Dallas Herald.

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DALLAS WEEKLY HERALD

PUBLISHED EVERY SATURDAY,

J. W. SWINDELLS & CO.

TERMS CASH.

Subscription, per annum $4 00
" six months 2 50
" three months 1 50

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R. D. COUGHANOUR,

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DALLAS, TEXAS.

Ja 11, 28, 1872-tfy1

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Will practice in all the courts of Dallas and the surrounding counties. mch1 1873-26y1

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JOHN J. GOOD, } DALLAS, TEXAS.
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Dallas, Texas, May 20th, 1872.—ov1 tf.

AULT & WELLBORN,

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OLIN WELLBORN. }

[dec 21, '72-1dly.r.

BURFORD & MORGAN,

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NAT. M. BURFORD } DALLAS, TEXAS.
RICHARD MORGAN. }

OFFICE—on Commerce Street, next door to the Keuton House—up Stairs. [aug. 3-1872.

S. SANKSDALE. J. G. EBLEN

SANKSDALE & EBLEN,

ATTORNEYS AT LAW,

DALLAS, ...TEXAS.

Dec. 24, 1872-13:tf

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ATTORNEYS & COUNSELORS AT LAW,

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Will practice in the District Courts of the counties comprising the Fourteenth Judicial District, and in the Supreme and Federal Courts of this State; and will attend to the collection of claims in all the adjoining counties. Special attention given to land litigation. Office south side Public Square.

December 21, 1872-1dy1

MISCELLANEOUS CARDS.

DR. J. S. SIZER,

DALLAS, TEXAS,

Recently of Jackson, Mississippi,

Will give strict attention to any business entrusted to him in Real Estate and Commercial matters.

REFERS, BY PERMISSION, TO

Hon. R. M. T. Hunter, Va.; Pritchard & Dickson, N. O.; Hon. Wm. L. Sharkey, Washington, D. C.; E. J. Hart & Co., N. O.; Hon. A. O. Bryan, Miss.; Fiske, Bruhen & Co., Bankers, N. O.; Payne, Emerson & Co., N. O.; W. H. Schieffelin & Co., N. Y.; T. H. & J. H. Allen & Co., N. O.; Shryock & Rowland, St. Louis, Mo.; Richardson & Hoy, N. O.; Wheelock, Finlay & Co., N. O.; Hall Upton & Co., N. O.; Rosenquest & Sons, Phila.; Warren Mitchell & Co., Louisville, Ky.; J. B. Bowman, Lexington, Ky.; J. S. McIlvaine, Harrisburg, Ky.; David Landreth & Son, Phila.

Business Correspondence promptly observed when your expenses are advanced.

Office, for the present, under Dallas Library.

TAKE NOTICE.

We also represent a first class Life Ins. Co., and will soon have the Agency for a No. 1 Fire Ins. Co. [may 3. J. S. SIZER.

DENTISTRY.

DR. J. W. COBB'S

Name will one more time be seen in the HERALD. He takes this method of informing his many friends of Dallas, Ellis, Tarrant, Collin and Kaufman counties that he can be found in his office over the store of Dr. J. W. Harwell, all day (Sundays and night, where he will be happy to operate for all who may favor him with a call.

After many years' practice of Dental Surgery exclusively, he feels confident that he can give satisfaction in all cases in his profession, and will be pleased to wait on the ladies at their residences, when they cannot come to his office. He will be prepared to insert Gold Plates, Gold Crowns, Bridges, Silver Plates, Gum Teeth, Vulcanite, &c., &c., on the latest improved principles, and warrant the same for a period of from one to five years, if the plates are properly cared for. He will also be prepared to extract teeth by the use of Nitrous Oxide Gas, when desired by persons who have strong fears of the pain attendant upon the operation of extracting teeth, without the use of this agent. He hopes by strict attention to business, and a desire to please, to merit a share of the patronage of the public. Charges moderate.

Dallas, Texas, April 26, 1873-26:1y

BONNIE, MURPHY & CO.,

WHOLESALE DEALERS

IN FINE

KENTUCKY WHISKIES,

49 MAIN STREET,

LOUISVILLE, KENTUCKY.

R. B. MURPHY, Ag't for Texas. [31dyr.

NORTH TEXAS LAND AGENCY.

JOHN HENRY BROWN & SON,

JOHN H. BROWN, } DALLAS, TEXAS.
PIERCE M. BROWN. }

General Agents for locating, buying and selling lands and town property in all parts of the State. Search of records in Dallas a week or more for the money, including the Courts in County. July 26-1872-1y

CRUTCHFIELD HOUSE,

DALLAS, - - TEXAS.

JOHNSON & McLURKEY, Props.

Having renovated and newly furnished this house throughout, we guarantee the best accommodations to the public. [jun 14-1872-1y

MRS. M. J. JOHNSON,

Respectfully informs the public that she has received her fall stock of

MILLINERY GOODS,

Consisting of

Ladies' & Misses' Hats and Bonnets,

Together with Trimmings of Every Kind.

She invites the attention of her friends and the public generally, to her stock in the Crutchfield House, at the Hotel in Dallas. [may 31

JOS. P. ALTE. C. H. JENKINS. W. S. ALTE.

ALTE, JENKINS & ALTE,

GENERAL LAND AGENCY, LOCATORS

AND ABSTRACT CLERKS.

DALLAS, - - - - TEXAS.

Will buy, sell, locate and rent lands in Dallas and adjoining counties; obtain patents, buy and sell land certificates, and locate certificates on the unappropriated lands in Northern and North-West Texas.

Lands for sale on credit in Dallas.

Ofc. Office—Adjoining the Dallas Library, in the North side of the Square. Feb 8, 1873-26:1y

F. A. SAYRE & CO.,

Wholesale and Retail

DRUGGISTS,

Opposite the Crutchfield House.

Nov 30-1872-1y DALLAS, TEXAS.

DR. J. L. JOHNSON,

Office in Dr. Hoyem's Drug Store,

NORTHEAST CORNER PUBLIC SQUARE,

Residence Dallas Hotel. Dallas

C. A. SALLAS. J. A. H. KELLER.

KELLER & PHARES,

Resident Dentists,

Office on Main st., south side of Commerce, over Keller & Hoyem's drug store.

Dallas, - - Texas.

Operations first class in every instance, and warranted for one year. [jan 24-1873-26:1y

N. A. SAYRE. A. A. SAYRE.

THE UNBOLTED DOOR.

An aged widow sat alone
Beside her fading hearth,
Her sole a cottage near the wood
The ringing laughter of mirth.

Six children once had sported there—but now the church-yard snow
Fell softly on the little graves that were not long ago.

She mourned them all with patient love,
But since her eyes had shed
Far bitterer tears than those which dowed
The faces of the dead.

The child which had been spared to her, the darling of her pride—
The woeful mother lived to wish that she had also died.

These little ones beneath the snow,
She well knew where they were,
Close gathered to the throne of God,
And that was better far.

But when she thought where Katie was, she saw the city's glare,
The painted mask of bitter joy, that Need gives sin to wear.

Without, the snow lay thick and white,
No step had fallen there;
Within, she sat beside her fire,
Much thought a silent prayer;

When suddenly behind her seat, unwonted noise she heard,
As though a hesitating hand the rustic latch had stirred.

She turned—and there the wanderer stood,
With snow flakes on her hair;
A faded woman, wild and worn,
The ghost of something fair.

And there upon the mother's breast the withered head
Knew rest at last.—"God pardon me! for I have sinned," she said.

The willow dropped upon her knees,
Before the falling fire,
And thanked the Lord, whose love at last
Had granted her desire.

The daughter knelted beside her, too—tears streaming from her eyes,
And prayed, "God, help me to be good to mother, ere she dies."

They did not talk about the sin
The shame, the bitter woe:
They sat beside those little graves,
And things of long ago;

And then the daughter raised her eyes, and asked in tender tone,
"Why did you keep your door unbarred, when you were all alone?"

"My child," the widow said, and smiled
A smile of love and pain,
"I kept it so, lest you should come,
And turn away again!
I've waited for you all the while—a mother's love is true;
Yet it is but the shadowy type of His who died for you!"

—[New York Observer.

TENDER AND TRUE.

The following very beautiful poem was sung by Mrs. Hunton at Deaffre's Opera House, Atlanta, Ga.:

He stole from its nest in my golden hair,
A knot of ribbon blue;
He placed on my heart a jewel rare,
And whispered with it, he held it there—
Tender and true—adieu! adieu!

The almond was leafing with blossoms white,
The roses blushed through the dew;
The violet smiled in the glowing light,
And Life was happy and Hope was bright.
Tender and true—adieu! adieu!

They brought my soldier home to me,
And my knot of ribbon blue;
But the cruel wound on the brow was hid
By the flag draped over the coffin lid.
Tender and true—adieu! adieu!

The almond flowers in the breezes shake,
The roses still bloom through the dew;
But the springing of Hope will never awake,
And the dim, lone heart will wait till it break.
Tender and true—adieu! adieu!

A Question With Only One Answer.

A young man from the provinces, who was sent to Paris to finish his education, had the misfortune of getting into bad company. He went so far onto wish to say, "there is no God; God was only a word." After staying several years in the Capitol the young man returned to his family. Once a day he was invited to a respectable house where there was a numerous company. While all were entertaining themselves with news, pleasures, and business, two girls, aged respectively twelve and thirteen, were seated in a bay-window reading together. The young man approached them, and asked:

"What beautiful romance are you reading so attentively, young ladies?"

"We are reading no romance, sir; we are reading the history of God's chosen people."

"You believe, then, that there is a God?"

Astonished at such a question, the girls looked at each other, the blood mounting to their cheeks.

"And, you, sir—do you not believe it?"

"Once I believed it, but after living in Paris, and studying philosophy, mathematics and politics, I am convinced that God is an empty word."

"I, sir, we never in Paris; I have never studied philosphy or mathematics, or all those beautiful things which you know; I only know my catechism; but since you are so learned, and say there is no God, you can easily tell me whence comes the egg."

"A funny question, really, but we will answer. The egg comes from the hen."

"And now, sir, whence comes the hen?"

"You know that as well as I do, sir; the hen comes from the egg."

"Which of them existed first, the egg or the hen?"

"I really do not know what you intend with this question and with your hen; but yet that which existed first was the hen."

"There is a hen then that did not come from an egg!"

"Beg your pardon, Miss, I did not take notice that the egg existed first."

"There is then, no egg, which did not come from a hen?"

"Oh! if you—beg pardon—that is—you see—"

"I see, sir, that you do not know whether the egg existed before the hen, or the hen before the egg."

"Well, then, I say the hen."

"Very well; there is, then, a hen which did not come from an egg. Tell me, now, who made this first hen, from which all other hens and eggs come?"

"With your hens and your eggs, it seems to me that you take me for a poultry dealer."

"By no means, sir; I only asked you to tell me whence the mother of all hens and eggs come."

"But for what object?"

"Well, since you do not know, you will permit me to tell you. He who created the first hen, or, if you would rather have it, the first egg, in the same way created the earth and sky; this Being we call God. You, who cannot explain the existence of a hen or an egg without God, still wish to maintain that you are able to explain the existence of this world without God."

The young philosopher was silent; he quietly took his hat, and, full of shame, departed.

The Great Bell of St. Paul's

Every American going to London visits St. Paul's Cathedral as a matter of course, and though each knows in advance of some of its grandeur, nearly all are astonished to find their preconceived notions totally at fault. The dome and the bells especially cause to rise all that one has imagined in advance. The dome alone swings over six million pounds, and the bell-towers are of corresponding size. There are four bells in all, three in the southern tower, and one in the northern tower. From the smallest of these to the greatest are sufficient power for this purpose to toll the great tenor, strong as they are, would hardly stand the strain. The clapper alone is as thick as a man's thigh, the diameter, and about twice the length of a great bell, which strikes its hours. It takes a thousand pounds of force to set it swinging, and a thousand pounds more to make it speak. Anticipations of this great bell have been current for years. For it is a bell having a history of its own. In the old days before the Reformation, a great bell, named Edward, in honor of Edward the Confessor, used to toll the hours from the clock-towers opposite Westminster Hall Gate. During the reign of William and Mary it became necessary to remove the bell, and, in passing under Temple Bar, it fell from the carriage on which it was being transported, and was broken. It was placed under a shed in the Cathedral yard, where it remained until 1716, when it was recast, with some additional metal, and hung in the clock-tower of St. Paul's, where the tourist visits it to-day. It is never used except to strike the hours, and to toll on the occasion of the death of members of the royal family, the Bishop of London, the Dean of St. Paul's, or the Lord Mayor of London.

OUR VIENNA LETTER—No. 7.

Special Correspondence of the Dallas Herald.

VIENNA, May 2, 1873.

Although balmy spring, "ethereal mildness," had held undisputed sway from early in March, yet winter had not forgotten the Welt Ausstellung, and designed to be at the opening. The last week in April was cold and continued so in spite of the hopes and prayers of hundreds of expectant hearts, and May 1st dawned gloomily. Fitts of snow and spits of rain alternated with the faintest glimmers of sunshine, and at last the king of day withdrew behind a veil of clouds, and left the illumination of the scene to earthly potentates and powers. A settled, chilly rain streamed down, but was not enough to dampen the ardor of the crowds who gathered about the entrances to catch a glimpse of royalty, or, failing in that, to at least have an opportunity of admiring the gorgeous livery of royal attendants.

At 9 A. M., the doors were opened, and soon the vast rotunda was filled with a throng of well dressed people. The regulation black coat and white neck tie prevailed, and many elegant ladies' toilets were displayed, but many forgetful of show were glad to wrap themselves in sober waterproofs and comfortable shawls. The officers in brilliant uniforms and the red caps of the Turks, the tail feathers of the Hungarians and the cocked hats and many colored sashes of various officials gave an element of gorgeousness to the assembly. At 11 o'clock the royal equipages appeared. An irreverent individual at our side said it reminded him of being in a circus, and he was anxiously waiting the entrance of the clown. As the carriages with their teams of six bays or six grays, with liveried outriders, drew up before the main entrance, this same individual continued his comments.

"Band wagon No. 1, twenty ponies; band wagon No. 2; tame lion riding on the outside—darn't bite." And now really appeared the lions of the day—the Emperor leading the Crown Princess of Prussia; he dressed in scarlet uniform, she in light lilac silk with point lace overdress.

The Empress and the Crown Prince of Prussia followed. He is a fine, well developed manly person, and like Emperor dressed in scarlet. The Empress, tall, commanding but of gracious presence, her beautiful face justifying her claims as the most lovely sovereign lady in Europe. Her dress of pale lilac with flounces of a deeper tint, and an over-dress of silk striped with broad bands of lilac velvet; hat a cloud of fleecy tulle and pink roses.

The Prince of Wales led the Archduchess Elizabeth; the Crown Prince of Denmark, Prince Arthur, of England, and a long train of nobles followed. A very interesting part of the cortege was the two lads about fourteen years old, the son of the Prussian Crown Prince and the son of the Austrian Emperor. The two heirs apparent, look very much alike, and walked together engaged in pleasant boyish conversation like any ordinary boys of the same age.

As they entered the rotunda, a combination of musical societies, supported by the Imperial orchestra, sang one strophe of the People's Hymn. After they had seated themselves, the Protector of the Ausstellung, Arcadiuke Carl Ludwig, addressed the Emperor.

THE ARCH DUKES ADDRESS.

YOUR MAJESTY! MOST GRACIOUS LORD!—In joyful mood I greet your Majesty in this room, dedicated to peaceful progress. The most gracious participation of Your Majesty gives to the work a closing which turns the eyes of the world upon Austria and secures to our Fatherland the acknowledgment of a prominent participation in the furtherance of the well-being of humanity through education and industry.

It does us become, us, whom the confidence of your Majesty has called to the wonderful of your most worthy enterprise, to be judges of its perfection. But it may be permitted us to refer to the elements from which the result has been produced, to the August initiative of your Majesty, to the self sacrificing co-operation of our own people and strangers, striving for the same end, to the chaste and powerful might of labor and culture.

These are the elements which lend their intrinsic value to this creation of your Majesty, and by which will be transmitted to posterity honor and remembrance of the same.

May it please your Majesty graciously to accept the Ausstellung's catalogue and the memorial of the history of the first exposition of the Ausstellung, and to declare the Vienna fair for the year 1873 now open.

As the Grand Duke closed he stepped upon the platform, and the Emperor shook him by the hand.

SPEECH OF THE EMPEROR.

With lively satisfaction I behold the completion of an undertaking whose importance and significance I, in the fullest measure, appreciate. My confidence in the patriotism and the capability of accomplishment of my people, and in the sympathy and support of nations friendly to us, has accompanied the development of this great work. My imperial good wishes and my thoughtful recognition are devoted to its completion.

I declare the world's fair for 1873 to be opened.

A fanfare and cries of "Hall!" Minister President, Prince Von Auersberg, made a speech of thanks.

YOUR MAJESTY, MOST GRACIOUS LORD: Permit your Majesty, that I, in the name of all the representatives of the work of peaceful growing to your Majesty, humbly express our thanks for the honor you have conferred upon us, by your presence at the opening of the world's fair. Your Majesty has shown us the strong power of the monarchy, which, relying on the loyal devotion of its people, knows how to overcome the misfortune, which seemed to have crushed it completely. Majesty has also exercised authority, justly, for the people of Austria today, upon the work which bears witness to the increasing might and to the growing consequence of our Fatherland, and of her active participation in the solution of the great problem of culture, and so entirely do we owe this work to the graciousness of your Majesty, that even the original thought of the same is that of your most gracious self. It is the embodiment of the wise saying that in the union of forces, the might and importance of the whole rests. In patriotic fidelity and affection, the people of Austria gather around their imperial lord, and I only give expression to their feelings when I lay the deepest felt and most reverential thanks upon the steps of your Majesty's throne.

Dr Felder, Burgomaster of Vienna, then gave expression to thanks in the name of the city of Vienna.

YOUR MAJESTY, MOST GRACIOUS LORD: Soon will it be twenty-five years that your Imperial Majesty upon the hereditary throne has wielded the scepter of your illustrious ancestors over the people of Austria. Thankfully record the annals that in the course of these years under the rule of your Majesty, Vienna, with a quickness never before anticipated, has become exalted into a metropolis.

It was through the enlightened decision of your Majesty that the city walls were removed, it was your Majesty's noble hearted care and munificence which called into being certain great works dedicat d to the prosperity of the commonality in all directions, witness of the active strife of the present and will remain for the coming century honorable monument of the peacefully blessed reign of your Majesty. In this festive hour your Majesty deigns to give the highest sanction to an undertaking, which has the noble purpose to display in these rooms what human intellect, what human strength, what knowledge and art in all countries and climates has power to create, which will be for the advancement of the common good and to foster and promote it through the co-operation of all, through the strife of invention and competition through the blessings of peaceful nations.

The exalted creation of your Majesty will immortalize the history of culture in Austria.

In all times faithfully and devotedly holding fast to dynasty and kingdom power, Vienna, to whom it is allotted to bid hospitable welcome to her precincts visitors from all divisions of the world, feels herself to-day prouder and more exalted than ever before under the gracious and truly imperial protection of your Majesty, and gratefully sounds now from all hearts, God bless, God protect, God keep your Majesty, our Emperor Francis Joseph; hail! hail! hail!

As the doctor finished speaking, the Prussian Crown Prince himself gave the signal for cheers, by raising his hat.

Thereupon sang the musical societies the following festive, song melody of the battle song of Handel's Judas Maccabeus; words by J. Weiler:

Ring, ye bells, ye banners, wave!
Joyful come, ye sages throng!
And the work that finished stands
Crown with consecrated song.

Ample halls are now prepared,
Round about the green trees bloom,
And an active, earnest world
Gathers proudly in this room.

What the mine conceives, creates,
Cultured art and industries,
Join in glorious harmony,
Striving for the highest prize.

Up, ye people, throng to view
The great intellectual strife
Which shall give you added power,
Which shall bring to you new life.

Labor is the source of strength—
Labor makes equality;
And a people's bond of peace
Austria celebrates to-day.

WELT AUSSTELLUNG.

Sensational Reporting.

A leading New York paper has a sensational reporter employed to attend at the hanging exhibitions. The New York correspondent of the St. Louis Republican tells how he performs his duties:

"Ah! he passes! Memories rise as he sees his childhood's home. His eyes are fixed. Great God! how white he is. He flings up his arms; to the careful observer what a depth of misery that gesture unfolds. He smiles—but what a smile—oh, the bitterness of that smile! And still the sun shines on—shines down into the busy streets—where happy men with tin pails—free men—men who have not murdered, who are not going to be hung in a few minutes, walk merrily to their toil. Does the sunlight sight take in the cloudless Heaven! and must this be! Alas! is there hope? Must the cruel rope succeed the warm cup of coffee as the next visitant of that well-shaped neck? Think of that neck; think of the little loving arms that encircled it—his babes think of the last fond embrace of the broken-hearted wife, and now—the rope. Oh Heaven! it is dreadful. Great God, is this to be the end?

And so he goes on ejaculating and exclaiming his way along two or three columns, when another fellow would tamely say,

"After a good breakfast they hung Snooks at ten this morning."

That true girl has to be sought for. She does not parade herself as some goods. She is not fashionable. Generally, she is not rich. But, oh! what a heart she has when you find her! so large, and pure and womanly. When you see it you wonder if those showy things outside are women. If you gain her love, your two thousands are millions. She'll not ask you for a carriage or a first-class horse. She'll wear simple dresses, and turn them when necessary, with no vulgar magnificence to frown upon her economy. She'll keep every thing neat in your parlor. She'll entertain true friends on a dollar, and assure you with the new thought how little happiness depends on money. She'll make you love home, if you don't you are a brute, and leave you to smoking, whisky saloons a poor, fashionable society that thinks it will pick and primp, tries to think itself happy.

Now do not, I pray you, say any more, I can't afford to marry. Go find the true woman and you win. Throw away that cigar, burn up that switch cane, quit drinking whisky, be sensible yourself and seek your wife in a sensible way.

As Indian tribe in Wisconsin has organized a brass band, and, as the savages are protected by the government, the white people have no redress. There is a great deal of hard feeling among the civilized toward the young cheviges who plays the cymbals. He performs with such energetic and vigor that a vigilance committee has been organized to overlay him and take him apart, in order to ascertain whether he is a real Indian or is merely riveted together and run with a steam engine. The manner in which he wakes the echoes round the courthouse while would make a deaf and dumb orphan nervous. When the band has rendered a musical or some piece, he remembers the good nature shown among his little family, and he takes the hat, and makes the rounds with the collection, he hands the whole lot of silver to some unlucky wretch who happens near to the hand, which goes off laughing to spend enough for a good dinner for himself and family. If an Indian they do not care a cent, but if only a mere civilized man, and he has the price, they take it away from him.

THE MODOCS.

Opinion of the Attorney General in their Case.

DEPARTMENT OF JUSTICE,
WASHINGTON, June 7, 1873.

To the President of the United States:

I have the honor to acknowledge the receipt from you of several papers relative to the Modoc Indians, now in custody of the United States army, with a request for my opinion as to the authority to try certain of the prisoners by a military tribunal. The main facts out of which the question arises are these:

In 1864, the United States made a treaty with these Indians, by the terms of which they were to go and remain upon a reservation in the State of Oregon. Late last fall the Indians, being away from their reservations, a military detachment was sent to procure their return, and finding them unwilling to go peacefully, the officer indicated his determination to use compulsion, in consequence of which a conflict ensued between the United States troops and the Indians. Soon after, several peaceable citizens and their families in the vicinity were murdered by Indians of this band. They then entrenched themselves in the Lava Beds in the neighborhood. Fighting ensued, and one or more severe battles followed, in which persons on both sides were wounded and killed, and the United States troops repulsed.

Pending hostilities, negotiations were opened for peace, and on the 18th day of April last, General Canby, Rev. Mr. Thomas and Mr. Meacham, at a point between the two opposing forces, and in pursuance of a mutual agreement to that end, met Captain Jack, the leader of the Indians, with some of his chiefs to discuss the terms of a treaty, and while so engaged, General Canby and Mr. Thomas were treacherously assassinated, and Mr. Meacham severely wounded by the Indians present upon that occasion. Battles followed, and Captain Jack and all, or most of his tribe have been captured, and are now held in the hands of the military authorities.

General Sherman, in a communication to the Secretary of War, dated the 8d inst., recommends that such of these Indians as have violated the military law be tried by a military tribunal. This recommendation is approved by the Secretary of War. Instructions were prepared in 1863 by Francis Lieber, L. L. D., revised by a board of officers, of which General E. A. Hitchcock was president, and were published for the government of the armies of the United States in the field. Section 13 of these instructions is as follows: Military jurisdiction is of two kinds: First, that which is conferred and defined by statute; second, that which is derived from the common law of war.

Military offenders under the statute law must be tried in the manner therein provided; but military offences which do not come within the statute must be tried and punished under the common laws of war. The character of the courts which exercise these jurisdictions depends upon the local laws of each particular country, and the first is exercised by courts martial, while cases which do not come within the rules and articles of war, or the jurisdiction conferred by statute on courts-martial, are tried by military commission.

All the authorities which I have been able to examine upon this subject harmonize with these instructions. According to the laws of war there is nothing more sacred than a flag of truce dispatched in good faith, and there can be no greater perfidy and treachery than the assassination of its bearers, after they have been acknowledged and received by those whom they are sent to meet. No statute of the United States makes this act a crime, and therefore it is not punishable under the rules and articles of war, and if punishable at all, must be through a power derived from the usages of war kindred to the act in question.

While the United States were at war with Mexico, several officers of the Mexican army were tried by military commission, composed of officers of the United States army, convicted and sentenced to be shot and executed for breaking their paroles. Numerous trials of a similar nature took place during the war of the rebellion, but there are no statutory provisions whatever upon the subject, and the whole power of the military authorities in such cases is derived from the usages of war.

On the 23d day of August, 1865, a military commission, duly appointed, assembled in the city of Washington for the trial of Henry Wirz, who pleaded, among other things that military commission had no jurisdiction over either his person or the other matter of the charges and specifications, being a tribunal unauthorized by either statute, military law, marshal law or well established usage. But the plea was overruled, and he was convicted upon certain charges, one of which was murder and violation of laws and customs of war, and after sentence he was hanged for his crimes. All the proceedings in this case derive their authority and validity from the common law of war.

Certain persons, it will be remembered, were tried and convicted in same way for the assassination of President Lincoln. Attorney General Speed, in discussing the subject, says: "It has been seen that when war comes, the laws and usages of war come also, and that during the war they are part of the laws of the land. Under the constitution, Congress may define and punish offences against these laws, but in default of Congress defining these laws and prescribing punishment for their infraction, and the mode of proceeding to ascertain whether an offence has been committed, and when punishment is to be inflicted, the army must be governed by the laws and usages of war as understood and practiced by the civilized nations of the world."

Again, if the prisoner be a regular, uniformed soldier of the opposite party to the war, he should be treated with all the courtesy and kindness consistent with his safe-keeping. If he has offended against the laws of war, he should have a trial and be punished as the laws of war require, though a prisoner of war, may be tried, condemned and executed by a military tribunal without a breach of the constitution. A bushwhacker, a jayhawker, a handit, a war rebel, an assassin, being public enemies, may be tried, condemned and executed as offenders against the laws of war.

The law of nations, which is the result of the experience and wisdom of ages, has decided that jayhawkers, bushwhackers, &c., as offenders against the laws of nature and of war, and as such, are liable to the military. Our constitution has made these laws a part of the law of the land.

According to the best military authorities referred to, an civil tribunal has jurisdiction in the case, disclosed by the papers before me.

I do not believe that a United States soldier is guilty of murder if he slays a public enemy in battle, which would be the case if the contrabat law were in force and applicable to so novel a case under such circumstances. All the laws and usages of civilized warfare may not be applicable to a band of Indians with the Indian tribes upon the western frontier, but the circumstances surrounding the assassination of General Canby are so novel, so unique, so far outside of the usual course of events, and so far beyond the ordinary experience of the world, that the ordinary rules of the laws and usages of civilized warfare and the laws of nations do not seem to be adequate to the case. It is fairly understood that the Indians of this band are the Indians of which the Indians in dispute were a tribe and a part.

Yours respectfully,

GEO. H. WILLIAMS,
Attorney General.

Massacre of Modoc Prisoners by Oregon Volunteers.

FAIRCHILD'S RANCH, June 9—2 A. M.—At 8 o'clock, yesterday forenoon, John Fairchild and his brother, Burgess, together with Bogus Charley and Schacknasty Jim, left here for Boyle's Camp on the Peninsula, with the Modocs captured in this neighborhood. There are other Indians lurking in this vicinity, and they will likely be captured in a few days.

SAN FRANCISCO, June 9.—Dispatches from Boyle's Camp, dated 8th inst., relate the particulars of a most atrocious massacre of Modoc prisoners, supposed to have been perpetrated by Oregon volunteers.

Saturday morning, James Fairchild and about a dozen other men, left Fairchild's ranche on Cottonwood Creek, with seventeen Modoc captives, including women and children, Shacknasty Jim, Bogus Charley and other Indians. They were in a wagon drawn by four mules. When crossing Lost River the party encountered a body of Oregon volunteers, commanded by Captain Hiser. The soldiers immediately gathered about the wagon and questioned Fairchild. He told them that the Indians were all Hot Creeks except Little John, and that there were no charges against them.

Fairchild undertook to push on to Boyle's Camp, when the volunteers retired to their camp near Crowley's. On the road Fairchild noticed two men ahead, riding to Rocky Point, as if to intercept him. When the team approached, two men came forward, and presented a needle gun at Fairchild's head saying, "get down, you old white headed ——." "By what authority" asked Fairchild. "By mine; I am going to kill these Indians and you, too," was the reply. The leader of the party caught hold of the mules and unhitched them, cutting the harness Fairchild, clinging to the lines, leaped to the ground. The poor wretches implored for mercy, and begged Fairchild to save them. The warriors were unarmed, and knew that resistance was useless. They were the coolest in the party, although fearing instant death. The women and children shrieked, groaned and wept piteously. Fairchild had nothing but a small pistol, and six inches from his ear was a needle gun. He says the tears came into his eyes and he mingled his entreaties with those of the Modocs, in the hope that the massacre might be averted.

He adds that it was a terrible scene—one that I never shall forget. I shudder when I think of what I saw and heard. The fearful voices of those women and children still ring in my ears; but the cowardly hands were not to be backed. A shot and little John lay dead in the wagon with a bullet in his brain. The mules dashed away with Fairchild, who became entangled in the lines. Five more shots were fired in rapid succession, by which Jethee Jack, Pony and Moses were killed, and Little John's squaw frightfully wounded in the shoulder.

Away sped on the road, in the direction of Boyle's Camp, a cloud of dust was perceived, indicating the approach of a team. The murderers espied the dust and shortly afterwards were riding rapidly away.

Sergeant Murphy, of battery G, Fourth Artillery, with ten men and the teamster, came up to the scene of the massacre. The Sergeant took charge of affairs and remained with his men on the ground. Fairchild, a teamster and a wounded squaw [illegible] o'clock this morning.

Dispatches from the front state that General Davis has sent for settlers to identify the murderers.

A Wild Man's Love.

A gentleman with whom we are acquainted, and employed some years ago in Secretary "The Wild Man of Afghanistan," in New Jersey, menagerie. Day after day, he gradually learned to love the fat woman, who sat upon the platform close to him. The keeper on the opposite side cherished a tender feeling for the young lady, and he became jealous of the Wild Man of Afghanistan. And when visitors would come, the keeper would produce a pole, with a nail in the end, and stick it through the bars of the cage, and jab him in the ribs. And he would ridicule the Wild Man's legs, and deliver a lecture upon the way he turned his toes in, and read chapters out of books of natural history to show that a being with a skull of such a shape must of necessity be an idiot.

Then he would poke the Wild Man of Afghanistan a few more times with the pole, and pass on to the next cage, with some remarks tending to prove that the monkeys therein and the Wild Man were of the same general type. And all the time the fat woman would sit there, and smile a disdainful smile as if she felt evel it all, and hated such legs, and despised toes that turned in. At last the Wild Man of Afghanistan had his revenge. One day when all hands were off duty, the keeper fell asleep on the sofa. Then the untamed party from the distant East threw a blanket over him, and went for the fat woman. He led her by the hand, and asked her to assist him to hold her of his anguish.

Then she suddenly sat down on the keeper. You could have passed the corpse under a closed door without scraping his coat bottoms. They merely slid him in a crack in the ground when they buried him, and the fat woman pined eight hundred pounds of herself away, and finally gave the remainder to the Wild Man of Afghanistan, who clasped as much of her as he could hold to his bosom, and organized a track menagerie upon a new basis.

Clever.

"Mother, mother! I feel a young rook pecking horribly from its first night. I'm so tenderness! I've seen such a sight."

"What sight, my son?" asked the old rook.

"Why! white creatures, screaming and running—actually throwing their necks, and holding their heads very as high. Do, mother, fetch they go!"

"Stay, my son, merely guess," calmly replied the parent bird, looking over the company. "Think a bit, child, whose company, where you may see a fine make, and have high, stiff collars to fit, and be head higher than the rest of the world, you may see him dance, dance, dance to a game of Hit Pussy."

The First Thousand Dollars.

The first $1000 that a young man honestly earns and saves over and above his expenses while earning it, will ordinarily stamp on his mind and character two of the most important conditions of success in after life—industry and economy. It is far better for him that he should earn the thousand dollars than that it should be given to him. If he earns it he knows what it is worth, since it represents to him a considerable amount of effort. If he saves it while earning a much larger sum, he acquires thereby the habit of economy.

Neither of these valuable lessons is taught by a pure gift. On the whole, it is no very serious disadvantage to begin life poor. Most persons who became rich in this country were once poor; and in their poverty they gained habits from stern necessity of their condition, which in the sequel resulted in riches. Those who were born with "silver spoons in their mouths," and spent their early years in idleness and prodigality, seldom amount to much as men in the practical business of life.

Help Yourself.

Fight your own battles. Hoe your own way. Ask no favors of any one, and you will succeed better than one who is always seeking some one's patronage. No one will ever help you as you help yourself, because no one will be so heartily interested in your affairs. The first step will not be such a long one perhaps; but carrying your up the mountain, you make each one lead to another, and stand firm in that while you chop still another out. Men who have made fortunes are not those who had five thousand dollars given them to start with, but started with a well earned dollar or two.

Men who have by their own exertions acquired fame, have not been thrust into popularity by puffs begged or paid for, or given in friendly spirit. They have outstretched their hands and touched the public heart. Man who win love do their own wooing, and I never knew a man to fail so signally as one who had induced his affectionate grandmamma to speak a good word for him. Whether you work for fame, for love, for money, or for anything else, work with your hands, heart and brain. Say "I will," and some day you will conquer. Never let any man have it to say, "I have dragged you up." Too many friends hurt a man more than none at all.

General John B. Gordon's Peril.

During the progress of the battle of the Wilderness, in 1864, General Sedgwick's corps was flanked by the Confederates, partly routed, and many of his men were captured, while a few slipped into the thickets and saved themselves by hiding. Among the latter were two privates of the One Hundred and Tenth Ohio, who remained concealed two days and nights. While they were lying near a bridle path, with no one, so far as they knew, within three miles of them, a Confederate General, then very active and of great distinction, rode quite near them. He was accompanied by a solitary orderly only.

The young Federals could not have captured the General and got him away, but it would have been an easy matter, not attended with much danger, to have shot him and the orderly and left them in the bushes; but the thought of such an act of assassination could not be entertained by a true soldier, and the General passed safely on. This man is now a United States Senator, and lately sat in the Vice President's chair, and by his intelligence and wise conservative policy promises to be a Senator of great usefulness to the country.—General J. B. Gordon, of Georgia.

And the name of one of the young Federals is now before the people of Cincinnati as a candidate for the office of City Solicitor—John W. Warrington, Esq.

Mr. Warrington and his comrade, after this adventure, managed ingeniously to get back to the remnant of their regiment, and he was among the first who crossed the breastworks at Petersburg, and there he received a severe wound which kept him in the hospital until after the war had ended.—[Cincinnati Commercial.

Good Advice.

Speak well of your neighbors, or not speak of them at all. A cross neighbor may be made a kind one by kind treatment. The true way to be happy is to make others happy. To do good is a luxury. If you are not wiser and better at the end of the day, that day is lost. Practice kindness, even if it be but little each day. Learn something each day, even if it be but to spell a word. Do not seem to be what you are not. Learn to control your temper and your words; say nothing behind one's back that you would not say to one's face.

A BEAUT