State Library

THE MEMPHIS DAILY APPEAL.

ESTABLISHED 1840. MEMPHIS, TENN., SATURDAY, MAY 6, 1876. VOL 36. NO 110

CLOSING RATES

Yesterday of cotton and gold: New York, cotton, 12 9-16c; *Memphis,* 11¼c. *New York, gold closed at* 112¼; *Memphis,* 111¼.

WEATHER PROBABILITIES.

WAR DEPT., OFFICE CH. SIG. OFFICER, WASHINGTON, May 6, 1 a.m.

For Tennessee and the Ohio valley, rising followed by falling barometer, variable winds shifting to warmer southeasterly, increasing cloudiness and succeeded by rain.

THE *North Alabamian* is out for General Hancock for President.

THE Democrats of Montgomery county, Arkansas, have instructed for Hon. W. R. Miller for governor.

GOVERNOR RICHARD COKE was elected United States senator by the legislature of Texas yesterday.

THE proceedings in congress yesterday, if we except the impeachment of Belknap in the senate, were devoid of general interest. The senate agreed to the house resolution, and will adjourn from the ninth to the fifteenth to attend the Centennial.

THE Federal soldiers united with the Confederates in the dedication of the Confederate monument at Bowling Green on Tuesday last, and the graves of the dead comrades of both were alike strewn with flowers. Another lesson for the "bloody-shirt" Mortons and Blaines of congress.

MRS. MERIWETHER'S lecture last night was a decided success. The audience was made up largely of representative people—a high compliment to the lecturess—and the frequent, yet discriminating applause, expressed plainly the most heartfelt sympathy with the spirit and purpose of the lecture as well as the subject matter.

THE people of Lonoke, at a public meeting held on Saturday last, resolved in regard to the Searcy, Pine Bluff and Monroe railroad, that "we claim a common interest with Pine Bluff and "Memphis in the building of the Searcy, Pine Bluff and Monroe railroad, "and with all good will and necessary "assistance to construct such route, will "lend a ready hand."

THE Democratic convention of Lee county, Arkansas, which met on the first, presented the following ticket: For governor, S. P. Hughes; for auditor, L. M. Parrott; for treasurer, T. J. Churchill; for land commissioner, J. N. Smithee; for secretary of state, Jacob Frolich; for attorney-general, Dan W. Jones. The convention also instructed for Major J. J. Horner for congress.

IT was a graceful act, says the New York *Tribune*, the resolution introduced by Mr. Lamar, advocated by Messrs. Blaine and Hoar, and passed unanimously by the house, rescinding the censure of the last session recorded against John Young Brown. In fact, the whole trouble arose from a hasty ebullition of temper on the part of Mr. Brown, and his unwillingness at the time to make the needful apology.

THE commencement exercises of the Southwestern Presbyterian university, of Clarksville, will begin on the twenty-eighth instant. On the twenty-ninth Judge J. W. Clapp, of this city, will deliver an address before the Washington Irving and Stewart literary societies, which will, we feel authorized in warranting the students, be worthy the university, and equal to the good name the judge has as a graceful and able public speaker.

THE Vicksburg *Tribune*, of Thursday, announces the presence in that city of General George C. M'Kee, who formerly represented that district in congress, and says that perhaps the general has congressional aspirations again, but that can hardly be so, for he says he is not a citizen of the Egyptian sixth. John R. Lynch will be a candidate for re-election, and as J. D. Cessor, of Jefferson county, proposes to be a candidate, some carpetbag Radical might possibly slip in between the darky aspirants.

THE Tennessee correspondent of the Cincinnati *Commercial*, who is writing up Bristow to order, claims that in this State "Bristow would get from seven thousand to ten thousand more white votes than Morton. The old Whigs and Union men, who are now principally in the Democratic party, would vote for Bristow in large numbers. Bristow can carry North Carolina, Florida and Alabama, and Morton cannot. Bristow can reduce the Democratic majority in this State from forty-eight thousand to thirty thousand. He has positive strength in the south beyond any man who has been named for the race." If the *Commercial's* readers can swallow this, they can swallow anything—even Bristow.

THE Knoxville *Tribune* in an editorial marked by a great breadth of ill-nature toward the Democracy of Shelby county, accompanied by a sneer at the APPEAL, says:

> Shelby county has [n]either more or less influence in controlling State affairs than any county in the State. She has generally been on the less side of the question. She has generally had no organization of Democratic opinion in the conventions of the State, and has never been able, since the war, so far as we recollect, to concentrate her vote according to the majority of her representatives.

We do not respond from any "mere table impulse," nor do we regard De Tocqueville, great a literary light and political philosopher as we confess him to be, but we beg to remind our cotemporary of the *Tribune* that when one of its proprietors was running for a State office he found both the support of the "great and good" APPEAL and the unterrified Democracy of Shelby county, a counting and telling factor in the race. But we will endeavor to profit by the advice of the *Tribune*, and extend our efforts after unity even beyond Shelby county and to the whole of West Tennessee, and if we can will prevent a continuance of the game of grab by which for so many years the Democrats of this end of the State have suffered those of the east and middle divisions to fill the offices and carry off the profits while they did most of the hard work of each succeeding canvass.

THE GRAND JURY.

Report to the Criminal Court—The Migratory, Idle and Vagabond Negroes who Recruit Our Prisons.

Drinking Saloons and Gambling Hells—The County Jail and Poorhouse—The Insane.

The Stationhouse—City Hospital—The Workhouse on President's Island—Revenue Officers—Etc.

The following report was delivered to the criminal court, Judge Adams presiding, yesterday. Its comment and recommendations are worthy the attention of all classes of our readers:

MEMPHIS, TENN., May 5, 1876.

To Hon. John D. Adams, Judge of the Criminal Court of Memphis:

The undersigned, composing the grand jury for the January term of your honorable court, being about to be relieved of the grave responsibilities which have rested upon them, deem it their duty to imitate their illustrious predecessors in reporting to you an account of our stewardship, before being discharged and retiring into the shades of private life. Those who have preceded us alone know how delicate is the trust that was confided to us, which we have labored to discharge without fear, favor or affection. We regret that the records will show that we have found a great many true bills. A very great number were for

MISDEMEANORS AND PETTY OFFENSES.

Under our present laws, all cases have to come before a grand jury for investigation, however trifling the case may be. Such cases have to be considered by us, and we could not conscientiously refuse to prefer indictments, although knowing well that the county and State would be taxed heavily in prosecuting them. Memphis, on account of her location on the "great inland sea," draws to herself all races and classes of people, intent on an honest livelihood or to live off the labor of others. She is on the great highway between the States east of the Mississippi and on the west of that great river, and, of a consequence, always has a large migratory population. She is the Mecca for the colored people, and if they have one peculiarity greater than any other, it is the love of law-suits; they are never more delighted than when engaged in prosecuting their fellow-men. Every day on entering your court-room we have observed a dark cloud hovering near—a cloud so dark as to send forth its sweet smells in the close atmosphere of your room.

THESE PEOPLE FILL OUR JAIL AND STATIONHOUSE.

We believe that nearly three-fourths of the persons whose cases we have adjudged, are colored. It should be the duty of every good citizen to do his best to lessen crime. Our people are groaning under the weight of taxes. But few know how much it costs to State and county to prosecute criminals. We believe a great expense can be saved by enacting a law giving mayors and recorders of cities and towns exclusive original jurisdiction in all misdemeanor cases under twenty-five dollars, made violations of town and city ordinances, with power and authority to commit offenders forthwith to a house of correction or workhouse, refusing to send their cases before an appellate court, unless good and efficient bonds for costs are given on the appeal from the decision. Such a law, we are informed, was passed during the last session of the legislature, and failed for want of time to receive the approval of the governor. We earnestly call on those who will represent us in the next legislature to aid and assist in the passage of such a law as will bring more speedy justice to the offender, and greatly relieve the tax-payer. When that is done, our criminal court-room will be relieved of many of the

"HANGERS ON,"

and many of the men and women can be spared for the productive industries whose presence is now always at "court." We have had to deal with "material spirits" and "spirits material ized," but the former has proven to be far more dangerous to the peace and quiet of our city. It is notorious that saloons throughout the city, with a few exceptions, keep open doors on Sundays, but we have to report that upon the closest investigation, we found very few persons who ever "smile," on that day. We have found many dens of infamy and vice in different parts of our city, a disgrace to our city and to humanity, and they should be broken up at whatever cost. They are frequented by the lowest characters, are the resorts for vile men and women, who congregate there and daily furnish victims for our jail, and justice would demand oftener for the gallows. We believe that

MEMPHIS HAS MORE THAN HER SHARE OF GAMBLING HELLS.

Men will gamble, they will seek ventures and hazards, and as other violators of the law, should be made to feel its severity. It seems almost impossible to control this growing evil that almost defies the law. We wish to call attention to two games, called "keno" and "policy," which are drawing into their vortex the youth and ignorant portion of our population, who are daily spending their small earnings, and often the money of their employers. We have heard of many colored people who are actually starving their families in patronizing the game of "policy." If we have not legislation enough to cure this evil, we respectfully pray for more and better. On many delicate subjects we have had to deal; we have tried to consider them on the broad principles of humanity, and, when possible, clothe them with the mantle of charity. The "social evil" is a problem that better and wiser men than we have tried to solve, lessen and restrain. No class of people are more persecuted than those poor, frail women, who are oftener more sinned against than sinning. "He that is without sin among you, let him first cast a stone at her." Would it not be best to make a virtue of the necessity, pass wholesome and proper laws for their government, confine them to streets less frequented, remove them from the heart of the city, and if they will continue to sin, let them pay tribute for the privilege. The "women of the town" should not be permitted to parade their shame on our thoroughfares, by night nor day, in sight of our wives and daughters. Taxation, both in county and city, has been the means of greatly depreciating the value of real estate. It has driven away a large amount of capital, sent elsewhere for investment. Would it not be well to apply this high taxation to tippling-shops, gambling-houses, and houses of ill-fame? If it succeeded in doing its work as well and as successfully in the three latter as in the two former cases, the three great evils that now infest and afflict our city would soon be well nigh exterminated.

COUNTY JAIL.

On the day we visited the jail, one hundred and eight prisoners were confined there, and more than three-fourths of them were colored. We gave it a thorough examination, and found it under fine discipline, owing to its good management by Sheriff Anderson, ably assisted by Jailer Jackson and Turnkey Dawson. Neatness and good order marked every department. The fare, beds and bedding is substantial and good, and we might say too good for men and women who have violated the laws of their country. Very many of them certainly live better than they ever did at their own homes. Jailer Jackson certainly deserves great praise for the management and appointments of the jail.

POORHOUSE.

This institution, on the Old Raleigh road, five miles from town, has been brought into prominence by our newspapers. The average citizen might have remained in blissful ignorance of this "Home," and the idle winds have alone borne forth the murmurs and complaints of its inmates, had it not been "fully written up" by our papers. We believe in the power and influence of the press, and hope it will "never spare the rod and spoil the child." It is all powerful in exposing rings and corruptions. Fraud and chicanery dread its influence. We hope it will continue to assert its independence in all our affairs of city, county and State. We found Superintendent Duncan and his assistants at their posts, and had every facility and courtesy shown us in our examination of the premises. The number of inmates on the day of our visit was one hundred and seventeen—men, women and children. This number varies daily. Those who enjoy the comforts of home know but little of the distress that one meets at every turn there. Nearly all the diseases are represented in the poor humanity gathered there. The deaf, dumb, lame, blind, scrofulous, idiot and maniac have here their victims. The poor woman in the throes of maternity often seeks there a lodging, to hide her shame and misfortune. Poverty and disease often does its work by the time the inmate is in the poorhouse, and he goes to enrich the county undertaker. We unhesitatingly commend the superintendency of Dr. Duncan, who, we believe, does all he can to alleviate the sufferings of the unfortunate ones who are compelled to go there. His duties are arduous and complicated, and he should be paid the highest salary the county can afford. His services are invaluable. We found a few chronic grumblers there, men who have grown morose and discontented, and the kindest attention failed to satisfy them. We spent some time in the kitchen examining the quality and quantity of food furnished, and found it ample and full enough, and the inmates have no just reasons to be dissatisfied with their quarters, bedding and food. Not having sent word of our intended visit, we were not favored with dinner, and consequently did not have the pleasure of enjoying one of those fine meals said to have been furnished to visitors in the "better days of the institution." We believe the commissioners should be indorsed and strengthened in all their efforts (when exercised in due bounds) to make the poorhouse a comfortable home for all those whom misfortune sends there. We see no good reason why the poorhouse may not in time, in a great measure, become self-supporting. They are now using the labor of all inmates able to do work, and will probably raise a large amount of vegetables this year. We recommend that the honorable county court make appropriations from time to time to manure the grounds, which have become exhausted by fifty years of cultivation. A small amount, say fifty dollars, should be expended each year for choice fruit trees, and we think the health of the inmates would be improved, and the finances of the institution be increased by the small outlay. They have a few cows there, much reduced on account of want and inattention. A few more should be bought and sent out, good common cows, none of the fancy kind, and good wholesome food should be provided for them, and not suffer them to eke out a miserable and starved existence in the woods.

THE INSANE.

Before closing this part of our report, we wish to refer to the insane, twenty-five of whom were confined there on the day of our visit. It is a shame for our State that quarters are not furnished for them in our regular insane asylum, where they can be treated and cared for by those who understand the peculiarities of their disease. Dr. Duncan does not arrogate, nor claim the experience to treat them, and he informs us that this class of patients are increasing with him.

STATIONHOUSE.

We found the stationhouse as neat and cleanly kept as any old dilapidated building could well be. If we live, we will suggest in the year 1900, when the city shall have recovered (if ever) from her depression and Nicolson pavement debt, that there should be erected, not only police and station headquarters, but many other public buildings now much needed.

CITY HOSPITAL.

We found this institution in excellent condition, in charge of Dr. Thornton and his able assistant, Dr. Ford. The rooms, beds and bedding, presented a neat and pleasant appearance, and everything seems to be done to relieve the sick. Much praise is due Dr. Thornton for the perfect system devised and carried out in the city hospital. We were directed to look into the sanitary condition of the city, but not being physicians and chemists, we have concluded to leave that duty to Health Officer Dr. John Erskine, "who seems to be doing his duty," and we believe in "letting well enough alone."

REVENUE OFFICERS.

We have paid our respects to all the revenue officials of our county, and find everything working harmoniously and smoothly. We regret that we have not had that time to bestow in the examination of the officers of the different courts, etc., in our county, as the interests involved demanded. To do justice to such an undertaking would require a month's steady work. We learn from the honorable chairman of the county court that all the officers are making promptly their monthly settlements with him. So systematized is the management of the able chairman, Tom Holman, Jr., that there is but little chance for Shelby county to be cursed again with defalcations. Shelby county never had more polite, able and intelligent officials than she now has, and the plan adopted requiring from them monthly settlements, is a purification long needed in official life. In examining the bonds we find some of them that need strengthening, and have referred the matter to the proper heads, which we hope will be attended to without delay. The debt of the county, April 26, 1876, was $499,923 10, which was an increase over the previous year of $8941 70. The honorable chairman thinks the debt will be greatly lessened during the present year, and all of the outstanding scrip will be redeemed and canceled in payment of taxes, so that the county hereafter can receive cash and pay cash for everything. To make doubly sure that the interests of the county are thoroughly protected, we would recommend that the honorable chairman of the county court, at the January and July terms of each year, recommend to the county court the names of three number one business men and accountants, who will serve at least thirty days in the examination of the accounts of all the officials in our county; that they be paid such salary as will justify them in leaving their business, and that they be nominated by the chairman and confirmed by the honorable county court, and make report to the chairman of the county court on completion of their labors each term.

PESTHOUSE.

We have not visited the pasthouse, but learn it is under good management. We are not acclimated in that particular locality, and therefore beg leave to report from hearsay.

THE WORKHOUSE ON PRESIDENT'S ISLAND.

A committee from our body visited the county workhouse on President's Island on the fourth of May, and made a very careful examination of the premises. The books show registered and serving out terms of service, 35 white, and 60 black, males; 4 white, 48 black, females; total, 117. All are comfortably clad in the ordinary prison garb, most of them able to do full work, and all eat three hearty meals per day. The fare is plain, substantial and abundant. An examination of the books and stores affords evidence that there is no lack of quantity or quality essential to the conditions of health and vigor. The discipline is strict and perfect as attainable with the ordinary prison material that is changing by expiration and additions. The grounds are well policed, the buildings admirably constructed to prevent escapes, and at the same time well ventilated. The sleeping apartments are furnished with wide bunks and clean, fresh bedding. Medicines are kept and dispensed to the sick when necessary. General Forrest gives his personal attention to all the details, and has perfected an organization that is a credit to the county and a public benefit. We would recommend that the city make the same arrangement with General Forrest that the county has, and turn over to him all their prisoners.

CONCLUSION.

In conclusion, we wish to tender to your honor our thanks for many courtesies shown us, and our heartfelt wishes that your administration as judge of the criminal court may be blessed by the diminution and suppression of crime in our midst, and to that end you will receive the prayers of all good people, regardless of creed or name. We are under many obligations to your worthy clerk, Dr. Perkins, and his polite assistants, for many favors; and to Attorney-General Wright and his assistant, Captain Gammon, for their kindness in unveiling the law to us. Deputy-Sheriff John Walker will be long remembered by us for his many kind attentions; may success attend him, and may his shadow never grow less.

R. S. JONES, Foreman;
JNO. R. LENOW,
G. R. REDFORD,
T. H. ESTES,
J. W. M'COWN,
S. A. MOORE,
T. FOLZ,
R. G. GWYNNE,
JOHN T. WILLINS,
J. C. WARD,
R. W. JOHNSTON,
C. R. RYAN.

NORTHERN METHODISTS.

Fifth Day's Session of the General Conference—Inter-Church Comity—The Result.

Kindly, Cordial, and Christian Sentiments Judge Lawrence's Political Speech Condemned.

BALTIMORE, May 5.—The Methodist Episcopal conference resumed its session this morning, Bishop Bowman presiding. Committees were announced on correspondence, the American Bible society, temperance, expenses of the general conference, pastoral address, religious co-operation, the propriety of revising the hymn book, and new charters for benevolent institutions.

The resolutions of yesterday relative to the transfer of the Indian service to the war department, were taken up.

The report of the fraternal delegation to the conference of the Methodist Episcopal church, south, at Louisville, May, 1874, was submitted. It detailed the events of their visit and their reception by that body, which was of a most kind and christian character.

The report concludes: There is reason to anticipate the presence among us, at an early day, of distinguished representatives of the Methodist Episcopal church south, who have been appointed to respond to our greetings. May great grace rest upon each of them. Especially would we commend to the tender protection of our Heavenly Father the venerable patriarch in Methodism, Rev. Lovick Pierce, D. D., who is chairman of their delegation. We hope for a speedy coming of the time when our intercourse with this sister church shall be utterly free from uncharitable strife; when love for Him who died for us, working mightily in all our hearts, shall prove solvent of all our misunderstandings; when, as the offspring of common Methodistic parentage, we shall bend all our energies in concordant efforts to conquer the world for Christ.

The report was accepted and the delegation received a vote of thanks, and a bill passed by the house relating to the subject was read.

Judge Lawrence, member of congress from Ohio and a delegate in the conference, sketched the history of the Indian service, and held that the present policy had put an end to the Indian wars and elevated the condition of the Indians. Now it was proposed by the dominant party in the house of representatives to abandon this policy of peace, civilization and christianity. The dominant party in the house cared little about either civilization or christianity. [Laughter.] Neither was material to its success. If this general conference, representing a million and a half of people, shall send a committee of five to the senate, its voice would be heard and respected, and the bill would not pass, for there was some regard for christianity and civilization at that end of the capitol. [Applause.] The President was not a Methodist himself, but his wife was, and she could appeal to him in behalf of the peace policy which he had inaugurated.

Judge Healy, of Iowa, and General Clinton B. Fisk, of the St. Louis conference, expressed regret that political issues or personal references should have been made, which was also the unmistakable sentiment of the conference.

The resolutions were referred to a special committee.

Bishop Harris announced as the special committee of five to whom Mr. Wilbur's resolutions relating to the transfer of the Indian service were referred, Judge Cooley of Iowa, Clinton B. Fisk of St. Louis, George W. Geddes of northern Ohio and Charles W. Rowland of Cincinnati.

The conference special committee on Centennial-Sabbath observance, reported as follows:

WHEREAS, The commissioners of the Centennial exposition have, by almost unanimous vote, determined to close both the buildings and grounds under their care on the christian Sabbath; and, whereas, the action we are satisfied is in entire harmony with the moral and christian sentiment of a large majority of the American people,

Resolved, That the hearty thanks of this body be tendered to the commissioners for their prompt and decisive action in this matter.

The report was unanimously adopted.

The reports of the agents of the book concern in the city of New York, of the Western Methodist book concern and of the book committee, were submitted.

Adjourned until to-morrow.

Beecher's Lecture.

NEW YORK, May 5.—The Brooklyn academy of music was crowded in every part last night by an enthusiastic audience, who gathered there to hear Rev. Henry Ward Beecher's lecture for the benefit of the proposed soldiers' home in this State. At the beginning and close of the lecture there was long and continued applause and waving of hats and handkerchiefs. Mr. Beecher subscribed five hundred dollars for the home.

Reduction of Freights by the Grand Trunk Line.

NEW YORK, May 5.—The Grand Trunk railroad propose reducing largely the rates on freights and passengers between Buffalo and Detroit, in a few days. The east-bound rates for freight are down to from fifteen to twenty cents to-day, compared with forty-five cents of ten days ago. Six hundred car-loads of freight, averaging twenty cents, arrived to-day over one road, and two hundred and sixty car-loads were dispatched westward.

The Miners.

CLEVELAND, May 5.—All apparently quiet at the different coal-mines at present. The strikers continue to hold out against the reduction and have gone home. The Mount Vernon troops are at Silver Creek, and the miners of that neighborhood will probably start Monday morning. The troops have been ordered to the mining districts to insure safety, but no outbreak is anticipated, although many rumors are afloat that serious trouble will ensue.

EXTRADITION.

The Proposed Abrogation of the Tenth Article of the Ashburton Treaty for Winslow's Benefit.

The Question Before the Cabinet, and in the English House of Commons—England's Attitude—Etc.

LONDON, May 5.—In the house of lords Lord Derby, in replying to a question of Earl Granville in regard to the Winslow case, said the government had sent a dispatch to the United States government, which could hardly have reached Washington yet, and until the result of the pending negotiations are known it would be inconvenient to put all the papers before the house of commons.

Sir Henry Drummond Wolff, conservative, announced that he would ask the under-secretary of the foreign department whether the United States government had given notice of the abrogation of the extradition clause of the Ashburton treaty.

New York Tribune.]

WASHINGTON, May 2.—At the cabinet meeting to-day it was decided that formal notice should be given to Great Britain of the abrogation of the tenth article of the Ashburton treaty, which relates to the extradition of criminals between the two countries. The decision was reached on account of the action of the British cabinet on Saturday in ordering the release of Winslow, which takes place to-morrow. The treaty provides that the tenth article may be abrogated at any time upon notice by either government. It is entirely within the power of the executive department of our own government to give this notice of abrogation without the assent of the senate. Secretary Fish formally notified the British government this evening the action of the cabinet.

THE ABROGATED ARTICLE.

The parts of the Ashburton treaty relating to the extradition are appended. The treaty was negotiated during the administration of President Tyler, Daniel Webster being secretary of state. It was signed at Washington, August 9, 1842:

Article 10.—It is agreed that the United States and Her Britanic Majesty shall, upon mutual requisitions by them, or their minister, officers, or authorities, respectively made, deliver up to justice all persons who, being charged with the crime of murder, or assault with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged papers, committed within the jurisdiction of either, shall seek an asylum, or shall be found within the territories of the other; provided, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial, if the crime or offense had there been committed; and the respective judges and other magistrates of the two governments, shall have power, jurisdiction, and authority, upon complaint made under oath, to issue a warrant for the apprehension of the fugitive or person so charged, that he may be brought before such judge or other magistrate respectively, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of such fugitive. The expense of such apprehension and delivery shall be borne and defrayed by the party who makes the requisition and receives the fugitive.

Article 11.— * * * The tenth article shall continue in force until one or the other of the parties shall signify its wish to terminate it, and no longer.

ENGLAND'S ATTITUDE DEFINED.

Pall Mall Gazette, April 20.]

The United States tribunals have, by a preponderance of authorities—though Chancellor Kent is among the minority—declared against the general obligation of extradition, and not long after the recognition of independence Jefferson emphatically repelled a claim unsupported by special stipulation. This doctrine was so firmly held that before the emancipation of the southern slaves, the extradition clause of the American constitution—more binding of course between the several States of the Union than any international compact—was often set aside. "Demands," Mr. Dana tells us, "were sometimes made on a free State for surrender on a charge of larceny of a colored man who had fled from slavery—the charge being perhaps of stealing a horse with which he had made his escape, and the free States have refused the surrender when satisfied that the real object was to reduce the man to slavery." Such being the attitude of the United States government and of American sentiment generally toward the claims of foreign nations, and even of confederated communities, we have the greater reason to be astonished at the tone taken by the state department at Washington in the negotiations respecting the surrender of Winslow, the Boston forger. It is believed by our government, and indeed it is not denied by the American government, that if Winslow's extradition be granted on the forgery charge he will be placed on his trial before the American courts on another charge, not being one of those included in the treaty of 1842, which regulates the reciprocal rights and duties of the United Kingdom and the United States in respect of the surrender of criminals. The reason, of course, is obvious. It may be easy enough to establish such a *prima facie* case before an English magistrate as would secure an order for extradition, but it may be a very different thing to secure a conviction before a tribunal in the States, though a minor indictment may be comparatively clear of difficulties. * * * Instead, however, of entering into negotiations for the amendment of existing treaties in this direction, the government of this country was satisfied with the passing of the extradition act of 1870, in which was inserted a provision that "a fugitive criminal shall not be surrendered to a foreign State unless provision is made by the law of that State, or by arrangement, that the fugitive criminal shall not, until he has been restored or had an opportunity of returning to her majesty's dominions, any offense committed prior to his surrender other than the extradition crime proved by the facts on which the surrender is grounded." In accordance with the law thus laid down, our government now declines to assent to the demand of the United States for Winslow's extradition, unless a promise be given that Winslow will not be put upon his trial on any other charge than that of forgery. And this promise Mr. Fish as firmly refuses to give. He takes his stand, he says, upon the treaty of 1842, and will not consent to take cognizance of the act of 1870, which is a mere municipal law of the United Kingdom. This is, no doubt, correct in a certain sense, and it ought to have been taken into consideration when we endeavored to alter the law, that we were creating an anomalous state of things by leaving the treaties unaltered. But the American government must remember that upon its own principles and in accordance with its own practice the right of extradition, even when established by treaty, is subject to limitations flowing from general policy. There are many well-known Fenians and Communists against whom a *prima facie* case of murder or attempted murder could be made out, yet their offenses come plainly within the political category, and as political criminals they would be regarded by the Washington government if England or France were to ask for their surrender. It is not easy, therefore, for the United States to hiss on the inexorable interpretation of the treaty of 1842; and whatever difficulty Mr. Fish may find in reconciling the competing pretensions of the American executive and the American judiciary, we trust his objections are merely intended to lead up to a negotiation for the amendment of the treaty, a work that ought to have been taken in hand long ago.

THE LAW'S DELAY.

Arrested, Tried, Convicted, and Sentenced to Three Years in the Penitentiary in Less than Five Hours.

The quickest time on record in the operations of the law was made in this city yesterday morning in the case of Charles H. Ames, a white man, charged with stealing the boxes of household goods belonging to Mrs. Bennett, the lady who was imposed upon by some one connected with a boardinghouse a night or two ago. Ames was arrested at 6:50 yesterday morning; tried before Acting-Recorder Fippin at 8:20 a.m., who bound him over to the criminal court in bonds of one thousand dollars; Tim Hope turned him over to the sheriff at 9 a.m., by whom the prisoner was presented before the grand jury at 10 a.m.; fifteen minutes later a true bill was found, and the case was called in the criminal court at 11:15, when Ames plead guilty to the charges, and Judge Adams pronounced sentence of three years in the penitentiary at 11:25. Thus in five minutes less than five hours after the arrest was made the prisoner was sentenced. All the circumstances connected with the case make it one of the most aggravated character. Ames is a white man, a bricklayer by trade, and had boarded about three months with Mrs. Bennett, near Red Fork, Arkansas. Contemplating a visit to her father in Golconda, Illinois, her husband placed Mrs. Bennett and her three little children in Ames's charge, who was to see them on their way as far as Memphis. Arriving here Ames carried them to the Greentree house, paid their fare for two meals and accommodations until the arrival of the Mary Houston, on which packet they were to embark for Golconda. Her baggage was left on the levee, and as soon as he had procured quarters for Mrs. Bennett and her children Ames returned to the levee, removed the plunder and appropriated it to his own use, so that when the Mary Houston arrived Mrs. Bennett could not take passage on her because her baggage had been stolen. The police were notified night before last, and the result was the plunder was all, or very nearly all, recovered, and Ames, the thief, was captured and dealt with as we have related above. As to the treatment Mrs. Bennett received at the boardinghouse, she related to an APPEAL reporter yesterday afternoon that two meals and room accommodations were paid for, but she got but one meal, and at night the clerk, or some one connected with the house, seemed anxious to get her and her little ones away from the house, and succeeded in doing so by stating that if she remained she would be left by the Mary Houston. She was placed in possession of her baggage yesterday, and passage up the river was secured for her and her family on board the Vint Shinkle yesterday afternoon. Officer Tim Hope provided transportation from the stationhouse to the river. It is a bad case all 'round, and the summary disposition of the case before the courts yesterday was a merited punishment.

Argument of Carpenter on Question of Jurisdiction—Response by Knott.

WASHINGTON, May 5.—After the morning hour the senate resumed consideration of the articles of impeachment, and Mr. Carpenter, for the respondent, began his argument on the question of jurisdiction. After reviewing the pleading in the case, he said he would endeavor to show, first, that articles of impeachment could not be entertained against any private citizen, in any case whatever; and second, that whenever articles of impeachment were exhibited they must set forth every fact essential to constitute the crime impeachable. He stated that he would confine himself, in his argument, to the legal questions, and would be as brief as possible and as dry as a stick.

Mr. Carpenter read from the debates of the constitutional convention, and argued that the men who framed the constitution never had the slightest idea that anybody but public officers could be impeached. The debates all showed that impeachment was intended as a check upon those in power.

At two o'clock the senate took a recess.

After recess, Mr. Carpenter resumed and finished his argument. He was followed by Mr. Knott, in behalf of the managers, who argued that the real question before the court was whether they exercised the functions devolved on them as the highest court known to our government by virtue of a constitutional power, or merely at the will and pleasure of the accused. There was not a solitary syllable in any of the provisions of the constitution which limited the power of the house of representatives to prefer, or of the senate to try, articles of impeachment to the time during which the party accused shall remain in office, or to any time whatever. The very moment an impeachable offense was committed, the guilty party became liable to impeachment, and there was not a word in any of the provisions of the constitution relieving him from that liability upon the termination of his office, whether by resignation or otherwise.

At this point Mr. Knott said he disliked extremely asking a favor at the hands of the senate, but he was suffering such physical pain that he must ask for an adjournment of the senate sitting as a court of impeachment. Adjourned until to-morrow.

SPORTING NEWS.

Fourth Day of the Nashville Races.

NASHVILLE, May 5.—The weather was cloudy, the attendance light, and the track in prime condition.

First Race.—Two mile heats; purse of four hundred dollars, did not fill, consequently there was nothing but a walk over by Weatherley.

Second Race.—Mile heats; purse of two hundred and fifty dollars, between Fairplay, Camargo, Vanderbilt, Newburn and Linsmare. Camargo took the first heat, and Fairplay the next two, Vanderbilt broke down the first mile, and went to the stable. After the second heat all went to the stable, under the rules, except Camargo and Fairplay. In the third heat a blanket would cover the pair throughout the mile. Fairplay won the heat by a head. Time: 1:45½, 1:45¾, 1:46. Before the first heat Linsmare sold in the pools at $300; Vanderbilt, $50; Newburn, $45; Fairplay, $40; Camargo, $30. Before the second heat Fairplay sold for $200; Camargo and Newburn, $100 each; Linsmare, $40. Before the last heat, $100 to $30 on Fairplay.

Third Race.—Dash of three-quarters of a mile, was won by Belle Isle, beating King William and Belle de Mona in the order named: Time, 1:19½. There were five starters. All sold about even in the pools.

Fourth Race.—Handicap; one and one-eighth mile, was won by Egypt, beating Damon, Oxmore, Asterlite and Saxon in the order named. Time, 2:30. In the pools Egypt and Oxmore brought $200 to $40 [illegible] field.

POLITICAL.

The Georgia Republican Convention.

ATLANTA, May 5.—The Republican State convention adjourned after one days session. The delegates-at-large to the Cincinnati convention are H. P. Farrow, James Atkins, H. M. Turner (colored), George Wallace (colored). The delegation is estimated to stand five for Morton, six for Bristow, three for Conkling, and eight for Blaine. There are thirteen white and nine colored delegates. The convention indorsed the administration of President Grant. It adjourned without nominating a governor or electoral ticket, but recommended a convention for that purpose, to assemble at Macon before the first of August.

South Carolina Democratic Convention.

COLUMBIA, May 5.—The Democratic State convention elected General John Britton, Hon. W. D. Porter, D. Wyatt Aiken, and General J. D. Kennedy as delegates at large to the national convention. The delegates are uninstructed, and have different preferences as to the candidates, but will vote in the convention for the candidate most likely to win.

AUSTRALIA.

News by the British Steamer Zealandia—The Steinberger Affair.

SAN FRANCISCO, May 5.—The Zealandia, the first of the British steamers to run on the mail line to Australia, arrived to-day, having among her passengers A. W. Coe, the former American commercial agent of Samoa and Steinberger Brothers. They state that after the dethronement of Malclota by the natives, on account of his deposing Steinberger as premier, Captain Stevens, commanding the British steamer Banaconta, landed with a force of marines, and went to the council-house, where the legislature was assembled, with the intention to enthrone Malclota. The chiefs ordered the native guard to take position in the vicinity of the council-house, and Captain Stevens ordered his marines to disarm the natives. The guard resisted; a fight ensued, and four marines were killed and eight mortally wounded; three natives were killed and five were slightly wounded. The natives were in sufficient force to have exterminated the marines had they wished, but were restrained by the chief, who told Stevens that he had no desire to fight, but would defend his rights. Captain Stevens took the wounded on board the Banaconta, landed with the artillery, threw up breastworks and kept guard behind them fourteen days, but no further demonstrations were made by the natives. They then returned to Banaconta, taking three chiefs as hostages. In the meantime the British steamer Sapphire arrived and the chiefs were transferred to her, and the Banaconta sailed for Fiji islands, taking Steinberger, his brother and Coe, who were carried away simply for their loyalty to their native government. The prisoners were landed at Fiji. The Banaconta was ordered to Auckland presumably for the purpose of having the acts of her captain investigated. Steinberger went also, and confronted him, and demanded satisfaction for the outrage perpetrated on him. At the time of leaving Samoa the Tuscarora would be due in ten days. Foster, the American consul, acted throughout the trouble in harmony with the British. Coe and Steinberger also reiterate the statement that the main trouble arises from the machination of English missionaries, whose profits were impaired by the regulations introduced by Steinberger; also by the opposition, Beach, Cambers, Sydney, Ducks & Co., who disliked his interference with their liquor selling, and other pursuits.

Considerable agitation is going on in Sidney over the subject of admitting the bible into the public schools. Meetings for the purpose of securing that result are being held.

The earthquake felt on the twentieth of March, in several parts of South Australia, was very severe. Some buildings were considerably damaged in New Zealand, and severe earthquake shocks were felt throughout New Zealand on the eleventh of April. No damage of consequence reported.

Education is the main topic of the lenten pastorals of the Roman Catholic bishops. The clergy have set themselves dead against the prevailing systems of public education. These pastorals are filled with denunciations against secular education. The Wellington education board, undeterred by these anathemas, has just determined to abandon the mixed system of education, which has heretofore been adopted, in favor of pure secularism.

In Hawaii, some parts of the group have been favored with abundant rains this winter and spring. Other localities are complaining of dry times. At Kohala, Hawaii, plantations are seriously crippled by want of rains.

By the steamer Zealandia, from Australia, the latest accounts state that the rain has fallen in various parts of the country, and that the drouth seems to have broken up, but in other localities dry weather still prevails. The drouth on Castlereagh is said to be worse than that of 1868.

WASHINGTON.

Naval Appropriations.

WASHINGTON, May 5.—The naval appropriation bill has been increased by full committee $270,000 making a total sum of about $12,800,000, and more than $5,000,000 less than last year. The bill provides for stopping enlistments until the number of seamen is reduced from eight thousand five hundred to seven thousand five hundred in the navy, and in the marine corps to one thousand five hundred men and seventy officers. It practically closes work at the Kittery, New London, Charlestown, Washington and Pensacola yards, and calls upon the secretary of the navy to submit some plan for disposing of these yards.

Custer and the President.

The statement that the President relieved General Custer from his command because he was a witness in the Belknap impeachment trial is officially denied. It is the contrary. It was the wish of the President that General Custer, who having been subpœnaed as a witness, should remain until he had testified, and that in the meantime the Indian expedition should be placed under the command of some other officer. Neither the secretary of war nor General Sherman protested against relieving Custer.

The Mary Merritt Bristow Affair.

The committee on expenditures in the treasury department, this morning closed the investigation of the charges against Secretary Bristow in connection with the release of the bark Mary Merritt by examination of Leland and Trice, of counsel for the owners of the vessel. They corroborated other witnesses testimony, that General Bristow's connection with the case was a mere matter of friendship; that he never received any fee or compensation of any kind, and that his entire record throughout the affair was in no manner impeachable.

Schenck Emma Mine.

General Schenck was before the foreign affairs committee to-day and characterized as an unmitig