WANTS.

ENGINE—A second hand engine, 12 by 20 inch cylinder, five foot boiler. Also a circular saw frame. Address, T. J. CAREY, Como, Miss. feb19

BOYS—Two boys from 14 to 16 years old, not afraid to work. Apply, 39 Union street.

A GENTLEMAN or LADY, a good Vocalist and Performer, from private life, to travel with a party of the first respectability. A gentleman or lady amateur would find the situation all that could be desired. Address feb19 J. T. KILKESMERE, 405-312 Front Row.

A PRACTICAL thorough Nurseryman, to take charge of a nursery at Trenton, Tenn. A good thorough man can hear of a good opportunity by applying at R. G. TRIG & CO., feb19 Agricultural Warehouse, 271-279 Main.

POSITION—By a thoroughly competent bookkeeper in a first-class commission or wholesale house. Best references given. Address B. W., Appeal office. feb8

SITUATION—As Superintendent of a Farm by a young man of life-long experience in the business. Address feb7 J. H. BASS, 58 Poplar st.

BLACKSMITH—A good location is offered to a blacksmith. For information call at 352 Front street, Memphis, Tenn. feb

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 parties able to apply to feb5 BOYSTER, TREZEVANT & CO.

TINNER—A first-class tinner can find a situation by addressing or calling upon feb5 R. EWAN & CO., Clarendon, Ark.

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

ROOMS AND BOARD.

PLEASANT ROOMS furnished and unfurnished, with board; desirable location, 482 Main street, one door south of Linden. feb7

TO LOAN.

$500.—Address F. A., Appeal office.

REWARDS.

UP—One Newfoundland bitch pup, three months old; head white; black collar; will pay reward if delivered at No. 10 Linden St. feb9

$50 REWARD.—Lost from the steamer T. W. R. Arthur, a man, tall, of dark hair, mustache and goatee, a scar above the nose, a front tooth out in upper jaw. He wore a dark woolen shirt and drawers; he was a sailor on the boat, named Henry Livingston. The above sum will be paid for the recovery of the body. T. M. ELLIOTT, feb 107 Front street.

MEDICAL.

DR. W. K. DAMERON, HOMEOPATHIST. Office—278 Second street, Memphis, Tenn. Office hours from 7 to 10 a. m.; from 1 to 3 p. m. feb

FUR CAPE—On Main street or in street car. The finder will be rewarded by returning it to ROBERT GIBSON, feb No. 5 Madison street.

FOR SALE.

P. T. HUGHES & CO. will commence a general Closing Sale, preparatory to closing business at No. 421 and 423 Main street, corner Beale, where goods in their line will be sold cheap for cash. feb19

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, 68 Union st., cor. Third.

HOUSE AND LOT—No. 49, corner of Main and Overton streets; 24 feet 9 inches front, by 75 feet deep. Apply at No. 13 Overton street. feb

NON-EXPLOSIVE LAMP—The Perkins & Hesse 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, it combines all circumstances of economy in burning; and it gives more light, with less consumption of oil than any other lamp in use. Its brilliancy is comparable with all other patents, new or old. Retail depot in Memphis, No. 310 Second street, southwest corner of Monroe. Wholesale depot, R. G. PATTILLO, General Agent.

Canvassers wanted for Shelby and surrounding counties. feb

BLUFF CITY MILLS, 187 Poplar street; in good repair; will sell on easy terms, or rent. D. R. MYERS, feb 3t 42 Main street.

LEASEHOLD—Of sixteen years on a fine brick Residence, well suited for an extensive boarding-house, and offering unusual advantages in ground-rent and rent. Will be sold cheap, on easy terms, or traded, at a great bargain. BOYSTER, TREZEVANT & CO. feb

LOT AND COTTON SHED—50 feet on old Madison st., between Bayou and Gayoso and Union depot, now occupied by J. W. Walker.

Also—LOT on east side of bayou, between Court and Mall, on street leading to Depot. THOMAS WEEKS SHEPHARD, 76 Jefferson st.

SECOND-HAND COTTON MACHINERY FOR SALE—Consisting of Openers, Lappers, Cards, Drawing Frames, Speeders, 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 Fremont and Sheffield Mills, jy27 sodaw Lowell, Mass.

FOR RENT.

STORE No. 412 Main street, next door to city H. E. office, also five rooms in Wolfe's building, with reference required. Apply to P. T. Hughes, corner Main and Beale street.

WITH BOARD—A furnished room, suitable for a family or a gentleman. Apply at No. 140 Madison street. feb9

ROOM—Three large front rooms over my store, 359 Main street. feb9 S. G. RHINE.

ROOMS—The suit of rooms (3) lately occupied by Heath & Fraser in the brick building on the southeast corner of Union and Second streets. Apply to feb5 B. RICHMOND.

HALL STORE—No. 224, lately P. H. Relmbold, now occupied by J. WHEATLEY, Bethel Block.

HOUSE—With 8 rooms, kitchen and servants' room, spacious yard and cistern, No. 38 Union street. Apply to C. W. VOORHIES, No. 3 Union street. feb

PLANTATION TO RENT.—On the 23d day of the present month I will rent the Brown Plantation, on the St. Francis river, to a tenant who can furnish their use and other property with the place. Notes, with approved security, required. Steam-power Gin and Saw Mill on the place. GID. J. PILLOW, feb9 Agent of Receiver. Helena Clarion copy twice.

HOUSE—LAND—The fine dwelling house and seven acres of land on Bayburn 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, etc., and large asparagus bed, etc.; two large cisterns and good well; ever-green trees, carriage house, stables, etc. The neighborhood most excellent and healthful. Apply to R. C. MARTIN, Attorney at Law, feb 14 In Kit Williams Block Corner Second and Madison streets.

O. W. B. Spears, on the premises. feb7

STORE—No. 37 South Court street, a few doors from Main street; store-room and basement, each 27 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, 6½ miles from the city, containing 10 acres, 15 of which are cleared and bottom land, through which Cypress creek winds, affording the finest locations for dairy or garden purposes. I will sell in 5 or 10 acre lots, for one-fifth cash, balance in four equal annual payments, with interest, to be secured by lien. S. C. SNYDER, M.D., feb 38 Union street.

FARM—A valuable farm of 301¾ acres—70 cleared and very productive; good houses, orchard, garden, tools, etc., etc., on Lagrange road, one mile south of Raleigh, and near M. and G. R. R. Will sell cheap, or will lease the same for 1871. For particulars call on M. D. L. Stewart, Memphis. feb AND REW STEWART.

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

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. Hollinsburg'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, Mansfort, on Second, and Emmons & Son, on Jefferson street.

—For an extra fine spring style silk hat leave your order with Francisco & Wiggin, 307 Main street.

READ Walker Bros. price list.

New prints. New prints. Just received, at A. SEESSEL & SON'S.

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

CITY PARAGRAPHS.

—See the advertisement of the Parlor and Sidewalk Skates.

—"Popskull" is the term of endearment applied to our tanglefoot in Charleston.

—John B. Gough had an idea of coming to Memphis, fell sick, and is still helpless.

—What has become of the fruit canning establishment that was to be established here?

—Dr. Rogers' lecture to-night at Greenlaw's Opera House will be a masterpiece of oratory.

—There are 10,000 attorneys in London to 3,000,000,000 people, and 300 in Memphis to 50,000 people.

—The Shamrock and the Cross constitute the theme of Dr. Rogers to-night at the Opera House.

—A school teacher in the country not many miles away is in hot water because he would kiss the big girls.

—Tennessee spends $8,000,000 annually in whisky, and yet we complain of school and railroad taxes.

—A magnificent river plantation is advertised in another place to be exchanged for railroad stocks and bonds.

—Artificial stone makers and our undertakers will furnish, after a time, stone coffins to incline unstable burial cases.

—Now is the time to make fences, if it be true, as stated, that timber cut in February will last twice or thrice as long as that cut in any other month.

—The advertisement under the heading "Lost—a large black silk umbrella, belonging to a gentleman with a curiously carved head," did not appear in the APPEAL.

—Dr. J. W. Rogers' lecture for the Irish Literary Institute will commence at a quarter past eight, at Greenlaw Opera House. Subject: "The Shamrock and the Cross."

—Bishop Quintard will preach in Calvary this morning and at night. It is reported that Dr. White will answer the aspersions upon the Episcopal Church growing out of the "little church around the corner" controversy.

—City Tax Collector Robertson informs us that he has commenced preparing his distress warrants, and that it will cost the tax-payer six per cent. fees to settle with him before they are put into the hands of the officer.

—Colonel C. R. Barteau, formerly of Jackson, Tennessee, and now, it is believed, of Memphis, should know that he will hear of something to his advantage by addressing the Hot Springs *Reporter*, Arkansas. The above sum will be paid for the recovery of the body. T. M. ELLIOTT, feb 107 Front street.

—There was an accident on the Iron Mountain railroad yesterday by which the train from St. Louis hither was detained twelve hours. We did not learn particulars.

—A grand sacred concert will be given by the choir of St. Patrick's Church, assisted by the amateur talent of the city, at St. Patrick's Church, Thursday, 23d instant, for the purpose of finding a bell for the building. Of course the friends of St. Patrick's will turn out in large numbers and make the occasion worthy the object for which it is given.

—Colonel Moyers has a chicken-breeding institution in Fort Pickering, who says he has a hen that hatched forty-three chickens out of three settings, raised thirty-eight chicks, and after dismissing her last brood, in the language of Greeley, to root, hog or die, laid her last three eggs before she froze up into winter quarters.

—We were told yesterday that the storm of night before last damaged many houses in Somerville, in Pocahontas and destroyed a church at Iuka. The fences along the Memphis and Charleston railroad were blown down for miles.

—The venerable Joe Locke, at his "hugs" news-stand, received yesterday five thousand novels and an extra quantity of Sunday reading matter, all of which he will sell at his stand, Main street. He is determined not to be outstripped in his line, and the public will always find the latest and best at 236½ Main street.

—Mr. Charles Marable, of the Western Union Telegraph office of this city, and Miss Katie Barrows, were married at Newbern on Thursday evening. While we must say that this story is *Mirabile dictu*, we would fain hope that our friend will be electrified with never-ending currents of blessed beatitude, and that the things he may bring kinds him will ever tell stories of delight.

—The records of the County Court show that the matrimonial market was brisk during the week. The licenses returned were: Clarence C. Seldon and Miss Elsie Massey, W. H. Hoskins and Miss A. E. Buckley, W. P. Brown and Miss Bridget Cox, Matt. Shelby and Miss Amanda Cradlebaugh, A. P. Reilly and Miss Teresa Casey. Four colored couples likewise embarked upon the tempestuous ocean of matrimony.

—It was stated last night that two or three persons unknown went yesterday to the house of Mr. Morehead, two miles from the city, on the Raleigh road, and inquired if his boys had been herded for some months past. It will be a Democratic journal, and we are informed that "every agency has been employed to make it a success, and every energy and talent of those associated with it directed to that result." It is an eight-column paper, one column less in size than the APPEAL, and the typographical appearance is good. It is a first-class publication, sustained by first-class mental ability, and giving promise of success. We shall have something to say of its views in our next.

—As the object of insurance is to secure prompt and certain indemnity in the event of loss or damage, it behooves all who seek insurance to deal only with agents who represent companies of undoubted strength and integrity. Such we know Mr. Carrington Mason to be. Among his companies, as is well known, is the Home Insurance Company of New York has always stood in the front rank, and she enters upon the new year with a determination to maintain her honorable position. See abstract of her thirty-fifth semi-annual statement in this morning's paper.

—The wood and willow ware company had a rousing meeting yesterday, and a majority of the stock-holders being present, resolved to carry the thing through at once. Steam was raised, and the whole machinery was put in operation on paper. Colonel David Townsend said it would be a foul shame to suffer this first manufacturing establishment started since the war by an incorporated company to fail, and he was resolved that it should not. Delinquent stock-holders will release their stock or be sued, or their stock will be declared forfeited and sold. The delicia will be made up by an assessment of twenty-five per cent. upon the paying stock-holders. The requisite machinery provided, the establishment will surely prosper. There will be another meeting at the Chamber of Commerce next Saturday, when everybody will be required to dance to the music. Colonel Townsend leads the choir in preventing this "break down."

—There is not a moneyed institution in the South deemed so strong in the North, with such credit in Wall street, as the Piedmont and Arlington Life Insurance Company, of Richmond, Virginia. Its income last year was nearly one and a half million dollars, and its outstanding policies are 15,345 in number. Its President, William C. Carrington, is known throughout the South, and its Vice President's name is familiar to churchmen and to people of cultivated literary tastes everywhere. George E. Board, who becomes the representative of the institution in this city, is a thorough master of the business of Life Insurance, having been trained in English institutions of this character. Especially, however, are we pleased that this agency of the Piedmont and Arlington Company is established here for the reason that it will surely, as other like institutions have promised, lend here on local securities all surplus funds over and above expenses and losses. The Piedmont and Arlington Company, judging from its conduct in other localities, means to do in this behalf precisely what it promises.

THE great Sheridan and Mack, in an album of living and artistic pictures, appear with the Gallia Comique Monday night.

SUGAR STITERS, 315 Second street.

THE CLOSE.

Last Day of the Trial of the Cuba Prisoners, Charged With the Murder of Schofield.

Same Notes of the Eloquent Speech of the Brilliant Young Advocate Attorney-General Wright.

Judge Flippin's Charge to the Jury—The Life and Liberty of the Prisoners in the Hands of the Jury.

No Verdict Yet—The Court Adjourned to Nine O'clock on Monday (To-morrow) Morning.

The argument in the "Cuba trial" was resumed yesterday morning in the Criminal Court, before Judge Flippin and the jury. The room was full of people as Attorney General Wright took the floor to wind up for the prosecution. His ex ordium was short. He at once plunged into medias res. He said the impulsive Billy of Hines singling out Graves from all the people of Cuba for an object of vengeance was palpable. It was absurd, as the counsel on the other side had insinuated, that Graves, a man who according to them and their witnesses, stood high as the highest in that neighborhood, should be chosen by Hines as best suited to throw odium of this charge upon, in order that he and his other guilty companions might escape. If he wanted a victim, Satterwhite ought to be the man. The defense pretend to believe, nay, attempt to show, that he is not above any deed of guilt or enormity. According to them, he is, of all others, just the person to create suspicion. The insinuation that Satterwhite concocted this prosecution is absurd. He has not the intelligence to do anything of that sort. Such an undertaking would be too much for his simple nature. It would take all the powers of a gigantic brain, even, to conceive of all the details of this prosecution; and it would take more than satanic ingenuity and power to erect it on a foundation so stronger than they say it has—the malice of one man, with his other attributes of thug story-telling. We are told that we must look for a motive for this crime. We do look, and we shall find one—a motive the strongest that prompts human action.

THE MOTIVE IS SELF-PRESERVATION.

I admit that Graves saying that young Schofield ought to be hung for stealing two dollars and a half is in itself a trivial circumstance, but in two hours afterward there is light thrown on this trivial circumstance which magnifies it in our eyes. We find him and the others talking together. What are they talking about? We hear one say, "We will let it lie a little more; we'll talk about it in the morning, and then we will bring it to a close;" and another whispers, "Be damn cautious about how you talk;" and a third says, "I am sorry for poor Schofield; I wish we had let him go;" and Graves replies, "Neither can I," and "If I saw him when he done this thing, I'd give him one of these." Had you heard all this string of conversation, who would you say they were talking about? Would you conclude that this "closing up" referred to the barbecue? Is it necessary to be "damn cautious" about the winding up of the barbecue? Barbecues, it appears, in that neighborhood, are not to be wound up in the usual way. It is necessary to have some *éclat* attend it. It is necessary to seize a boy, drag him before a magistrate, swear against him, hang him off to an ice-house, and

WAIL HIM UP,

tie his hands and feet, and let the sounds of his cries on the margin of the dancing-ground keep time with the music—that is the way to wind up a barbecue out there. These defendants deserve the thanks of an enlightened community, for they have shown that northern men place those defendants on a pedestal high above their fellow-men. The barbecue was wound up. They wound it up after their fashion. The cries of an agonizing beast, the despairing accents of a boy calling upon his distant mother, could not change them from their purpose to wind it up in the way they had arranged, when they agreed that they would "bring this thing to a close" that night in the morning. They wound it up; and they come here to receive the reward of their labors. "Well done, good and faithful servant!" The evidence discloses the fact that Tommy Solon found the money on the floor. Vance swears that his servant was thus vindicated in the repeated asseverations of his innocence? Did he rejoice in the innocence of the boy, and make haste to bring the glad tidings to his mother? Did he beat his imprisoned servant? This would have been the action of Graves had he been the noble-hearted man that it is vainly attempted to make him appear. Graves does not think of that then. No thought about Schofield. But he taps Tommy Solon on the shoulder, and asks "Are you my friend?" and, being satisfied with the cowardly reply, adds "Let us take a drink." Let us go back and go through this testimony, not in detached portions, but follow the chain as it is linked together. We see the boy arrested at dark, dragged before a magistrate in the unusual hour of quick investigation satisfies that functionary, and the boy is carried off to an improvised prison. It takes two stout men to guard him on the way. They have very plausible ones. Dangerous character! These men, who are "damned sorry" for this boy in distress, cannot cry for him. He is locked up in the ice-house, his hands tied and two guards placed over him. Rather extraordinary precaution, gentlemen, of the jury, for a boy who is not even guilty of stealing two dollars and a half. He was simply bound over by the "Squire, an undertaker to show cause why he one week should be put under law-defying as any of these defendants before you. If the cries, the dying cries of that boy did not ring in his ears until the day of his death, then I agree with the gentleman on the other side, who says there are some men in this world who have no souls.

THAT 'SQUIRE WAS IN THE PLOT.

They took him to the ice-house, locked him up there, and, as the Roman soldiers did at the tomb of the Savior, they put a seal on it that could not be broken, one that no man could enter. After this was done, we hear them whispering on the porch, "be damn cautious what you say, and we will let this thing run on till morning." No conspiracy there! Let us go further. The boy is pressed down with the dampness and darkness of the ice house. He cries loudly for liberty. The revelers are within hearing. McCaddin is moving in the mazes of the dance, and the tender-hearted master of the boy, the lovely Graves, who knew at that time that he was innocent, heard his cries and answer that cry. No, it is not his purpose to listen. He must let this thing go on till four o'clock, and then that cry shall be stilled forever in death—then the prisoner would be released. Yes, gentlemen, Graves designed to release him not only from the ice-house prison, but from his prison-house of clay—from all earthly cares; he designed to send the soul of that boy not only out of the ice-house, but out of the world. McCaddin said he would release him when the dancing was over, and as the hour approaches preparations for the release are made. McCaddin, it has been proved, came to the Vancers and said that the ground should be cleared, for

"I WANT TO BE LEFT ALONE WITH MY PRISONER."

Graves renewed the request. *Graves*, the immaculate, also wants McCaddin to be left alone with his prisoner. He carries the revolver in-doors. The victim had been obtained, but the opportunity was still wanting. The people must be removed. Where were they taken? To Graves' house—to the house of Graves, the leader in that part of the country. The hour was ripe, the hour was ripe for the hanging, and they were greedy for blood. Take this adjournment of the dancers to Graves' house in connection with the fact that Graves said he would bring it to a close at four o'clock, and to "be damned cautious"—and "I am sorry, but can't cry for him—and take these in connection with the fact that he knew the boy was innocent, in connection with the fact that Poston and McCaddin were operating toward the same end, and where is there any room left for even a suspicion of innocence? The

ROPE WAS GOT IN GRAVES' HOUSE.

The gentleman says that Satterwhite might have got it there, but there is no proof that he did—no more proof than that any of you did. A suspicion of that sort would fall with as much effect on any of us. They have no right to say that he *might* have done it; but it is a proof that Graves said Schofield ought to be hung. It is in proof that he said "I am damned sorry for Schofield, but I cannot cry for him." Is proof that he said he would let this thing run on till four o'clock in the morning. There is no proof that Satterwhite took part in removing the dancers. Put all these proofs together against Graves, and they form a circle of fire from which he cannot escape. Another circumstance not inconclusive of guilt: "Damn him, I will see him out in it," and then Wilson winked at him; he winked at him. Why does Wilson thus attempt to gag his master when he is giving utterance to what the gentlemen would consider the expression of an honest indignation against a petty thief? What does it mean? Why it means that that very house of Graves was the spot where the conspiracy was concocted and matured. Wilson knew it; Solon knew it. They were in it.

TAKE THESE CIRCUMSTANCES AND PUT THEM TOGETHER.

You see guilt. Taken separately, each is not much; it is a trivial circumstance. Together they are of much weight; together they are heavy as a mill stone. Taken separately, they are as wisps of straw; together, they are strong as bands of oak. I remember standing on the bank of the Cumberland, at Nashville, not long ago, contemplating the beautiful bridge swung across that river. I observed passengers going to and fro upon it. I saw large vehicles loaded with great burdens pass over it with perfect security. I asked the toll-keeper what was in those long cables that I saw stretched across, and from which the great structure hung so securely. He told me they were made up of myriads of little wires, any one of which he could easily snatch apart; but united they became of immense power, fit to bear up hundreds of tons. So it is with circumstantial evidence; it becomes strong by union. These little circumstances taken apart are nothing; put together they form a mountain to crush the defendants. It is so in all nature. Gunpowder is a tremendous power; its component parts are as weak as dirt. Nitre soothes the fevered brain, and lulls the sick man to sleep; charcoal is harmless and sulphur is innocent. Unite them and you have the most terrible element that has been brought under the control of man—an element that has brought death to thousands, and is now being used for destruction put together. These apparently innocent circumstances that surround these unhappy culprits are nothing in themselves, but united they raise up, as in water, an accusing spirit against them, that speaks so plainly that all may hear, that speaks so truthfully all must be convinced—a spirit that will not down, that no power of exorcism can quiet, that cries aloud for justice—for justice in the name of outraged humanity. It is a standard principle of law that if all the circumstances of a case were of slight importance, yet, aggregated, they might become conclusive. The general and rational rule is to take them together. In a long chain of circumstantial evidence no fact, when taken singly, can be of overwhelming importance; it is by uniting them that a long vista is opened through which the guilt of the defendants may be seen; they form a sort of convergent light which shows clearly how the deed was done, when, and by whom. Blarkey says that circumstantial evidence is like mathematical progression—every fact added increases the resultant in such a degree that the mind becomes astonished at its magnitude. We see, by the aggregation of circumstances, in this case, gentlemen of the jury, that these defendants are guilty, as you know. The circumstantial evidence tallies with the evidence of Hines. He says Graves was in the party. It is not that testimony out by all the witnesses? Do they not confirm Hines in every particular? But we have not developed our circumstantial case yet; we show you that these men were together at break of day; at a time when all men are wrapped in slumber; they come together with hats changed; said another fact! still another stone in the arch of proof; four men together at that hour of the morning! Does that circumstance raise no presumption of guilt? It is common for men to come together when they are going to do desperate deeds. The hat is the most prominent feature in a man's dress. It strikes the eye. Some are for going so far as to hold that the hat and the bonnet are the principal personal features of a man's dress. This shows the natural importance of the hat. This man comes there to Ware's so disguised, with the dying cries of the boy Schofield still ringing in his ears, and he must be seen of all men. I have marked her conduct during the progress of this trial; she has appealed to your most earnest sympathies; she has silently asked you, from her face from the grave, "Is it impossible for every crime to be covered up. Their cup was full. Justice has overtaken these men. He referred at length to the testimony of Satterwhite. He said: When that witness is touched by that by others, he is sustained. He is corroborated in his evidence in reference to his visit to the scene of the murder of Mathews and Ware. He is corroborated in the subsequent statements by Ware, by the Alexanders, and by Captain Patterson. Patterson swears that he saw Graves and the others coming out of Ware's grocery, and going to Graves'. Ware stands unimpeached; Alexander stands unimpeached; Patterson stands unimpeached. They all corroborate Satterwhite. Morally, he did not perjure himself at the coroner's jury. Is any oath more sacred than a man's life? Men there knew they would be signing their own death-warrants by telling the truth—about to fight to tell what they knew. Poston at the funeral said he ought to be hung, and Wilson was on the grave because some men dissented from that sentiment. Graves said he ought to be hung. He said "we will let this thing run on till morning," and yet at the indignation meeting they all sign resolutions and pledge themselves, their honor and their properties to hunt down the slayers of the boy, whom they said ought to be hung anyhow.

WAS NOT GRAVES ACTING A LIE?

Whenever Satterwhite's testimony comes in contact with that of outside witnesses he is corroborated. Facts are always consistent with themselves; they fit well when brought together. There are some little discrepancies in his testimony with that of others in regard to the color of the coat. The very fact that there are immaterial discrepancies in the testimony of two men who see things from a different standpoint is the strongest presumption of their truth. They say that you ought to divide the circumstantial testimony from that of the direct witnesses, but that Hines ought to be separated from Satterwhite. You must convict even if you throw out Hines. You must convict, even if you throw out Satterwhite. We have left nothing to chance; we have brought every fact before you that went to prove the guilt of the prisoners; we dared not leave anything undone; we felt that an outraged community would look to us to give you every proof. You must know that these are guilty, not by dim lamp but by light. The gentlemen on the opposite side attempt to throw the guilt on other parties, but they furnish no proof; they had all the whole county at their back; they were drumming up witnesses for weeks—why not furnish some evidence that would at least go toward raising a suspicion of guilt in those they accuse? They say Satterwhite is not unimpeachable testimony. There was a man so lofty as to be above question. The eloquent speaker then indulged in a fifteen minutes philippic against the "other side," remarkable for its pungency and power. As it is necessary to condense this speech, it is deemed better to leave that part out.

There was a short recess taken for dinner at this point. When the Court sat again, General Wright continued: Gentlemen of the jury, I was endeavoring to show you that this circumstantial evidence, when taken as a whole, was sufficient to convict these prisoners. That evidence, in addition to its own intrinsic value, corroborates Hines' in every particular. The counsel went on to say that it would be impossible for Hines to make up such a story. Substantially the same tale came from a dozen other witnesses, between whom and Hines there could be no collusion.

THE EVIDENCE IS TRUTH.

It is shown to be truth, just as the Holy Bible is shown to be true, because it would be utterly impossible for any man to make it up—utterly impossible for any human being to unite it, even to conceive it. So far from it being divisible into separate parts, it stands together one solid mass of evidence—one solid mass of truth. The real motive was their own safety. It is seen in the recording operations of Geary. He tells Hines, there were threats made. But when he comes to Carr, keen man of the world, anxious about his own interests, he knew that this was too vague and would not concern him. He tries other means with him, but he tells him that he made threats to burn every house around Cuba. This would be bringing the case home to Carr. These gentlemen tell us that there should be shown a motive. I deny that we are bound to show a motive. What motive had McCaddin? and yet they acknowledge that he was guilty. What motive had Geary? And yet they acknowledged that he was one of the guilty parties. Take the evidence of Geary against Graves; that alone is sufficient to convict. What motive had Geary to implicate an innocent man? It was not to shield himself. I feel that this is a test case, whether the law can be enforced. I feel that if men cannot be convicted under such testimony, that the laws are a dead letter. The attempt was a total failure. The witnesses cut each other's throats. There is not enough in it for the most squirming imagination to hang a reasonable doubt upon.

STILL YOU MUST CONVICT.

Even if you discredit Hines, you must convict. Even if you discredit Satterwhite, you must convict; even if you discredit every individual witness introduced by the State, still you must convict, because they collectively have woven a story which is of self-evident, self-sustaining truth that you cannot close your eyes to it. You cannot discredit it. The opposite side say that the guilty men ought to hang high. These are the guilty men. I know that the alleged conspirators. You may, if you choose, lay aside the evidence of the accomplices, and see if, from the other proof in the cause, the defendants have been sufficiently identified as the guilty parties who participated in taking the life of the deceased. But John Wilson will look at the proof in the cause, and from this reach your conclusion. If you find a conflict of testimony upon material points between the witnesses, it is your duty to reconcile the apparent conflict, if you can; if this can not be done, you will look at the respectability, intelligence, opportunities for observation, honesty, motives, influences, deportment and appearances of the witnesses. These are the usual criterions—and it may be the additional fact whether or not they were otherwise sustained—form your estimate of the credit to be given the different witnesses.

THE ALIBI SPECIALLY RELIED UPON.

As to one of the defendants, an alibi has been specially relied on. If it can be made beautiful and conclusive evidence of innocence, for it is but a recognition of that maxim in physics that "two bodies cannot occupy the same place at the same time," the testimony for the defense, in your judgment, has been unsuccessfully attempted, it is a circumstance of pregnant significance against the defendant. Whether, in this case, an alibi has been satisfactorily established, you are to determine from the character of the witnesses disposing as to this point, their relations to the defendants as affecting the probabilities of their statements, their capacity of observing, remembering, and the probabilities of their seeing, hearing, knowing, remembering, and correctly reporting the facts within their knowledge, rather than the mistaken inferences of the minds of others, or wilful perversions. That you may be enabled to reach a correct conclusion on this most important point, you may see if the testimony of witnesses is at variance or harmonious with the well-ascertained facts of the case. The proof tending to show an alibi must outweigh all the proof in the case tending to show the defendant as present at the commission of the offense, before it can become a conclusive defense.

PRO AND CON.

Circumstances relied upon as criminating, are to be weighed not as isolated facts, but in reference to each other, and the entire proof in the cause should be examined to ascertain their weight and significance estimated.

If parties are accused of crime, and it is proven that they have fabricated evidence, or attempted its fabrication, it is a circumstance against their guilt.

WHAT THE LAW REQUIRES.

The law requires that the guilt of the accused shall be shown in such a manner as to exclude any reasonable hypothesis of innocence. Not every possible, but, the reasonable doubt, is to be the hypothesis except that of guilt. That these defendants participated in the hanging of John W. Schofield should be shown to your minds beyond the existence of a reasonable doubt—not, however, a reasonable doubt—for there is nothing depending on moral evidence but what is susceptible of some possible doubt. The doubt must be something more than mere conjecture; a trifling, shadowy suspicion, a vague apprehension. It should be a real, substantial doubt; not arising outside of but springing from the proof in the cause. You should feel that upon a survey of the entire proof there is not something in your minds to shield the guilt of the defendants, to the exclusion of this reasonable doubt.

THE CASE GIVEN TO THE JURY.

In one word, upon a review of the whole proof, you ought to feel that the doubt then entertained, if in character and degree could be transferred to the important concern of life to your material interests, it would not govern you in your course of conduct, nor prevent you from acting in reference to those personal matters. A mere preponderance of evidence should not be the ground of conviction, nor a mere possibility of innocence an acquittal. If, in the sense explained, you have a reasonable doubt that the defendants hung John W. Schofield, they should be acquitted; if not, convicted. If one or both are found guilty you will so designate by name and the degree of the homicide. For murder in the first degree the penalty is death. If you think there are mitigating circumstances you will return that fact with your verdict.

Into your keeping is now intrusted the liberty and life of the defendants.

After the delivery of the charge the court adjourned to nine o'clock. On assembling at that hour, an intimation was given that a verdict was not likely to be arrived at, whereupon the court adjourned to nine o'clock on Monday morning.

THE MAN WITH THE IRON JAW at New Memphis Theater Monday night.

READ Walker Bros. price list.

ABOUT forty more sets of those ladies' rich underwear, at B. Lowenstein & Bros.

SPRING GOODS.

THE FIRST OF THE SEASON.

We will exhibit on Monday a line of handsome white Piques and printed Linen Lawns. MENKEN BROTHERS.

AMUSEMENTS.

MR. JACK, who last week held our stage as *Sir John Falstaff*, has gone to Louisville.

COWDLE'S EUROPEAN NOVELTIES will occupy the stage of Memphis this week, commencing to-morrow (Monday) evening. This company comprises the "Man with the Iron Jaw;" the "Female Samson;" a "Persian Prince;" a Spanish Juggler, and other attractions.

WE are prepared to manufacture to order the spring style silk hat, at our factory. FRANCISCO & WIGGIN.

THE MAN WITH THE IRON JAW at New Memphis Theater Monday night.

CHOICE GRAPE VINES.

We would call the attention of our readers to the fine collection (over forty varieties) of grape vines, one and two years old, with fine roots and wood, at No. 44 Monroe street, which are sold at low rates by the dozen, hundred or thousand. They were raised by Frederick Baum, now of Nauvoo, Illinois, formerly of Vicksburg, Mississippi. His son, Charles Baum, will remain in Memphis until March 10th, and, by addressing him by mail, or calling on him at No. 44 Monroe street, will give any information required of varieties, planting, their cultivation, prices, etc. Now is the best time to plant them. Plants carefully packed, and sent by mail or express to any part of the country. Send for circulars and price list. After March 10th, address Frederick Baum, Nauvoo, Ills. Orders sent through Messrs. Rogan, Seldon & Co., 320 Front street, or Messrs. J. A. Auer & Co., 177 Main street, Memphis, Tenn., will receive prompt attention.

THE AGRICULTURAL SOCIETY.

Inauguration of Hon. Jacob Thompson as President—His Address.

The Agricultural Society's Board of Directors met yesterday evening, at the hall of the Chamber of Commerce, and we are gratified to announce that Hon. Jacob Thompson accepted the Presidency of the Society in an address, replete with good sense and sound suggestions, which speak well for the future prosperity of the institution under his administration. In reading it, every one will be convinced that he has taken hold of the affairs of the Society at the proper time, and that he is the right man in the right place. But one man can do nothing, unless he is sustained by the whole community. In so desirable an object as the establishment of a permanent and prosperous Agricultural Society in our midst, we suppose there is no difference of opinion, and there is no interest which will not feel its benefit. If all interests will cordially unite, success is assured. The Directors will sustain the distinguished President in every effort to give a new impetus to this organization, and we trust the stock-holders and public generally will hold up his hands. The following is his address on taking the chair:

ADDRESS.

For the handsome manner in which you have called me to preside over your society, as well as for the position assigned, I thank you. But I very much fear you have mistaken your man. I have no experience, no familiarity with the operations of such institutions. If by industry, application and fidelity to the trust confided, I could cherish the hope of giving success to your society, I should not hesitate to undertake the task imposed. But in looking over the whole ground and in weighing all the duties required at my hands, I see how impossible it is for any one man, however zealous and energetic, to accomplish any good or give any reputation to your Association by and in himself. He must have the warm, cordial and unified co-operation and assistance of all its members. Without it, failure is inevitable; with it, by a long pull, a strong pull and a pull altogether, we can do much, we can effect far more than we expect. We certainly can make our Association a success, pay our debts, give value to our stock, and confer great benefits upon the community, especially to our city and section of the country. Does this spirit animate the minds of the members of this directory? Does it exist with the stock-holders of this society? Are we all willing to give a cordial hand to the work, and to declare that we know no such word as fail? If there be lukewarmness and indifference on the part of the directors in attending its meetings, in performing the several duties assigned them, in impressing upon others the necessity, importance and advantage of sustaining our association in the discharge of its duties to the country and the community in co-operating cheerfully in all our arrangements, we had better disband at once and divide our property; abandon the work and acknowledge the incapacity of our Society of people to accomplish the ends set before us. But, assume as I have been on all sides, that there is a determined purpose, both with the directors and the members of the Association, to come up to the work with a hearty good will, and to shirk no duty imposed, with an unfeigned distrust in my own fitness for the post, I accept it with grateful feelings, relying implicitly upon the generous, active and efficient aid, first of all the members of the Association, then of the press and the community.

Our position is most favorable for the holding of a successful Fair. Our grounds are spacious, and can be made beautiful and convenient. Our agricultural and horticultural products cannot be excelled, either in the quantity produced on a given amount of land, in the quality of the articles produced, or in the pictures and variety of our vegetables and flowers, and their profusion. It is a mistake to suppose our section of the country is only suited to the growth of cotton. All the world and great part of the world know this. It is a stock country also. Hogs, cattle, horses, mules, sheep, poultry of every description—in short, every grain or vegetable or animal useful to man—can be raised with ease and brought to the highest perfection in our midst, and our Agricultural and Horticultural Fair ought to show it. And it will show it if we can succeed in interesting the agriculturists of the country, arousing their pride, and proving to them that it is the interest of all to make the exhibition a success to convince every one who may wish to make a visit to our city that we

We have, too, mechanics among us, skilled and faithful, and all they need to secure the full patronage of the country is to show that their work equals the very best articles can be brought to our market. All they want is a field in which to