WANTS.

$10,000—An energetic man with $10,000, to purchase an interest in a manufacturing business well established, and needing increased facilities. Address "Manufacturer," this office. feb8

AGENTS—A good chance to make money. Apply at Keck Bros., 399 Second street. W. S. SMITH. feb8

BLACKSMITH.—A good location is offered to a blacksmith. For information call at 382 Front street, Memphis, Tenn. feb8

FARMER—For a term of years—an experienced man to take charge of a grain, grass and stock farm, as a partner. He must have the best qualifications, and a small cash capital. For particulars, apply to ROYSTER, TREZEVANT & CO. feb8

TINNER—A first-class tinner can find a situation by addressing or calling upon R. EWAS & CO. feb8

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. feb8

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

TO LOAN.

$1000.—Address J. A., Appeal office.

TAKEN UP

COW—One cow. The owner can get same by paying charges and proving property. Apply to JOHN MULLINS, feb8 McVille, Tenn.

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. 88 Union street. feb8

REWARDS.

$50 REWARD.—Lost from the steamer W. R. Arthur, a man, tall, of dark hair, mustache and goatee, a scar across the one front tooth out in upper jaw. He wore a dark woolen shirt and drawers; he was a striker on the boat; named Peter Pennington. The above sum will be paid for the recovery of the body. T. M. ELLIOTT, feb8 167 Front street.

$500 REWARD is offered for the discovery and apprehension of the person or persons who pulled loose six empty coal barges Friday night at the point, near Fort Pickering. WAIT & LEWIS.

MULES—$25 REWARD.—Strayed from the steamer Legal Tender, on Tuesday, 31st January, 1871, two bay mares mules, about 14 hands high, no marks noticeable, had no 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.

NON-EXPLOSIVE LAMP.—The Perkins & 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 is quite no odor in burning, and it gives more light, with less consumption of oil than any other lamp in the market. It compares favorably in all other points, new or old. Retail depot in Memphis, No. 319 Second street, southwest corner of Monroe, up stairs.

R. G. PATTILLO, General Agent.
Canvassers wanted for Shelby and surrounding counties. feb14

PISTOLS.—At No. 61 Jefferson street, Memphis—Rice's Patent New Patent Revolving Pistols. They are convenient to carry. They extract the exploded shell, and reload in shooting position. Price—No. 1, $6; No. 2, $7; Derringer size, $5; cartridges, 25 cents per box. Agents wanted. ☞Ladies' pocket Silver and Gold Watches, Quarter size, for sale. Price—30 cents and 75 cents. feb12

L. EDWARDS, 38 Union street, has best Ash Wood and Pittsburg Coal for sale, delivered free to any part of the city. feb

BLUFF CITY MILLS, 197 Poplar street; in good repair; will sell on easy terms, or rent. D. E. MYERS, jan 28⅞ Main street.

LAREWOOD—Of sixteen years on a fine Residence, well suited for an extensive boarding-house, and offering unequal advantages in ground-rent and taxes. Will be either sold, rented or traded, at a great bargain. ROYSTER, TREZEVANT & CO.

LOT AND COTTON SHED—141 feet on old Madison st., between bayou and Charlesville, now occupied by W. W. Wilkes. Also—LOT on east side of bayou, between Court and Madison streets. Inquire of feb8 A. S. WICKERSHAM, 76 Jefferson st.

SECOND HAND COTTON MACHINERY FOR SALE—Consisting of Openers, Lappers, Cards, Drawing Frames, Speeders, Spinning Frames, etc., in good condition, has partially worn—all in good condition, and will be sold cheap. For description and price, apply in person or by mail, to THOMAS SSAW, Agent Fremont and Suffolk Mills, jan17 eod6w Lowell, Mass.

FOR RENT.

COTTAGE—A neat cottage on Third street. Apply to J. A. TAYLOR, Attorney at-Law, No. 7 Madison st.

HOUSE—With 6 rooms, kitchen and servant's room, spacious yard and stables, No. 249 Hernando street. Apply at W. VOORHEIS, No. 9 Union street, up-stairs. feb8

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 of mules, horses and other property with the place. Notes, with approved security, required. Steam-power Saw and Saw Mill on the place.

GEO. J. PILLOW,
feb10 Agent of Receiver.
Helena Clarion copy three.

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

HOUSE—LAND—The fine dwelling house and seven acres of land on Bayburn avenue, known as "Isle Ste Marie Place." The house has ten or eleven rooms, and is in fine repair. The lands are rich and productive—fruit trees, grapes, raspberries, strawberries, etc., and large asparagus bed, etc.; two large cisterns and good well; servant's house, stable, carriage house, etc. The neighborhood most excellent and healthful. Apply to A. J. MARTIN, Attorney,
In Kit Williams Block
Corner Second and Madison streets
Or W. N. Rogers, on the premises. jan22

HOUSE—A fine two-story brick dwelling house, No. 117 Exchange street, with 9 rooms, well built, with gas, cistern, etc. Inquire at A. HARRIS, 295 Main street.

STORE—No. 37 South Court street, a few doors from Main street; store-room and basement each 20 by 74 feet, for lease. Possession given immediately. Apply to R. C. BRINKLEY, feb9 No. 38 Madison street.

FOR RENT OR SALE.

PRIEST'S PLACE—My place on the Old Raleigh road, known as the Priest's place, 7½ miles from the city, containing 130 acres, 75 of which are cleared and bottom land, through which Cypress creek runs, and affording the finest locations for dairy or garden purposes. I will sell the 55 acre lots, for one-fifth cash, balance in four equal annual payments, with interest, to be secured by lien.

R. C. SNYDER, M.D.,
feb4 sam 30 Union street.

FARM—A valuable farm of 161½ acres—76 of it cleared and very productive; good houses, orchard, garden, river, lake, etc., etc., on Lagrange road, one mile south of Raleigh, and near Mend. R. R. Will sell cheap, or will lease the same for 1871. For particulars call on M. D. L. Stewart, Memphis.

feb9 ANDREW STEWART.

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, 282 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, Masford, on Second, and Emmons & Son, on Jefferson street.

BROWER & BROWNE, 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.

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.

SEA MOSS PARINE from pure Irish Moss, for Blanc Mange, Puddings, Custards, Creams, etc., etc. The cheapest, healthiest, and most delicious food in the world.

CITY PARAGRAPHS.

—Some of the Fenian exiles are coming to Memphis.

—Memphis has more gin mills, as fifty to one, than manufactories.

—Can't dilapidated velocipedes be used as skates, and thus re-popularized?

—A loi of female "queer shovers," expelled from Cincinnati, are coming south.

—A private letter from Louisiana states that the sugar crop of 1871 will be very short.

—Deaf mutes are made typographers in many States, and thus they who say most hear least.

—We are told that about 30,000 valentines have passed through the postoffice of this city.

—New Orleans lawyers gave $5000 to Taney's daughters; the bar of Memphis not a copper.

—A reward of $50 will be paid for the recovery of the body of Peter Pennington, lost on the Arthur.

—Pittsburg is flooded with counterfeit money, and we may soon have a supply. It is said to be excellent.

—The roads from Norfolk to Memphis should be consolidated, and have ticket offices in London and Paris.

—The defeat of the Cincinnati and Southern railroad by the Kentucky Legislature is a disgrace to the civilization of the age.

—Whenever a fire is caused by a defective flue, the firemen should report the name of the builder of the house, and the Recorder should impose a heavy fine.

—Captain John D. Adams' packet lines will be doubled in value by the development of the resources of Arkansas through the perfection of the railway system of that State.

—The gentleman who was dunned at the corner of Main and Second, was told his account had been standing for a long time. "Well," said the impecunious wretch, "let it run awhile."

—At 4 o'clock this afternoon, there will be at the navy yard, an exhibition of the *modus operandi* of the patent fire extinguisher. Firemen, editors and others are requested to attend.

—The City Council will furnish interesting reading matter to the public tomorrow, by speeches and resolves this evening. Every member will prepare some grave question for popular consideration.

—The ferry-boat will leave the foot of Union street at 10½ o'clock this morning, to take the stockholders of the Memphis and Little Rock road to Hopefield, where an election of Directors in the company will be held to-day.

—The theater will be crowded to-night. At least, many people have been impatient some months for a reproduction of the drama. The world is weary of legs, and would never travel on them if tragical little steam engines could be tested in one's cost pockets.

—Several tons of choice dirt have been scattered over Washington street. The ruts have been filled up and the asperities smoothed down, so that the street presents at present a very regular cowskiny to a person of short sight.

—We notice that Messrs. Stewart Bros. & Fizer are receiving large consignments of sugar and molasses from Stewart & Bro., of New Orleans, and Memphis rapidly becomes, through the intervention of this house, a great distributing point for the wealth of New Orleans.

—The Recorder commenced holding court yesterday at 3 p.m. It is not authoritatively announced whether the change is to be permanent. The official, perhaps, know the advantage of holding evening receptions to giving morning matinees to the visitors of the station-house.

—Kerosene explosions have been very numerous and destructive of late. The people down up in Memphis have been generally very fortunate. Only one or two persons have been burnt to death, and probably half a million dollars worth of property has not been destroyed here as local oil cause has come into use.

—A distinguished and eloquent preacher of this city, who shapes the moral philosophy of a large, rich and intelligent congregation, says, and wisely, that the best widows and orphans' home is a cotton mill, and that the other eleemosynary institution breeds idleness. Vice and idleness are inseparable. The preacher will do a great and good work if he succeed in his purpose. He will lecture on the subject, we are told, at an early day.

—The man named Wilson, whom Captain Athey arrested a few days ago, and got off owing to some technical irregularity, turns out to have been the person who cut the woman's throat from ear to ear in New Orleans last June. He made confession of his guilt in a boastful spirit, on his way down the river, to the chief of the coal fleet that had the honor of transporting him from the Monongahela to Memphis. He said that it was his blessed privilege to kick the stomach out of a female that was *enciente*. He has already graduated.

—Union street and its vicinity is the point of centralization of the grocery trade of the city, and in the very midst of those who engage in this trade is the staunch house of M. L. Meacham & Co. The senior member of the firm has been identified with the commercial interests of Memphis for many years. J. P. Poston was born here and reared in the midst of bales and boxes. A. W. Roberts was formerly of Brownsville, and brought with him a heavy trade from Haywood. M. E. Meacham is a reproduction of the senior of the house, and the four conduct their business with skill unsurpassed. The firm has won unlimited credit, if the necessity for its use should arise. Their supplies are purchased on the most favorable terms and sold surely as cheaply as those of any other establishment in the valley of the Mississippi.

—When the bill was before the Legislature of Tennessee providing for a loan of $10,000 per mile to the Mississippi Central and Mobile and Ohio roads, John C. Farrington, Jim Lanier, Jim Cole, C. Holmes, now no more, and Judge Dunlap, representing this city and county in the Legislature, each voted for the appropriation, and never a citizen or newspaper of Memphis uttered one word in condemnation of their action. Now these two roads are devoted to the business of destroying this city. Cincinnati proposes to expend ten millions in a railroad across Kentucky, and the Senate of that State stupidly, as we think, refuses to grant the right of way. Ever since the war Tennessee, the press of Memphis urging it, has loaned bonds to the Mississippi Central road. However we may condemn the Mobile and Ohio, the conduct of the Mississippi Central road is infinitely more obnoxious to censure and deserving of reprobation; and however unwise and illiberal railroad men may deem the Kentucky Senate, they have no right to gravely suppose it, while the Mobile and Ohio and Mississippi Central roads, in warring against Memphis, violate every principle of right and justice, and employ every agency to rob a city which has been more generous than Kentucky and more liberal to railways than any people of the South.

RAILROAD NEWS.

TIME-TABLES.

MEMPHIS AND LITTLE ROCK RAILROAD.

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

	ARRIVE:	LEAVE:
Hopefield	6:30 p.m.	7:00 a.m
Brinkley	12:00 m.	12:30 p.

Freight train will leave Hopefield Mondays, Wednesdays and Fridays, at 8 a.m.
Arrive at Hopefield Tuesdays, Thursdays and Saturdays, at 4 p.m.
Ferryboat will leave the wharfboat, foot of Union street, daily at 8 a.m.
No through tickets will be sold after January 8, 1871. E. D. WILLIAMS, Gen'l Supt.
E. P. ROBSON, Ass't Sup't.

MEMPHIS AND LOUISVILLE RAILROAD.

Leave Memphis:	ARRIVE:	LEAVE:
Day Express	12:45 p.m.	4:15 a.m
Night Express	4:15 a.m.	1:45 p.m.
Brownsville Accom	9:30 a.m.	4:15 p.m.
Nashville Express	8:20 p.m.	7:40 p.m.

Ticket Office, 27½ 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	5:05 p.m	
Way Freight Train	6:50 a.m	
Somerville Train	4:15 p.m	
Arrive at Memphis:		
Through Mail Train	12:15 p.m	
Through Express Train	3:20 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 Sunday	2:25 p.m.	8:40 a.m.

Depot at foot of Main street. Ticket office, 27½ Main street, one door north of Jefferson.

LITTLE ROCK AND FORT SMITH RAILROAD.

Mail Train leaves Little Rock (Huntersville) 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.

HARPER'S MAGAZINE, Demorest, Peterson's and Godey, for February. Also, the largest variety of pictorials, Northern, Southern, Western and Eastern dailies in the city, at Joe Locke's, 236½ Main street.

HITE & CORWINE, proprietors of the Job Printing establishment in the APPEAL Building, 14 Union street are now prepared to execute orders: Job Printing on the shortest notice. The patrons of the APPEAL will bear this in mind and act accordingly.

TRIAL OF THE CUBA PRISONERS.

The Prosecution Makes a First Statement of their Case—The Force of the Circumstantial Evidence Displayed by Horrigan.

Analytical Sifting of the "Alibi" Testimony—The Testimony of Living Witnesses "Overwhelming and Conclusive."

A Brief Narrative of the Case Gives by the Speaker—A Synopsis of a Remarkably Able Speech.

The "speaking" in the case of the Cuba prisoners commenced yesterday morning in the Criminal Court in the presence of a large audience of lawyers and others, curious to witness the display that was expected to be made by the opposing counsel. Horrigan opened for the prosecution. He was well charged with evidence, as published in the papers from day to day. His design was to give a consecutive account of the case, dwelling particularly upon the sufficiency of the circumstantial evidence, which he reviewed first, and then went in upon the testimony of "hiring witnesses." He congratulated the jury on the prospect of a speedy end of the slow trial; they had listened patiently to the mass of evidence that had accumulated in the progress of the investigation. It only remained for them to listen a little longer to criticism by counsel on the merits of that evidence and then to deliberate and decide according to the law and the testimony. Did not intend to indulge in any bitterness of expression toward the defendants. Death had been among them since the trial opened; one of their number, Wisener, had been taken to the bar of the Supreme Judge. He had seen the heroic devotion of a wife evinced during the trial, and the innocent gambols of innocent children on the knees of their father. These alone would influence him to withhold any remarks of a severe character against those who had

TURNED A DEAF EAR TO THE PIERCING CRIES OF DISTRESS

and appeals for mercy from the widow's son. The fact of the death of Schofield being determined; the fact of that death being in violation of law, in a barbarous manner, it becomes the duty of the jury to decide whether the defendants at the bar are the guilty parties. We propose to show, by direct and circumstantial evidence, aye, by circumstantial evidence alone, the guilt of these parties clearly, unanswerably. It is too much to expect that you could have all the testimony fresh in your memory. It would be necessary to take it up and read it section by section. The first indication of the danger of Schofield, is to be found in the evidence of George Steller, who testified as follows: "I saw him arrested; it was between five and six o'clock they took him into the ice-house; Sam. Poston and Tom McCaddin put him in the ice-house, and kept him there; Sam. Poston walked behind and McCaddin walked before; Poston had a pistol out; they arrived with Schofield to run; Schofield refused to run; he said he had done nothing out of the way; that he was an innocent boy, and he didn't want to run." Great God! Gentlemen, do you know the evidence of the facts of the case, why Poston told him to run? Sworn minister of law, Poston, why did you tell him to run? I will tell you; you were brooding over murder; you told him to run that you might shoot him down, and claim the commendation of the community. You wanted to shoot him down like a dog. "Tom McCaddin sent me after the key to Graves' store; when I asked Graves for the key he said, 'Well, I think Tom McCaddin has a crowd plumb crazy; I gave him the key already.' When I went back and told McCaddin, he felt in his pockets, and he said, 'sure enough I have the key.'" What was McCaddin doing with the key of Graves' ice-house? He had it before he laid his official touch upon Schofield. The evidence is overwhelming that Graves gave the key to McCaddin before the arrest was made.

"He wanted Tom McCaddin to release him; he told a person to 'go to Tom and tell him to take me out; tell him I have done no harm; I have done no hurt, and I want to get out.' McCaddin was on the dancing-ground." You did release the prisoner from time to eternity. You released him with all his imperfections upon his head. There is one promise that McCaddin fulfilled. All the declarations of any of those parties are binding against them like the dogma of parties in civil transactions. The sayings of any one of

THE PARTNERS IN THIS CONSPIRACY

are to be taken as the sayings of all.

Further proof of the conspiracy as developed in the evidence of John Henry Robinson, who witnessed a conversation between Graves and McCaddin: "We will let this thing run on till four o'clock, and then we will close it up." Graves, you did close it up. If you have redeemed your promises in life as faithfully as you have done that, you may claim the honor of one who keeps his promise. What were they talking about? Listen and you shall learn! This man Poston says shortly afterward, "I am damned sorry for Schofield, but I cannot cry for him." Sorry for Schofield! What was the misfortune of Schofield? He could not cry for him!

ROUND UP AND CAST INTO AN ICE-HOUSE TO COOL FOR BUTCHERY

the next summer's morning, you cannot cry for him. Oh, magnanimous Graves! noble-hearted, generous-hearted Graves! you cannot cry for the miseries and misfortunes of your servant.

My theory about this thing is that the money was intentionally dropped. A man named Tommy Solon, coming around there, picks it up. He was the wrong person to pick it up. When he offers it to Graves, that gentleman makes no word of remark about the lost money or about Schofield, but he taps Solon on the shoulder and says, "come out here; I'm sorry you are my friend!" and then "come up and take a drink." There is then no evidence of the stolen or lost money. That is not the thought, but Solon picked up the money too soon; he was too nosing round, and had come, perhaps, near spoiling the plan of the game, and Graves says to him, peering into his face with satanic eyes, are you my friend; as if he would say if you also undertake to tell about this, and do you want to spoil it? then seeing nothing in that face but innocent stupidity, he adds

"LET US TAKE A DRINK."

The counsel then went into the evidence of John L. Carr, as showing by direct testimony the existence of the conspiracy. Now state the conversation that you say that you had with Geary that evening. "He came to me at eight o'clock in the evening inside the inclosure where they were dancing, and he called me aside; he said he had something to say to me; he said there was a party of them that were going to put an end to that young man who was in the ice-house; I asked him why; he said that young man—well—he had threatened to burn up every house within a mile of Cuba; I wanted to know who were the other parties concerned in this thing; he then named over three of them; he said he wanted to get all of the boys into it; he said Poston, Graves and Wisener were in it; I said that he ought to be careful, that they were going into a business they had no right to go into, that they were taking the law in their own hands, and that I would have nothing to do with it; he then turned off from me and said, 'I want to have nothing more to do with you.'"

From this it appears that at that time Hines and Wisener had not been taken into partnership. They entered it at a late hour. The learned counsel then went into an elucidation of the plan which the conspirators followed in the taking off of young Schofield. McCaddin had him in custody; it was arranged that Schofield was to be hung in the morning and it was to be made apparent that a body of Ku-Klux had taken him out and hung him. McCaddin could not afford to account alone for the hanging. He goes for Ware and gets him to watch, although Ware says he will go to sleep. He could throw the responsibility on Ware. Then the dancing ground must be cleared. The crowd of dancers are taken, at the instance of McCaddin, from the cool open air of a July night in a grove, to a small pent-up room, fifteen or twenty feet square, because McCaddin *wanted to be alone with his prisoner*, that prisoner bound up and locked up. He goes to Ware after he is woke up by the sound of the pistol and tells him that a body of men had come and taken away his prisoner. There are thirty or forty men within the sound of his voice, and he asks none of them to assist, he does not even tell any of them, there is no alarm made about it; there is no excitement but a portentious calm. The evidence of Ware, read through till he comes to that part which shows that Graves took Satterwhite aside and whispered to him—why are you, a man of excellent character—fresh from the sounds of distress and the crack of the pistols on your premises; why are you whispering in the ear of this disreputable character, whispering in the ear of this man whom you have labored to prove as unworthy of belief, and too despicable for the association of the decent men, why did you take him aside in the early bluish of morning and whisper in his ear? What is that for? Why is that done under such circumstances? Why, I thought you were engaged in the mazes of the dance at that hour. When the cries for mercy load the morning air, and the sound of the pistol brings terror to the revelers in your parlor, so as to cause them to rush out in terror, you are engaged whispering in the ear of Satterwhite—the man whose character you have tried to blacken by the testimony of a host of witnesses. You have the testimony of young Alexander, who swears that he heard the voice of a man cry out in agony, "For God's sake don't murder me!" and there is not one in the crowd to answer that appeal; that dreadful appeal for mercy. The mere instinct of curiosity, if not a drop of the milk of human kindness nor a sentiment of mercy left, ought to have moved men to find out whence that cry proceeded. He tells you that he heard the name of Graves. Aye, here we have it. The dying man, when he stands upon the brink of eternity, knowing right well that he has but a few moments to live, he calls upon Graves, his employer, to save him. He could see no hope among that crowd of strangers, but Graves was some relation to him; he had eaten at Graves' board; had slept under his roof; he was his servant; and now, as he was surrounded by the terrors of death, as a last hope he, in the agony of his soul,

CALLED UPON GRAVES TO SAVE HIM.

Voice of the dead man, though moulding in his grave, rising up in trumpet tones against Graves. The witness Alexander testifies to the changing of hats between Graves and Poston; he changed them himself. Now, Graves, what were you doing with Poston's hat? The theory of the counsel for the defense, I suppose, will be that Graves rushed out from the dance at the house, and rushed out to the wagon in front of Ware's grocery, where they want to make it appear Poston was lying asleep, and took the hat from the sleeping Poston; and then Poston as soon as he woke up and rushed over to Graves' house and got Graves' hat, without any notice, and then they rushed together again in front of Graves' grocery, where Alexander changed their hats for them. That is a most rational explanation!

The next link in the chain of evidence I present to you is that of Hester. From it I propose to show you that notwithstanding the fruitless attempt to establish a good character, Poston is capable of most hard-hearted deeds. Poston boasts, while the fresh clods were falling upon the coffin of Schofield, that he

COULD BATHE HIS HANDS IN HIS ENEMY'S BLOOD.

Such language at a funeral! Great God! it seems almost incredible. But it is true, too true.

Read the testimony of Poston, whose rope had been borrowed by Mrs. Graves, the wife of Frank Graves, the defendant. He said it was not at all likely that strange parties would rush into Graves' yard and cut that rope; and if they had, Graves, as a man of upright intentions, would have made some noise about, but there was not a word uttered about the cutting of the rope, and it was actually handed over the fence by Graves to Poston without a word of comment, though some yards of it had been cut off to hang Schofield. Read evidence still further, which detailed the diabolical desire of Poston to get the rope that hung Schofield to tie round his knee for the cure of the rheumatism, and he was particular about getting that part which was round the neck of the dead man. This chain of circumstantial evidence, so far as we have gone, is overwhelming, as pointing out the guilt of those parties; it is so happy as to enable us to ask us to add brilliancy to the flash of the diamond. Some jurors may have a delicacy about *circumstantial evidence*. It is always a bugbear, this thing of proving guilt upon circumstantial evidence; but we will not ask you to rest satisfied with that, ample and complete as it is, as irrevocably fixing the guilt of those prisoners at the bar. He will show you the evidence of living witnesses, fearing first the testimony of Dr. Mathews, which corroborates the narrative of Satterwhite fully. He also recapitulated that part of Ware's evidence which shows that Satterwhite did not go home after the close of the tragedy; at the time of its occurrence, *on a run*. Thought that it would not be fair to question the truth of Satterwhite's testimony, because he may be successfully accused of telling a falsehood. He (Counsel) made a qualifying fact, he feared a vast number of men would be unfit to give testimony on oath. To show you the desperate straits that these parties were driven to to conceal the murder, he had called Richards white, it is only necessary to mention this person Sigler, who said that he never heard *any one* swear they would not believe Satterwhite on oath, but he had heard men swear that they would not believe himself on oath. After all, I believe the State has introduced more testimony to prove that Satterwhite was worthy of evidence on oath than the defense did to prove him incredible; besides, those against whom the character was sought principally from Raleigh, Bartlett and from points on Big Creek—six, eight, ten, twelve and sixteen miles from Cuba. He stands much higher than this Theopolis Bodeofsky and Frederick Fridy. Their testimony is borne out by all the facts and circumstances of the case that have been proved; while the testimony of Shivers, and Priddy and Richards is not only not borne out by any facts or circumstances, but is in fact contradicted by all the facts and by *all* the other witnesses. The eloquent counsel then read the evidence of Satterwhite: In the morning I heard that a party had been in the grove at about three or four times; I heard a "hollering;" the sound was like a women's voice; it was like somebody in distress; I was in the house in bed at the time, so I got up and went out and saw Fry, Matthews in the yard; he has an office in the opposite corner of the yard from my room; Dr. Matthews said to me when I came out, "Did you hear that fuss?" and told me to come down and see who raised that noise back and tell him; I put on my shoes, while I was doing so we could hear the fuss; I went down to see what it was; I went in the direction indicated by Matthews; I went over there into the house he had held, and a hundred or a hundred and fifty yards beyond; I saw Mr. Alfred Ware sitting on a fence or standing on it; I went down to where they were hanging Schofield; I went by the little path down the cedars;

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down there; I saw Sam Poston, Frank Graves and Henry Wisener, and a man I took for O. F. Shivers, but did not recognize him particularly; they were hanging the man to a tree or sapling; I went within twenty or twenty-five feet of them; I was about five or six feet from the path; I turned out of the path; it was just about the break of day; when I got there they were all around the tree; I think they had hold of the man, trying something around him; they looked as if they were tying him around the tree, or tying something around his body; I remained there a very little while, and I could not see all that they were doing; I went back to Mr. Ware's grocery; Ware, Shelby and Alexander were in there when I went in; McCaddin was there when I went in; he was trying to load his pistol; Shelby loaded it for him, as he said he was so excited that he could not load it himself; the other parties,

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came in after me. They all came in about the same time. We all took a drink. We took a drink at Ware's invitation. The doors were then shut and Graves invited us to go up to his grocery and we started to go up. I don't know that Alexander went up. I went with Poston, Wisener, Graves, Shelby and Ware. I had some conversation with Graves on the way up. He took me by the arm and said that he wanted to see me, and took me to the corner of the store. He remarked: "Satterwhite, you say you and the boys are friends," and I said "Yes." He said: "I have always taken you for a friend." I said "Yes." He then said: "I know what you have seen, but you keep that to yourself, or

IT WILL BE YOUR TURN NEXT."

I think Poston and Wisener had gone into the store. I don't recollect whether Geary was there or not. I went into Graves' store and took another drink. [Laughter.] When he said "my turn would be next if I told," I think I said "all right," Satterwhite was the only man of all who heard those words of distress who had charity or manliness enough in him to go to the scene of the tragedy and ascertain, at least, what was the matter. If his visit there was not effective in preventing the crime, it will prove to be of value in bringing the criminals to justice. Bad as he is, and he is as bad as you would feign make his character appear, he was good enough to cultivate when you, Graves, wanted, or was looking out for some one to go bail for you; you thought him good enough then to go bail you in dinner. You saw the man you claim to be, or else Satterwhite is not the man you have labored to make him appear, or you are trying to manipulate him for purposes best known to yourself.

We come now to the testimony of Hines. It may be necessary, before going into this, to read some plain principles of law in reference to the testimony of accomplices. He read from *Horton's Criminal Law*, section 273, and some other authorities, showing that *even the uncorroborated testimony of an accomplice* may be ground for a conviction. Here in this case we do not depend on that power of the law. Satterwhite corroborates Hines and Hines corroborates Satterwhite, and their evidence is sustained by every other witness that has been introduced by the State, proving a self-supporting fabric, held in your premises; why are you whispering in the ear of this disreputable character, whispering in the ear of this man whom you have labored to prove as unworthy of belief, and too despicable for the association of the decent men, why did you take him aside in the early bluish of morning and whisper in his ear? What is that for? Why is that done under such circumstances? Why, I thought you were engaged in the mazes of the dance at that hour. When the cries for mercy load the morning air, and the sound of the pistol brings terror to the revelers in your parlor, so as to cause them to rush out in terror, you are engaged whispering in the ear of Satterwhite—the man whose character you have tried to blacken by the testimony of a host of witnesses. You have the testimony of young Alexander, who swears that he heard the voice of a man cry out in agony, "For God's sake don't murder me!" and there is not one in the crowd to answer that appeal; that dreadful appeal for mercy. The mere instinct of curiosity, if not a drop of the milk of human kindness nor a sentiment of mercy left, ought to have moved men to find out whence that cry proceeded. He tells you that he heard the name of Graves. Aye, here we have it. The dying man, when he stands upon the brink of eternity, knowing right well that he has but a few moments to live, he calls upon Graves, his employer, to save him. He could see no hope among that crowd of strangers, but Graves was some relation to him; he had eaten at Graves' board; had slept under his roof; he was his servant; and now, as he was surrounded by the terrors of death, as a last hope he, in the agony of his soul,

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Voice of the dead man, though moulding in his grave, rising up in trumpet tones against Graves. The witness Alexander testifies to the changing of hats between Graves and Poston; he changed them himself. Now, Graves, what were you doing with Poston's hat? The theory of the counsel for the defense, I suppose, will be that Graves rushed out from the dance at the house, and rushed out to the wagon in front of Ware's grocery, where they want to make it appear Poston was lying asleep, and took the hat from the sleeping Poston; and then Poston as soon as he woke up and rushed over to Graves' house and got Graves' hat, without any notice, and then they rushed together again in front of Graves' grocery, where Alexander changed their hats for them. That is a most rational explanation!

The next link in the chain of evidence I present to you is that of Hester. From it I propose to show you that notwithstanding the fruitless attempt to establish a good character, Poston is capable of most hard-hearted deeds. Poston boasts, while the fresh clods were falling upon the coffin of Schofield, that he

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