanac) before the eyes of the witness?

A. I know nothing about it; I am simply an instrument maker.

Bullock—Stand aside.

M. B. HALLOWAY.

Sale—Have you been speaking to any one about this case since you were examined the other day?

A. No attorney spoke to me about it; no one sent me any word about it.

Horrigan—Do you know Charles Priddy, telegraphic operator at Bartlett?

A. I do.

Q. Had you any conversation with him at Bartlett about this Schofield hanging a few days after it occurred?

Sale—Wait a moment. [Objection offered, on the ground that the witness was examined for the State before, and that matter of a conversation with Priddy was not touched upon, and they could not enter on it now. Objection sustained.]

Stand aside for the present.

Sale offered in evidence the first indictment found in the case.

Bullock offered two almanacs as evidence before the jury, as illustrating the moon question.

Sale, in a speech of considerable length, moved to throw out the evidence of young Hines, on the ground that it had been made for the purpose of saving his own neck. Motion overruled.

The business dragged along slowly, owing to the non-appearance of witnesses. Attorney-General Wright said that an attachment was out for Captain Patterson, and that Mrs. Millington would be here by two o'clock. At an adjournment would take place till that hour. The Judge said he would hold court and wait a little longer.

MRS. MILLINGTON,

Wife of Captain Millington, railroad man, was introduced by the State in rebuttal.

Examined by the Attorney General.—My name is Mrs. Millington; I was Miss Bolton; I was in Cuba on the 14th day of July last; I was at a barbecue there; I went there on the 13th, the day previous; I got there at three o'clock in the afternoon of the 13th; I staid there until the next morning about six o'clock; the parties were dancing in Mr. Frank Graves' grove when I got there; he is now in court; they danced there until two in the morning; I not know exactly the time, but it was early on the morning of the 14th, about two o'clock; after they quit dancing in the grove they went to the house.

Q. What did you do then?

A. We still continued the dancing.

Q. Where did you dance?

A. We danced in the parlor.

Q. Do you remember those who were present?

A. Miss Bettie McGee, Mr. Bateman and his sister, Mr. North, Miss King and Mr. King, Mrs. and Mr. Patterson, Mr. Richards, Mr. Priddy, and Captain Millington were there; I saw Mr. Graves at the house the previous evening.

Q. Did you hear anything extraordinary or unusual that morning?

A. I heard firing.

Q. Could you mention how many shots?

A. Not certain; I heard some screams and hallooing.

Q. What time was that?

A. About four o'clock—near day.

Q. Can you state where Graves was?

A. He was prompting about twenty-five or thirty minutes before the firing.

Q. What did he do then?

HE LEFT THE HOUSE.

Q. Do you know what made him leave the house?

A. Some one asked for him; a negro boy came to the door and called for him; he then left the house.

Q. How long did he remain away?

A. I do not know, I did not see him afterward; Walter Richards prompted the set after he left; he took the place of Graves as prompter.

Q. What sort of a set were you dancing at the time?

A. I do not remember very well; I think it was a quadrille. We were not dancing "Tucker" that set, but had danced it; I think Graves was dancing and prompting.

Q. Did he leave the set before the dancing ended?

A. Yes, sir, he left it in the middle of the dancing. I do not recollect whether his hat was on or off at the time he went out; I saw him at the time he left; Walter Richards took his place; I do not recollect distinctly whether he was dancing in the set or not, but he was prompting, and recollect seeing him any more after that; I remained there till six o'clock; I think that set was the last one that was danced; the firing took place during that set; I do not remember whether the dancing stopped immediately.

Q. How many persons were in the room when that firing was heard?

A. Not more than twelve; I do not know how large the room is; ordinary sized room—parlor; I think it was a single set they were dancing—four couples on the floor; I can't state positively that Graves did not come back to the house, but I think not; he did not come back to the room.

Q. What did you do after the firing?

A. I went out the door with the others; we were not out more than five minutes; the band went back to the parlor; Graves did not come back; I remained there till after six; I did not see Graves at all after that time.

Q. Were there any sets danced after the firing?

A. I do not remember; I think Miss Bettie McGee played some on the piano afterward; I think the screams came as soon as the firing; I could hear the screams plainly; I know there were screams; they were not very distinct, but plain enough to be heard.

Q. Was there any thing said in the crowd about the screaming?

A. I think my sister spoke of it; they were talking about it, but I don't know what was said; I do not know anything that was said about the screaming by the others. Richards was in the house at the time of the firing; he went out also, with several of the men after the set broke up; Graves did not go out with Richards at the time of firing; I saw Priddy there that night; he was in the room at the time of the dancing; I do not know when he left the room; I do not know that he was in the room after Graves went out.

Cross-examined by Sale.—George Millington is my husband; my maiden name was Bolton; I was summoned this morning; I read the testimony in this case as published in the papers; I read my husband's testimony; he was summoned on Saturday; I believe he was summoned once before during the summer.

Q. When, and to whom did you first mention that Graves was not in the room at the time of the firing?

A. I do not remember when I first mentioned this; I spoke of it often; I had a conversation with Mrs. Graves; she was to see me, since I have been sick, two or three times; Mr. Millington was present; I think he was there each time; she asked for Mr. Millington; she was talking to Mr. Millington about where Graves was at the time of the firing; I was sick, and did not pay much attention to what was said.

Q. Did not you say you believed that he was in the room at that time?

A. I think not.

Q. Was not the object of Mrs. Graves' visit to you to find out if you knew where Graves was at the time of the firing?

A. I do not know that it was; Mr. Millington might have said that he did not know whether he was in the room at the time of firing or not. He said, "um, um," to something that was said; I never heard Mr. Millington tell Mrs. Graves that Graves was out of the house at the time of the firing; I heard Mr. Millington say that you [Sale] were there to see him after Mrs. Graves was there. Mr. Millington was there when you called first, he did not see you; he saw you the second time. I did not know that he was brought here by an attachment; I know he was summoned; he was summoned last Saturday; I say Mr. Millington was in the room at the time of the firing; he was sitting by Miss Betty McGee on the sofa, near the door; dancing was commenced at two in the morning in the parlor; that was the second set they were dancing when the firing began; it was during the second set that he left; the firing broke it up; I suppose we were half through when the firing began; I do not know how long Graves was dancing the set when he left; I do not know how long the whole set lasted; I did not see Graves come back; I did not see him any more after the firing at all; I do not remember if it took us as long to dance the first as the second set; I do not know if Priddy went out; I think he was in the room; the negro came to the door, he was a black negro, I think he was a negro boy; I do not know that he was a pretty large negro.

Q. What would you suppose his age was?

A. I don't know; I'm not an expert at the ages of negroes; I did not tell Mrs. Graves all about this; I did not talk to Mrs. Graves about that; I do not know when I first spoke about it; I told Mrs. Patterson about it; I told her about it the next morning.

Q. Did anybody go out with Graves?

A. No.

Q. Where was he before he went out?

A. He was standing near the door. The fireplace does not exactly front the door; of such things reached to the extent of knowing that whenever the sun rises the moon sets, and when the sun sets the moon rises.

Sale—I was under the impression that the moon rose at midnight sometimes, but I never knew that the sun set at that hour round here. You know for a fact that the moon rises over there toward China, don't you? Stand aside.

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MRS. MILLINGTON,

Wife of Captain Millington, railroad man, was introduced by the State in rebuttal.

Examined by the Attorney General.—My name is Mrs. Millington; I was Miss Bolton; I was in Cuba on the 14th day of July last; I was at a barbecue there; I went there on the 13th, the day previous; I got there at three o'clock in the afternoon of the 13th; I staid there until the next morning about six o'clock; the parties were dancing in Mr. Frank Graves' grove when I got there; he is now in court; they danced there until two in the morning; I not know exactly the time, but it was early on the morning of the 14th, about two o'clock; after they quit dancing in the grove they went to the house.

Q. What did you do then?

A. We still continued the dancing.

Q. Where did you dance?

A. We danced in the parlor.

Q. Do you remember those who were present?

A. Miss Bettie McGee, Mr. Bateman and his sister, Mr. North, Miss King and Mr. King, Mrs. and Mr. Patterson, Mr. Richards, Mr. Priddy, and Captain Millington were there; I saw Mr. Graves at the house the previous evening.

Q. Did you hear anything extraordinary or unusual that morning?

A. I heard firing.

Q. Could you mention how many shots?

A. Not certain; I heard some screams and hallooing.

Q. What time was that?

A. About four o'clock—near day.

Q. Can you state where Graves was?

A. He was prompting about twenty-five or thirty minutes before the firing.

Q. What did he do then?

HE LEFT THE HOUSE.

Q. Do you know what made him leave the house?

A. Some one asked for him; a negro boy came to the door and called for him; he then left the house.

Q. How long did he remain away?

A. I do not know, I did not see him afterward; Walter Richards prompted the set after he left; he took the place of Graves as prompter.

Q. What sort of a set were you dancing at the time?

A. I do not remember very well; I think it was a quadrille. We were not dancing "Tucker" that set, but had danced it; I think Graves was dancing and prompting.

Q. Did he leave the set before the dancing ended?

A. Yes, sir, he left it in the middle of the dancing. I do not recollect whether his hat was on or off at the time he went out; I saw him at the time he left; Walter Richards took his place; I do not recollect distinctly whether he was dancing in the set or not, but he was prompting, and recollect seeing him any more after that; I remained there till six o'clock; I think that set was the last one that was danced; the firing took place during that set; I do not remember whether the dancing stopped immediately.

Q. How many persons were in the room when that firing was heard?

A. Not more than twelve; I do not know how large the room is; ordinary sized room—parlor; I think it was a single set they were dancing—four couples on the floor; I can't state positively that Graves did not come back to the house, but I think not; he did not come back to the room.

Q. What did you do after the firing?

A. I went out the door with the others; we were not out more than five minutes; the band went back to the parlor; Graves did not come back; I remained there till after six; I did not see Graves at all after that time.

Q. Were there any sets danced after the firing?

A. I do not remember; I think Miss Bettie McGee played some on the piano afterward; I think the screams came as soon as the firing; I could hear the screams plainly; I know there were screams; they were not very distinct, but plain enough to be heard.

Q. Was there any thing said in the crowd about the screaming?

A. I think my sister spoke of it; they were talking about it, but I don't know what was said; I do not know anything that was said about the screaming by the others. Richards was in the house at the time of the firing; he went out also, with several of the men after the set broke up; Graves did not go out with Richards at the time of firing; I saw Priddy there that night; he was in the room at the time of the dancing; I do not know when he left the room; I do not know that he was in the room after Graves went out.

Cross-examined by Sale.—George Millington is my husband; my maiden name was Bolton; I was summoned this morning; I read the testimony in this case as published in the papers; I read my husband's testimony; he was summoned on Saturday; I believe he was summoned once before during the summer.

Q. When, and to whom did you first mention that Graves was not in the room at the time of the firing?

A. I do not remember when I first mentioned this; I spoke of it often; I had a conversation with Mrs. Graves; she was to see me, since I have been sick, two or three times; Mr. Millington was present; I think he was there each time; she asked for Mr. Millington; she was talking to Mr. Millington about where Graves was at the time of the firing; I was sick, and did not pay much attention to what was said.

Q. Did not you say you believed that he was in the room at that time?

A. I think not.

Q. Was not the object of Mrs. Graves' visit to you to find out if you knew where Graves was at the time of the firing?

A. I do not know that it was; Mr. Millington might have said that he did not know whether he was in the room at the time of firing or not. He said, "um, um," to something that was said; I never heard Mr. Millington tell Mrs. Graves that Graves was out of the house at the time of the firing; I heard Mr. Millington say that you [Sale] were there to see him after Mrs. Graves was there. Mr. Millington was there when you called first, he did not see you; he saw you the second time. I did not know that he was brought here by an attachment; I know he was summoned; he was summoned last Saturday; I say Mr. Millington was in the room at the time of the firing; he was sitting by Miss Betty McGee on the sofa, near the door; dancing was commenced at two in the morning in the parlor; that was the second set they were dancing when the firing began; it was during the second set that he left; the firing broke it up; I suppose we were half through when the firing began; I do not know how long Graves was dancing the set when he left; I do not know how long the whole set lasted; I did not see Graves come back; I did not see him any more after the firing at all; I do not remember if it took us as long to dance the first as the second set; I do not know if Priddy went out; I think he was in the room; the negro came to the door, he was a black negro, I think he was a negro boy; I do not know that he was a pretty large negro.

Q. What would you suppose his age was?

A. I don't know; I'm not an expert at the ages of negroes; I did not tell Mrs. Graves all about this; I did not talk to Mrs. Graves about that; I do not know when I first spoke about it; I told Mrs. Patterson about it; I told her about it the next morning.

Q. Did anybody go out with Graves?

A. No.

Q. Where was he before he went out?

A. He was standing near the door. The fireplace does not exactly front the door; of such things reached to the extent of knowing that whenever the sun rises the moon sets, and when the sun sets the moon rises.

Sale—I was under the impression that the moon rose at midnight sometimes, but I never knew that the sun set at that hour round here. You know for a fact that the moon rises over there toward China, don't you? Stand aside.

Horrigan—Hold on there a moment. Have you any considerable acquaintance with the man in the moon?

Sale objected to the question. I do not want moonshine introduced witnesses case, because we have introduced witnesses here to testify upon an important fact as throwing light on certain circumstances connected with it.

Bullock—Mr. Tiench, do you know those signs (holding up an open almanac) before the eyes of the witness?

A. I know nothing about it; I am simply an instrument maker.

Bullock—Stand aside.

M. B. HALLOWAY.

Sale—Have you been speaking to any one about this case since you were examined the other day?

A. No attorney spoke to me about it; no one sent me any word about it.

Horrigan—Do you know Charles Priddy, telegraphic operator at Bartlett?

A. I do.

Q. Had you any conversation with him at Bartlett about this Schofield hanging a few days after it occurred?

Sale—Wait a moment. [Objection offered, on the ground that the witness was examined for the State before, and that matter of a conversation with Priddy was not touched upon, and they could not enter on it now. Objection sustained.]

Stand aside for the present.

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