

In the meanwhile, the now thoroughly excited passengers had risen from the table, the female portion fleeing into the after-cabin, and the men gathering round the enraged assaulter.

"Ho's mad!" shouted one.

"Throw him overboard!" yelled another.

"Knock him down!" cried the third.

"Bind him hand and foot bawled out a fourth.

"Take care he don't kill some one!" echoed a fifth.

But the voice of the sixth speaker was drowned by the loud lungs of the Hoosier, who suddenly exclaimed, in a voice of thunder—

"Where's the captain?"

"Here I am," answered the person called for as he came to the spot.

"Well, I want that man and this man searched!" and he pointed to the two he had knocked down.

"What for?" asked the captain.

"What for? Why, for stealing. That blackguard on my right stole my purse containing five hundred dollars, all in eagles, which I have been a year in laying up to go to California; and that thief stole my new silk pocket handkerchief, gin to me by Polly before I left home."

By this time the fellow who had fallen under the plate had managed to get up.

"You're a liar, sir!" he shouted in a passion, at the same time thrusting his hand into his bosom.

"You're a thief, you son of a gun!" retorted the Hoosier in a rage. "Search him, captain, and if you don't find the piss on him, why chop me into sausages, and eat me for supper, that's all!"

"We must search you, sir," said the Captain to the man accused.

"I won't be searched!" answered the fellow, haughtily, "I am a gentleman."

"This remains to be seen," replied the skipper, calmly; "searched you shall be."

The man was accordingly searched, and though every pocket was looked into, no money, answering to the description of the Hoosier was found, and they were about giving it up.

"Look in his boots," exclaimed the loser of the purse. He's some kin to John Andre, and will be hung yet afore he dies."

The left boot was pulled off, and sure enough there was the money, exactly answering the description, confirming the guilt of the gentleman.

Upon the other fellow the handkerchief was also found, having the Hoosier's name legibly written upon it, and the rascals were with the permission of the Indian, landed upon the shore at once.

The Hoosier was also for pating H. ashore, declaring he had engaged him in conversation on purpose to call his attention, so that the rascals could rob him. But as the way was well known to many on board, he was let off, the Hoosier saying that it was some satisfaction to know that he had spoiled his best ruffled shirt with the contents of his plate. H. has never since attempted to poke fun at an Indian, and doubtless the two thieves will also be careful how they proceed in rousing a Hoosier.

Santa Fe Weekly Gazette.

'Independent in all things—Neutral in nothing.'

W. G. KEPHART, Editor.

SATURDAY, JULY 16, 1853.

THE NAVAJOS.

The probation extended to the Navajos to enable them to comply with the demand of Gov. Lane, for the delivery of the murderers of Ramon Martin, seems to have been used to little advantage; the Indians have not yet been heard from, nor is it known whether they intend to comply or not, but it is presumed they do not. Capt. Dodge, the newly appointed agent, is now in the Navajo country, and will in connection with Major H. L. Kendrick, in command at Fort Defiance, visit the principal men of the nation, and again urge an immediate delivery of the murderer. It is now understood that but one of the five Indians present when Martin was killed, was concerned in the murder; he is a man of acknowledged bad character among the Indians themselves, but his connection with some respectable and influential families, renders his delivery a matter of some difficulty. This difficulty must be greatly increased for the want of government among the Indians; the nation is composed of several distinct bands, who are, so far as government is concerned, entirely independent of each other, and it can only be by a united action of the heads of the different bands that any important measure can be effected. Gov. Lane has instructed the agent, Capt. Dodge, to propose to the Navajos a change of their government, so far as to create some one of their number a principal chief, or head of the various bands; unless this can be done it will always be difficult to enforce an ac-

countability for offenses committed by the bad men of the nation. In the present case we believe the settled conviction of both the civil and military departments, is that the demand of Gov. Lane should be complied with, even should it have to be enforced at the point of the bayonet.

We learn from a gentleman just in from Fort Union, that a Mr. Cooper reached there on the 9th inst., only twelve days out from Independence. On the 27th he passed the new Governor, Judges, and one of the Indian agents, for New Mexico, at the Council Grove; they were awaiting the arrival of Gen. Garland, with whom they expected to cross the plains.

The party are now some fifteen days out from the Grove, and may be expected in Santa Fe by the tenth of August.

We are not able to learn, that any of the new officers have their families with them, in our opinion it should be a *sine qua non*, in all appointments for the new Territories, the appointees should not only be men with families, but they should be required to remove them to the Territories in view of a permanent residence, no man should seek an appointment to office among a people with whom he is not willing to become identified in interest and citizenship.

We publish in another column a communication signed "Fiat Justitia," in answer to an editorial that appeared in our paper of the 9th inst., in reference to the unfortunate affair that took place at the Exchange on the night of the fourth, which terminated in the death of Mr. John Finnigan. We are as ready to endorse the high standing of the half score of gentlemen, to whom the author of "Fiat Justitia" showed his article, as the author himself can be; and we are as willing to admit, as any one of those gentlemen, that when Finnigan was shot there was no fighting on the part of the Americans. And we will also admit, that at the time of the murder, there were not a dozen Americans in the house," on the contrary, it has been stated to us by several gentlemen, and among them, the author of Fiat Justitia himself, that there were not more than half a dozen Americans in the house when the murder was committed.

Mr. Hunt the proprietor, has testified before the court that only himself and the murdered man were in the ball room when the fatal shot was fired. But it is equally true, that some ten or twelve minutes before the murder, when the difficulty took place, that resulted in the organized attack on the ball room, the house was full of Americans, who were in the full "quiet and peaceful enjoyment of the evening."

When the article was penned to which "Fiat Justitia" has thought proper to reply, we had not the most distant idea of giving offence to any body; the subject of the murder was, at the time, undergoing a legal investigation, and it would certainly have been highly improper to published anything calculated to bias the public mind for or against the persons charged with the murder.

No one can regret the loss of Finnigan more than we do, and certainly no one is more desirous to have the guilty punished, but as public journalists we should not volunteer our opinion by a highly coloured editorial.

In calling the occurrence a "fight between the Americans and Mexicans," we used the language that was in general use the morning after the murder, but it may be a question whether the Americans did do any thing that made the terms applicable to them, and we must be allowed to express the opinion, that if a little more of that, sometimes, very necessary ingredient, had been mixed with the affair, we would not now have to regret the loss of Finnigan.

As soon as the investigation is concluded we will publish a full statement of this affair with such parts of the testimony in reference to it, as will enable the public to form a correct opinion about it.

By the Mail from San Antonio which arrived on the evening of the 13th inst., we received dates from San Antonio to the 9th of June, and from Charleston to the 28th of May.

The papers contain very little new that would be interesting to our readers. The present condition of Mexico has given rise to much speculation among the news paper writers in the United States.

Genl. Santa Ana has adopted severe measures against all Mexicans known as Annexationists, and those persons who served with the American Army as Guerrillas, against the Mexican forces during the late war.

The Mexican officers who surrendered as prisoners of war on taking the city of Mexico by Genl. Scott, have all been degraded from their rank in the Army.

The plan of a National Bank has been proposed, and is being discussed with much warmth.

The State of Durango is suffering terribly from the ravages of the Indians. The new law of the press has killed off some eight or nine of the principal papers published in Mexico.

A revolution broke out in the city of Mexico on the 17th May, and after some three days firing, was ended by the regular troops from Jalapa.

By the news from El Paso, we learn that General Trias had returned to Chihuahua. Previous to his leaving the Mesilla, he delivered an address to the citizens, in which he stated that the Mesilla belonged to the United States, and strongly condemned those who had been the cause of getting up the opposition to Governor Lane's exercise of jurisdiction over it. This was an honest expression of opinion, and should be regarded as authority in the ultimate settlement of the question.

A LARGE RADDISH.

We acknowledge the receipt of a Radish grown in the garden of Sheriff Stephens, of this city, that is beyond question the largest and finest of the season. The soil of New Mexico seems to be peculiarly adapted to the growth of Radishes, beets, and turnips; they grow to a much larger size than we have seen them in any other country, and we think of better quality.

THE SILVER MINES.

Below we publish another letter of Mr. Ben. F. Read on the subject of the Silver Mines. Since the publication of the first letter, Mr. Read has obtained more reliable information as to the product of the ore, and although it does not entirely sustain his first statement, it may be altogether owing to the different qualities of the ore. One of the specimens of the ore sent up by Mr. Read with his former letter was submitted to a careful analysis by some gentlemen of Santa Fe, and the result fully sustained his statement.

By a letter received from Mr. Hugh Stephenson by the last mail, we learn that the ore he is working yields ten ounces of silver and eighteen grains of gold. Even this yield, when we consider the immense body of ore that is found, and the little cost at which it is extracted, proves the mine to be one of the most valuable that has been discovered on the continent.

LAS CRUCES, N. M.,
5th JULY, 1853.

DEAR SIR:—Yours of the 7th of June has been received. I regret very much the publication of my last letter, for the reason that it was my intention to obtain more correct information in regard to the Silver Mines of this county, and their product. My statements in that letter were based upon reports from, and conversation with persons not well acquainted with the business. I have since had a conversation with Mr. Alexander Carrasco, who is working a mine and smelting the ore at this place. He says that he can, with his present machinery, (which is of the most primitive kind,) extract 2 marks, or 16 dollars, from the mule-load of 300 lbs. of the ore; and that he can smelt five loads per diem. He also says that with the proper machinery he can obtain double that amount from the same quantity of ore.

I will state, from my own personal observation, that a man took 100lbs of the cinders and refuse, and got from it \$5 62½, making to the load of refuse of 300lbs \$16 87½. This fact goes to show that a fraction more than fifty per cent. of the silver is lost in the first smelting. Adding the two together will give the amount of \$22 87½ per load of 300lbs, and five loads per day will yield \$164 35 for the product of one day's labor.

I think the following is a very fair allowance of costs, &c., per day:

To 5 loads of ore (of 300lbs each)	delivered at furnace @ 2 00	\$10 00
" 2 loads of wood for smelting	same	2 00
" 4 men's wages @ 50c per day		2 00
" 1 smelter and refiner		1 50
		\$15 00

Product of 5 loads @ 32 87½	\$164 35
Deduct costs	15 50
Clear gain per day	\$148 85

As regards these mines, I would state, that to work them with success, it requires energy, capital, and the necessary machinery for crushing the ore, and giving a good blast to the furnaces.

Your friend, truly,

BEN. F. READ.

SANTA FE, JULY 9th, 1853.

Mr. Editor:—In your paper of to-day, I notice an editorial to which I beg leave to reply. The article to which I refer is headed "FOURTH OF JULY." In this article you state that "the day was however crossed by a ball at the Exchange, which broke up in a fight between the

Americans and Mexicans, in which Mr. John Finnigan was killed by a pistol-shot, &c., &c." This I wish to deny.

On that day the Proprietor of the Exchange had made arrangements for a ball and supper to which any respectable person could be admitted upon payment of the required sum. Many Americans and Mexicans had assembled there, for the purpose of innocent amusement, and had passed some hours in quiet and peaceful enjoyment of the evening, when a Mexican gentleman (?) (God save the mark!) who had made his way into the ball room by a back way undertook to interfere with the persons present, and to prevent the many respectable gentlemen there present from proceeding in a quiet and lawful proceeding, and from indulging themselves in peaceable enjoyment of the amusements for which they had paid for the privilege of partaking. This person (whom at present it is unnecessary to name,) having attempted to break up and disperse the peaceable assemblage, was, after milder measures had failed, very properly ejected by force from the house, with the full knowledge and consent of its owner.

The ball then proceeded in quiet and peace, until the person who had received so well-deserved a castigation returned at the head of a party of Mexicans with the avowed intention of putting a stop to the peaceable amusements of the Americans there present.

He was again ejected, and, with some or all of his comrades, started off to collect a party of the "Muchachos," (the B'hoys), as they said in the hearing and to the knowledge of many gentlemen whose names are above reproach, to break up the assemblage and to put down the "Gringos carajos."

So soon as this was known, most of the Americans present started off, some to escort the females out of the reach of danger, and others to procure military assistance. In the mean time an organized attack was made upon the Hotel by an armed mob, some of whom broke in the windows of the ball room by throwing stones and other missiles, while others entered the Bar room, armed with pistols, and commenced an indiscriminate fire upon all its occupants, others being engaged in firing (whether at random or not, I will not undertake to say) from the street into the ball room, through one of the outer windows. By a pistol shot fired through one of these windows Mr. John Finnigan, a man who by his industry, his honesty, and his patriotism, would weigh in the balance against any number of the cowardly scoundrels who murdered him, (and in this I include several persons who were not present, but who by their previous acts had endeavored to induce a feeling of mutual animosity between the two races), was killed.

I assert unqualifiedly, that at the time of this most gross and infamous murder, there were not more than a dozen Americans in the house, that those few Americans were attacked stealthily, and that your statement that there was "a fight between the Americans and Mexicans," is an entire misapprehension.

I have shown this article to more than a half-score of gentlemen, who are knowing to the facts above narrated, gentlemen who stand as high in this community as any, and higher than most, and all of them sustain me in the truth of what I have stated.

FIAT JUSTITIA.

A Review of the Mexican Boundary. (No. 4.)

The proposition now under consideration is this: Had New Mexico a Southern boundary legally defined? and if so where did it strike the Rio Grande?—Did it strike the Rio Grande forty miles north of El Paso, or eight miles north, or three miles north of that town?

It will be remembered that, after the connexion between Spain and Mexico had ceased, and the latter entered upon a system of self government, the first bond of Union among the different States and Provinces was the "Constituent Act of Mexican Federation," published as the Supreme Law or Constitution of the Government, on the 31st of January, 1824. Under this Act of Federation, the legislative power of the Federation resided in a Chamber of Deputies, and a Senate to be formed by the General Congress. See Art. X.

This Act of Federation conferred upon the "General Congress" the "exclusive right to enact laws and decrees" upon certain subjects and one of those subjects over which the Congress had exclusive jurisdiction and legislative power, was the adjustment of the limits of the States.

The XIII. Art. 5th paragraph reads as follows: "The General Congress shall have the exclusive right to enact laws and decrees to preserve the federal union of the States, definitely to adjust their limits, and terminate their differences."

At the time we are now speaking of, the Provinces of Chihuahua, Durango and New Mexico were united together, and called the "internal State of the North," but in the XIII. Art. above referred to, paragraph 7th, the exclusive right was given to the General Congress, "to admit new States and territories into the federal union, by incorporating

them with the nation." Under the ample and exclusive power thus given, on the 6th of July, 1824, the Province of Chihuahua was constituted a State of the Federation by the following decree:

"The sovereign General Constituent Congress of the United Mexican States has held it well to decree:

"Art. I. The Territory of Chihuahua shall be a State of the Federation.

"Art. IV. The Territory of New Mexico remains a Territory of the Federal Union.

"It shall be so.
"Mexico, July 6th, 1824."

The Mexican Congress having, as is above seen, the "exclusive right" to "adjust the limits" of the States, on the 27th of July, 1824, by the following decree, adjusted its limits:

"The sovereign General Constituent Congress of the United Mexican States has held it well to decree:

"The Territory of the Province of Chihuahua shall include all that is comprehended between right lines drawn from east to west, from the town or point called Paso del Norte on the one side, with the jurisdiction it has always possessed, and the hacienda of the Rio Florido on the side of Durango, with its respective appurtenances.

"It shall be so.
"Mexico, July 27th, 1824."

A short time after the Province of Chihuahua had been Constituted a State, and a decree fixing its limits passed, to wit, on the 4th of October, 1824, the Federal Constitution of the United Mexican States was adopted, and the State of Chihuahua, constituted as above, came into the Federation, with such limits as had been given to her by the decree of 27th of July, 1824. Now the State of Chihuahua adopted its Constitution in 1825, and since that time has made two attempts to change its limits and readjust its boundary. The first attempt was made in 1836 by General Condé, in his official report, "which embraced a statistical account of the State." There was a map of the State accompanying this report, and Mr. Bartlett, in his letter of 2d May, 1852, addressed to the Providence Journal, and published in the National Intelligencer of 7th May, 1853, says: "This official map, as well as the report, claims for its northern limits a line crossing the Rio Grande about 32° 30', and thence extending north to 32° 57' 43" north latitude, embracing the Copper Mines and a territory nearly forty miles north of the line agreed upon by the Commissioners" &c.

By the decree of 27th July, 1824, the boundary of the State of Chihuahua on the north, is "a right line drawn from east to west," &c. Now Gen. Condé mapped and reported a boundary which was not "a right line drawn from east to west," &c., but started on the Rio Grande at 32° 30' and diverged north to 32° 57' 43", a distance of nearly forty miles from a right line from east to west. So the question rested until 1847, when Chihuahua amended her Constitution, and in the II. Article defined her boundary on the north to be "32° 57' 43", in accordance with the map and report of Gen. Condé.

Before any importance can be attached to this article of the Constitution of Chihuahua, and the map and report of Gen. Condé, it must be shown that Gen. Condé by his map and report, or the State of Chihuahua by amending her Constitution, could rightfully alter, change and enlarge her limits as defined by a decree of the Congress of the United Mexican States, under which she was admitted as a State.

Now when the States of the Federation organized their State governments under the Constitution of October 4th, 1824, they had obligations to perform as well as restrictions to observe. Article CLXI. says, "Each State is bound to organize its government agreeably to the Constitution and the Constitutive Act." Art. CLXII. says, "No State can enter upon any transaction with other States of the Union without the consent of Congress, or its subsequent approval, if it has reference to boundaries."

It thus seems clear from the Constitution of 1824, that the State of Chihuahua having been admitted into the Federation under boundaries mentioned in the act of July 27th, 1824, could not legitimately alter her boundaries without the "previous consent of Congress or its subsequent approval." Now if Mr. Bartlett will show that the Mexican Congress ever consented to, or approved of, this change, made by the State of Chihuahua in her boundary, he may then plume himself upon having started a position of some importance in this controversy; but until then, it must be regarded of no consequence to those who are seeking after the truth and right of the case.

The State of Chihuahua had no more power to enlarge her boundaries without the consent of the Mexican Congress than the State of Rhode Island has to enlarge hers without the consent of the Congress of the United States. If she could trample under foot and disregard the decrees of Congress and the Constitution, in regard to her own limits, she could do so in regard to the limits of the other States of the Federation, and thus swallow them all up.