

MURDER OF HOLLISTER.

We are called to the performance of a painful duty in noticing the death of the lamented GEORGE W. HOLLISTER, late of this place. He has fallen by the hands of violence, and is no more. He was a young man of the highest respectability, a graduate of Yale College, and about twenty-five years of age. Mr. H. studied law at Ottawa, Ill., and gave promise of distinction in his profession.

At the time of his death, he was in company with four men engaged in the service of the "Bellevue Association," making a survey of that portion of their town site lying contiguous to Dr. Butterfield's claim, on the Pappillon, about one half mile distant, in a north-east direction from his house. Mr. Hollister with his company were seated on the ground, waiting for one of the company to return from the creek with some water. While waiting, they saw two men approaching them from the direction of the house, they were walking on a ridge, some considerably elevated above themselves. Before approaching near enough to be distinctly recognized, they disappeared behind the ridge, and remained out of sight for several minutes, when they re-appeared and approached sufficiently near to be recognized, it was found that one was Dr. B. with a club or stick in his hand, accompanied by CHARLES A. HENRY, armed with a double barrel shot gun.

Dr. Butterfield on approaching the place where the surveyors were resting, complained of their trespassing upon his claim, and ordered them to discontinue their operations. An unpleasant conversation ensued, resulting in angry looks and words—whippings were threatened, and finally commenced with a blow from Dr. B. upon Mr. Hollister—whereupon he picked up an axe, and approached Dr. B., who retreated from the threatened blow. At this stage of the matter, Henry was heard to cock his gun, and almost instantaneously with a warning to Mr. Hollister to "take care," discharged its contents at Mr. Hollister. The charge entered the abdomen just above the hip, from which his bowels immediately protruded. After a brief exclamation uttered after the shot, Mr. H. sank down and died within twenty-one minutes. At this critical juncture, the chief surveyor, Mr. Gustave Seegar, had the presence of mind and nerve, to seize the criminal, and take him to Chief Justice Ferguson, for safe keeping. The Judge ordered the prisoner into an out building, providing a suitable guard, within, and sentinels without.

The examination took place the day succeeding the murder, April fourth, before His Honor, Chief Justice Ferguson. The witnesses were of the most respectable character, and detailed the transaction with minuteness and great apparent conscientiousness.

The evidence was such as to lead to the commitment of the prisoner for trial at the June term of the Supreme Court.

HOW THE CASE LOOKS TO US.

After a critical examination of the evidence respecting the death of Mr. Hollister, it appears to be a murder for which not the slightest reason can be produced.

1st. Mr. Hollister and his party were in the employ of the "Bellevue Association," engaged in the execution of their orders, and had any reason for an attack existed, it should have been made upon the principals and not upon the agent. If they were doing the will of the principal party, it was responsible, and not them.

2d. Granting that the party were responsible, there was no cause for an attack upon them, even if they were actually trespassing on a claim that did not belong to them. They had no power to remove the land, to injure its properties, or to deprive the legal claimant of the right of pre-emption. In fact, no power to injure the claimant, whose assault led to the blood shed, with which we have been disgraced.

3d. The deceased was the assaulted party, and fell in defence of himself and his friends. Dr. Butterfield was the assailant, and the occasion if not the principal agent in the death of the unfortunate Hollister. His blood was spilled in consequence of that attack, and is chargeable to that source.

4th. Dr. Butterfield armed with a stake or stick, accompanied by C. A. Henry, also armed with a double barrelled shot gun, came about half a mile to where Hollister and his company were at work and made threats of violence, and struck Hollister with his stick, and in raising an axe in self-defence, fell by a shot made by Butterfield's accomplice, C. A. Henry.

5th. The friends of Mr. Hollister are entitled to the plea that they were unlawfully assaulted, struck with a club, and

finally shot down in self-defence by the hand of a ruffian, acting the part of a bully for Dr. Butterfield, who pretends that he was seeking to prevent hostilities between the contending parties.

6th. The assailants have nothing to plead in justification of the murder of which they are in view of the moral law guilty, only that they did not mean to do it. Notwithstanding it was actually, and ready done in consequence of their own voluntary deed.

7th. The quarrel was wholly uncalled for on the part of Dr. Butterfield. The fact (if it was one) that the surveyors were driving a few stakes in the ground claimed by him, furnished no justification for a resort to violence and murder.

8th. If the crime with which this Territory has been shocked, is suffered to go unpunished, what is the use of having laws for the punishment of crime?

If men are going to be permitted to assail those whom they take to be intruders upon their claims with clubs hereafter, who can tell how many are destined to flow with blood?

9th. This case being the first of the kind that has disgraced any part of this Territory, let it be the first one on which the curse of the law, and the condemnation of the people shall descend, and upon which, it shall rest in such a way as to prevent the repetition of similar scenes hereafter. Let the first victims on the black docket of crime in Nebraska pay the forfeit of their crime, and the victory over bullies and blood-thirsty ruffians will have been achieved.

The people at home and abroad, are looking on to see whether law is to prevail over violence and bloodshed, or whether the latter is to prevail over law. They are looking on to see whether the Governor and other officers of this Territory have the ability and courage to execute the laws, or whether they intend to allow violence and wrong to go unpunished.

CHARLES A. HENRY.

This individual charged with the crime of murder, was arrested and brought before Chief Justice Ferguson, for examination on the 4th inst. The charge being sustained, he was committed for trial before the Supreme Court of the Territory in June.

The prisoner being called on by the Judge to say whether he had any thing to present in palliation of the evidence against him, said that he was a native of the State of New York, where he spent his earlier days, since which time he has lived in Ohio, California and other places, and has been living for nearly three months past, at Bellevue, N. T. H. said he was a druggist and physician, by profession, and was 25 years old—did not intend to kill Hollister, said that he had met him in a friendly manner on several occasions, and that there was no enmity existing between them.

The prisoner was hand cuffed, and shackled before being brought into court. He appeared to take a deep interest in the trial, but manifested no great intensity of feeling, and made no lamentation over his crime. Henry is a man of fair complexion, of handsome figure and carriage, of about medium height and proportion—of large perceptive faculties, firmness and self esteem, but deficient in the region of conscientiousness and cautiousness.

THREATNING EXCITEMENT.

A portion of the numerous friends of the lamented Hollister were excited to such a pitch against the life of the assassin, that had invaded their social circle—that mob-law would doubtless have been brought into requisition, were it not for the presence of Chief Justice Ferguson, and other law loving citizens.

We have reason to be grateful that the day had come when the mob spirit could be frowned away, and the majesty of the law sustained—when there was sufficient influence on the side of law, to restrain angry and excited men from any farther improprieties than such as pertain to the use of the tongue, and are too frequently called forth on occasion of far less importance than this.

A resort to "lynch law" is to be deplored in all cases, and particularly so where the reign of civil law has been established. If you wish to secure the safety of property and life, honor the law, and see that its provisions for the protection of innocence, and the punishment of the guilty are carried into effect.

PROGRESS ABROAD.—According to the papers, coming from different points of this Territory and Kansas, improvements are going on rapidly at those points—Omaha and Nebraska City are represented as in a highly flourishing condition, and whose progress is greatly impeded by the want of building materials.

In Kansas—Kickapoo, Leavenworth, Atchison City, and other places, are going on in the march of improvement at a very rapid rate. Mechanics of every kind are busy at work, and every body is on the move.

We hope a similar state of things will spring up here soon.

ARREST OF DR. BUTTERFIELD.

Dr. Butterfield was arrested and brought before Chief Justice Ferguson, charged with having been accessory to the death of Geo. W. Hollister.

Col. B. P. Bankin, appeared as counsel for the prisoner. Attorney General Estabrook, in behalf of the Territory, moved a *nolle prosequere*, which being granted by the court, set the prisoner free. It was contended by the counsel for the prisoner, that he was a poor man, and that at the penalty of violated law would fall heavily upon him. We do not consider it a good argument, for letting a criminal run at large, that he is poor. Poverty is no excuse for crime. If men are to be allowed the liberty of approaching one another with clubs, and of depending on them instead of law, then let us abolish statutes and depend upon the club altogether.

THEY ARE COMING.—The steamer "Mary Cole," purchased by the Omaha Ferry Company, is expected to arrive here this week. She is freighted by the Nebraska Colonization Company, her load consists of sixty passengers and one hundred tons of freight, all for Fontenelle, in Dodge county; we predict Fontenelle will be the largest and best city in the interior of our Territory. The Territorial University located there by the Legislature, will be fully and effectually organized and in successful operation as soon as temporary buildings can be erected. Prof. F. G. Cummings, arrived here yesterday, enroute for Fontenelle; he enjoys an enviable reputation as a teacher of the first order.

Gov. Izard.—We had the honor and pleasure of a call from the Governor a few days since. He is one of the most agreeable men we have had the pleasure of becoming acquainted with. He appears to be the very embodiment of democracy.

He wishes us to say, that if there are any vacancies in any of the offices in any county, he would be obliged to the people to make the fact known, and mention some suitable person to fill them, and he would have their wishes complied with, by the appointment of the proper officers.

SETTLEMENTS OF THE PLATTE.—Settlements are being made on the different streams along the Platte, several have been made on the Elk Horn, upon which a good ferry has been established by Mr. Jonathan Shinn—also, about 25 miles above, on Shell creek, and still further up on the Loup Fork of the Platte.

ATTORNEY GENERAL ESTABROOK.—This gentleman was present and assisted in the prosecution of C. A. Henry, for the murder of Hollister. His appearance gives promise that his duties will be performed with honor to himself and with fidelity to the Government.

L. H. Stringfield, of Mills county, Iowa, informs us that he opened a farm of 160 acres, fencing it with sod—20 acres of which, he broke up and put in corn. The first crop more than paid the expense of fencing, breaking, planting and gathering the crop.

COTTAGES.—In Cincinnati, they are manufacturing portable cottages for Kansas and Nebraska in large numbers. They have generally two rooms. No nails are used, and they can be put up or taken down in a few hours. They can be shipped on steam boats at small expense, and are undoubtedly the cheapest houses the emigrants to those new prairie regions can provide themselves with. The scarcity of timber on the prairie makes it a object for a settler to carry with him not only his furniture, but his house. It is stated that a cottage of two rooms requires about 3 000 feet timber.—Saturday Evening Post.

The funeral services of the late GEORGE W. HOLLISTER took place on Sunday last, at 11 o'clock, at the Methodist Church in this city. Rev. G. G. Rice officiating. A very large and respectable audience listened attentively to the discourse, which was appropriate and well selected. A large number from Bellevue, Glenwood, and St. Mary, formed the procession that followed the deceased and mourning brother to this city. The deceased was about 25 years old, and recently graduated at Yale College, Ill. He was an intelligent, studious, quiet and inoffensive young man. His remains are to be transported to the family burying ground in the east, and soothed the sorrows of the afflicted relations.—Bugle.

We learn by a gentleman direct from the Platte Valley, that the Elk Horn and Loupe Fork Bridge and Ferry Company are progressing rapidly with their improvements. They are building a hotel at Pawnee, 40 by 20 feet, two stories high, with stables, and a strong carrell, for the accommodation of emigrants and travelers. Fifteen men are employed by the company at this place.

Some five or six gentlemen from New Jersey have made a settlement here; they are the agents of a large company, who will emigrate to Nebraska this season; judging by the character of the young men who selected the location, we say let 'em come all such are welcome to our beautiful Prairie Garden.—Bugle.

CORONER'S INQUEST.

APRIL 4.

J. C. Page, sworn. There were five in company; one half mile north-east of Dr. Butterfield's house. We saw two men coming. Mr. Henry was a-head of Dr. B.; Dr. Butterfield ordered Mr. Hollister off his claim, and struck him over the left shoulder, Mr. Hollister advanced towards Dr. B. with an axe; Mr. Henry warned him to take care, and shot him, Dr. Butterfield did not strike Mr. Hollister hard. Dr. Butterfield threatened to whip Mr. Hollister; Hollister told him he would not, and not to get on his high horse. The Dr. disappeared behind a hill when coming. Think Henry did not move back or forward when he shot; said it was an accident.

Cross examined. Mr. Hollister advanced towards Dr. B. with an axe, think Hollister was approaching Dr. B. when Henry shot him, did not advance over six steps.

Dr. Butterfield, sworn. Mr. Henry was at my house; proposed going home, I went out of the door and saw them, did not know who they were, said he would go and see. I said to Mr. Hollister, do you not recollect my telling you not to stick any more stakes on my claim. I struck him with a stick, or stake. Mr. Hollister was following me when I was retreating, I heard Henry speak, and then heard the shot. Mr. Hollister said, "O God, I am killed," and sat down. I sprang forward and helped him down. It was about 3 o'clock, when it happened. Henry came to my house about 2 o'clock he came from the Indian village, had not seen him for some days. Henry said he had shot a couple of ducks, which fell in the slough. He loaded his gun at my house with common duck shot, only loaded one barrel, think something was wrong with one of the tubes.

Cross examined. I went round the hill to go to a stake to see if they were on my claim, think they were about forty rods over my line. Mr. Hollister was approaching me with the axe, uplifted in his left hand, advanced about six paces. I do not think he stopped. Might have followed on, had not time to stop much. I was not looking at Henry, but at my opponent. I struck him while sitting, do not recollect of any words passing between us after I struck him; I repented before the blow was down, and tried to avert it, arrested it some; Henry started towards him, to assist him, as I supposed, said, "O God, you don't think I did it on purpose," said, "I give myself up," when Mr. Seegar said he would arrest him.—My house is about two miles from the Agency.

Cross examined by Bowen. Claim was said at one time to be owned by Gilmore. He (Gilmore) told me I was his tenant, not willingly, I said, he replied, you will never enjoy yourself on it, I will, if on any place. We both said we only wanted what was right. I am not a jumper, I made my claim first. We had no conversation about the party in my house, we talked about many things.—Henry has been at my house three or four times. Did not speak of Hollister. He went direct to the party. I went round the hill to a stake, to see if they were on my claim.

J. D. Gladder and Seegar, sworn. Gladder. It was between two and three o'clock, there were five persons in our company. Mr. Hollister said, there are two men, I said who, he said Dr. Butterfield, and perhaps, Mr. Henry. Saw Dr. B. with a club, one of our stakes, one had a gun in his hand, Dr. B. said, "why do you drive stakes on my claim?" I told you, I would pull them up!" he called him a mean.

I heard him use threatening words in February, on the same claim. Mr. Hollister got up, said something and sat down; Dr. Butterfield said, "marvel!" I suppose it means something in your language, "go," struck him. Mr. Henry stepped back three or four steps and shot, we were advancing towards Mr. Hollister to interfere, Mr. Hollister took an axe and went toward Dr. B., to defend himself. Henry dropped his gun when he shot, seemed astonished, said, "do you think I did it a purpose," turned pale. Think Henry was a little before Dr. Butterfield when they came. Henry did not speak, stopped about fifteen feet from us, seemed as if he did not care much about the talk between the Dr. and Mr. Hollister. Henry stood still, did not go towards Mr. Hollister. I did not speak to Henry. Mr. Seegar, who does not speak much English, assented to the above.

Mr. Breckenridge, sworn. I heard Henry speak of Mr. Hollister. He did not threaten to shoot him, but said in reference to him, he carried the thing for him here, patting his breast. The verdict was: G. W. Hollister came to his death on the afternoon, of the 3d of April, about 3 o'clock, from a gun shot wound inflicted by the hand of Mr. Henry.

A great sale of lots will take place at Nebraska City, April 23rd.

Correspondence of the Palladium.

New York, March 17th, 1855.

The news received by the Africa of the death of the Emperor, Nicholas of Russia, needs confirmation before it can be implicitly relied on. The Russian Minister at Washington having received no intimation of the event, pronounces it a hoax. It is, however, probable that he has no better means of judging than others. The memory of the hoax of the death of Emperor Nicholas "and the taking of Sebastopol," leads many to suppose that speculators may be at the bottom of this also. The short time elapsing between the report and its knowledge throughout England, favors the suspicion—supposing it to be true, we are yet to see reason to believe that it will secure the immediate cessation of hostilities.

Baker, the murderer of Peole, is still at large, although Justice Stuart assisted by a portion of the police, has made active exertions to secure him. Various rumors are daily received of his whereabouts. A steamer did not leave for the purpose of overtaking him on board the vessel bound for the Canary Islands, on account of the expense of the trip. It is generally believed that he left the Isabella Jewett, and is now in New Jersey. Several of the police have interested themselves in assisting his escape. Baker was formerly a police officer himself. Lithographs of Peole disgrace many a shop window, and a publisher announces a life of William Peole, soon to be ready, hoping to make a few dollars by the excitement.

A paper is in circulation endeavoring to obtain means to purchase the Crystal Palace, as a market. It will cost about \$200,000, one-third its original cost.

The banks grant all the discount required from customers. Business is good—hard times have passed, and the merchants expect a good spring and summer trade. Our hotels are filled with strangers from all sections of the country. It needs but a few days of pleasant weather to make our streets to look as gay and business like as during most prosperous seasons. The Shoe and Leather Dealers Bank have bought the splendid marble building near the Irving House, and will remove there shortly. This building was erected by the late Central Bank for their own use, but were obliged to wind up their affairs before it was finished.

The Kansas League is very active in its operations, and intend to send a large number to this Territory during the spring and summer. They render good service to those desiring to emigrate to the West. Good deal of swindling has been carried on in this city and Brooklyn, under the garb of charity. A gentlemanly-looking person calls at a house and asks for the lady, while waiting, selects a few cards and marks on them a sum which he says the parties have given to this object, and at the same time, solicits their patronage. He presumes they are acquainted with those parties who have subscribed and which at once takes, and they succeed. An individual, however, misad his figure in one instance in presenting the cards of two persons who were in a foreign town.

HOW HE BECAME A MILLIONAIRE.

Mr. McDonough, the millionaire of New Orleans, has engraved upon his tomb a series of maxims, which he had prescribed as the rules for his guidance through life, and to which his success in business is mainly attributable. They are sound and contain much practical wisdom.

"Rules for the Guidance of my Life, 1804.—Remember always that labor is one of the conditions of our existence. Time is gold; throw not one minute away, but place each one to account. Do unto all men as you would be done by. Never put off until to-morrow what you can do to-day. Never hid another do what you can do yourself. Never covet what is not your own. Never think any matter so trifling as not to deserve notice. Never give out that which does not first come in. Never spend but to produce. Let the greatest order regulate the transactions of your life. Study in your course of life to do the greatest amount of good.

"Deprive yourself of nothing necessary to your comfort, but live in an honorable simplicity and frugality. Labor, then to the last moment of your existence.—Pursue strictly the above rules, and the Divine blessing and riches of every kind will flow upon you to your heart's content; but, first of all, remember the chief and greatest study of your life should be to tend, by all means in our power, to the honor and glory of our Divine Creator. John McDonough, New Orleans; March 23, 1804. The conclusion to which I have arrived is, that, without temperance, there is no health; without virtue, no order; without religion, no happiness; and that the aim of our being is to live wisely, soberly and righteously."

A butcher of New York city has received an order to kill and salt down 6000 head of cattle for the use of the allied armies.

CREDIT SYSTEM.

We copy the following remarks from the New York Independent:

It is an old saying, that "where there is any great loss there is always some small gain." We have just passed through commercial difficulties, long protracted and unparalleled in the history of the country. Less failures have occurred, it is true, than in 1836—7, owing probably to more extensive banking facilities, but more real capital has been sunk the last eighteen months, probably, than during the previous twenty-five years. In railroads alone, at least one hundred million of dollars have been sacrificed.

Now we believe all our financial difficulties may be traced, directly, to the abuse of credit. We have borrowed money to do a legitimate business, and we have borrowed to speculate; we have borrowed to build fine houses, and we have borrowed to buy bonds; we have borrowed to buy stocks, and we have borrowed to buy lands. We have borrowed of Peter to pay Paul; and when we could not pay Peter we "got an extension."—This we went on with our Cobb House structure until "it all came tumbling down," like many a wiser juvenile performance of earlier days.

The gain to which we refer, notwithstanding our great losses, may be summed up in the following good lessons taught us—not soon, we hope to be forgotten:

1st. That any credit system not only ceases to be useful, becomes positively injurious, when greatly extended.

2d. That there can be no prosperity where there is a want of punctuality, and that any credit system which makes punctuality difficult should at once be abandoned or reformed.

3d. That no person should ask for, or be permitted credit, who cannot clearly demonstrate that under ordinary circumstances, he can promptly fulfill all his engagements.

4th. That no man is worthy of credit, whatever capital he may possess, who has not an unspotted moral character. If he is as rich as Croesus, and yet is a drunkard, a debauchee—a notoriously wicked man, he should be let alone—severely.

5th. That all persons who have the ability, with a little sacrifice, to meet their payments promptly, even in hard times, and yet who avail themselves of excesses such as the "high rate of exchange," difficult to make collections," "waiting for my produce to rise," etc., etc., are totally unworthy of credit. When a pinch comes the promisee of such men are not worth a rush.

6th. That those do not make the most money who do the most business, but those who most frequently realize the money on all their transactions.

7th. That real soundness and prosperity does not consist in having large assets, but having available assets.

8th. That capital diverted from a regular business, to invest in any "outside operation," is—"all moonshine," and is usually followed by anxiety, disappointment, and mortification.

9th. That real happiness does not consist in the abundance of our earthly possessions, but in honestly appropriating what we have to ourselves and others, for the highest and noblest purposes.

10th. That there cannot be real prosperity, without sound business principles, any more than there can be real goodness of heart, without actual moral principle.

We are very much mistaken if business men throughout the country have not well learned of these lessons during the past two years. If not, any providential teachings would be in vain, and we rise then in vain.

HOW TO GET TO SLEEP.—The editor of the Green Mountain Freeman says: "Let the wakeful person begin with one hundred counting backward, as 100, 99, 98, 97, &c. But should one hundred, fail let him try two, three, four, and five hundred, we will answer for the success of the experiment in the most hopeless case. The philosophy of this is plain enough to us: This process, which cannot be carried on by rote, as counting the usual way requires just enough of the constant exertion of the mind to break up the harassing chain of thought and attendant irritation of feeling, which causes the wakefulness, but not enough to indispose us to the sleep we are coveting."

MORE GOLD.—According to late news from California, new and extensive discoveries of gold have been made in the Kern River Valley, in the Southern part of the State, and Americans and Sonorians, in great numbers, are flocking there. Miners make from five to fifty dollars per day.

CALIFORNIA ITEMS.—The intelligence of Page and Bacon's failure had a most startling effect at San Francisco; and was followed by the suspension of Adams & Co; Wells, Fargo & Co; and Wright's Miners Deposit.

No Senator has been elected and the Convention adjourned sine die, by a vote of 60 to 41.