Staunton Spectator.

RICHARD MAUZY,
Editor and Proprietor.

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—STOCK OF—

SPRING GOODS

Ever Brought to Staunton,
CONSISTING OF

COLORED DRESS GOODS, VELVETS,

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CARPETS, MATTINGS, LACE CURTAINS, CORNICE POLES, OIL CLOTHS, LINOLEUMS,

☞ A full line of house furnishings. All of the above goods will be sold at fair prices.

We guarantee satisfaction.

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Jan 1—tf

MILLINERY.

MADAMES SHEPHERD & FAGAN, No. 7 N. New Street, STAUNTON, VA., keep constantly in stock a full line of the most

Fashionable Millinery.

They are regularly receiving new supplies of the latest importations.

Notions in Great Variety.

☞ Call on them for *Bargains* in the most stylish goods. Mrs. SHEPHERD & FAGAN,
no26-tf No. 7 N. New Street.

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LIVERY EQUIPMENT

Cannot be Surpassed in the State.

His horses are of the best quality—gentle and handsome—and his rolling stock of all kinds of the best patterns and most attractive appearance. Call at his Livery, on South Augusta street, when you want either a riding or driving turnout.

Waynesboro Branch.

I have established a branch office in Waynesboro, and supplied the stables with a full equipment of horses, buggies, carriages, phetons, &c., to accommodate the public.

ALEX. HARMAN.

SAVE 25 TO 50 PER CENT.

—BY USING—

Crushed Connellsville Coke

FOR DOMESTIC PURPOSES.

A GIVEN WEIGHT WILL BURN LONGER AND GIVE MORE HEAT THAN ANY OTHER FUEL.

For domestic purposes, it is

Cleaner and More Economical

than anthracite or bituminous coals, and from a sanitary standpoint is a more healthful fuel, and it is entirely

FREE FROM GASSES AND ODORS

That are so obnoxious in the use of coals. ☞ Can be used in the self-feeding stoves, ranges or grates.

We also sell the

New River Red Ash Coal

—AND—

ANTHRACITE COAL.

ALL SIZES

KINNEY & TERRY,
Sole Agents for Connellsville Coke.

OFFICE:—No. 21 Main Street. Phone 16—gxg. oct 2-tf.

SEE TO YOUR EYES

Waldo M. Allen,

CHEMIST AND OPTICIAN

No. 19 East Main Street,
Will test the sight FREE OF CHARGE to all person calling on him.

☞ Sight Correctly Tested With the Optomere. ☜

SOLE AGENT FOR

GEO. ELLICTT & CO.,

—AQUA CRYSTAL—

EYE-GLASSES AND SPECTACLES.

☞ Call and get book, treatise on the eye, free apr 30—1yr

PHOTO-ENGRAVING.

IT PAYS TO ILLUSTRATE YOUR BUSINESS.

Portraits, and cuts of colleges, hotels, factories, machinery, &c., made to order from photographs.

Prices Low—Send stamp for specimen sheets.

Metropolitan Press Agency,
New York City.

KNIGHT'S

Blood Cure.

A standard household remedy in successful use more than 40 years. A positive cure for Dyspepsia, Scrofula, Nervous Prostration, Constipation and all diseases of the Blood, Stomach and Liver.

Unequaled for Producing a Clear Complexion.

A botanical compound, put up in packages and sent by mail at *one-third the cost* of ordinary medicine. Large packages, sufficient for 3 quarts, $1.00; half-size packages, sufficient for 3 pints, 50c.; sample packages, 25c.

A reliable Agent wanted in this locality.

KNIGHT BOTANICAL CO., 252 Broadway, N.Y.

W. TALLEY, Buena Vista, Va. C. G. HARNSBERGER, Elkton, Va.

TALLEY & HARNSBERGER,

Real Estate Agents,

Elkton, Va.

Correspondence Solicited.
C. G. HARNSBERGER, Notary Public.

References.—Banks of Lexington and Buena Vista, Va.; Board of Directors of Buena Vista Company and Elkton Company.
oct 22—

FALL AND WINTER DRESS GOODS

—FOR—

GENTLEMEN AND YOUTHS.

I would most respectfully invite the attention of my customers and friends and the public generally to my new fine stock of FALL and WINTER DRESS GOODS, which will please all tastes. In

Variety and Quality of Goods

my present stock has never been excelled by any which I have ever heretofore had. Now is the time to get tasteful and useful suits in the latest styles.

SUITS or PIECE ARTICLES OF CLOTHING made up in the most approved styles, and warranted to give satisfaction. Goods also sold to be made elsewhere, if desired.

All I ask is a call, knowing that any taste can be pleased.

J. A. HUTCHESON,
ma 20— No. 121 W. Main Street.

STAUNTON

DYEING AND SCOURING

Establishment.

You will save money by bringing your dirty clothes to be cleaned or dyed and repaired by me. Charges moderate. Work first-class. ☞ Gentlemen's and Boys' Second-hand Clothing wanted. Highest cash price paid.

ISADORE COHEN.

Children Cry

FOR PITCHER'S

Castoria

Castoria promotes Digestion, and overcomes Flatulency, Constipation, Sour Stomach, Diarrhœa, and Feverishness. Thus the child is rendered healthy and its sleep natural. Castoria contains no Morphine or other narcotic property.

"Castoria is so well adapted to children that I recommend it as superior to any prescription known to me." H. A. ARCHER, M.D.,
82 Portland Ave., Brooklyn, N. Y.

"I use Castoria in my practice, and find it specially adapted to affections of children."
ALEX. ROBERTSON, M. D.,
1057 2d Ave., New York.

THE CENTAUR CO., 77 Murray St., N. Y.

A Success.

KING'S ROYAL GERMETUER

Is established as a remarkable success. Thousands of testimonials attest its virtues. Many of these are given by men and women of highest standing in the most honored walks of life. In the midst of a flourishing and rapidly increasing business the price is reduced from $1.50 to $1.00 per bottle. This is done in the interest of those whose circumstances in life deter them from paying the higher price. The rich who have tried it will buy at any price, but the managers feel that a medicine which possesses such wonderful powers should be placed within the reach of the poor. Many have said that "Germetuer" was the cheapest medicine on the market. When it is remembered that a bottle of concentrated Germetuer makes a gallon of medicine ready for use, it is certainly cheaper than ordinary medicines as to bulk; and when the powers of the medicine are taken into account the price is inconsiderable. The present price is the result of the unparalleled success of the remedy and the business.

Germetuer is the coming success that has already come. Ask your druggist for it, and if he cannot furnish you send direct to King's Royal Germetuer Company, 14 North Broad Street, Atlanta, Ga., and they will supply you charges prepaid, by mail or express.

Send stamp for book of particulars, containing certificates of wonderful cures, etc.

G. W. MARTIN AND ALS, vs. W. B. SMITH AND ALS.—In pursuance of decree of the Circuit Court for Augusta county, entered in this cause, December 2, 1890, I shall proceed, at my office in Staunton

ON WEDNESDAY, MARCH 25, 1891,

to ascertain and report a proper distribution of the fund in the cause (arising from the sale of land at North River Gap) and also the fee to be paid to White & Gordon for professional services.

feb 25 4ts JOS. A. WADDELL, Com.

HUGH F. LYLE & CO.

[Successors to Jacob A. Hanger.]

—Dealers in—

Engines, Saw Mills, Vibrator

THRESHERS, CLOVER HULLERS, HAY BALERS, BALE TIES,

—AND BELTING.—

Wagons, Plows & Implements

Generally. Farmers will find our house headquarters for Plows and Plow Repairs for all the leading plows in use. Call on us. Opposite Virginia Hotel. January 28 tf.

THE VESUVIUS PLOW WORKS,

Hugh F. Lyle & Co., Prop'rs.

—VESUVIUS, VA.—

Manufacturers of and Wholesale Dealers in

PLOWS,

And Plow Repairs of various kinds, patterns and sizes—including Hillside Plows, our Duplicate O. C. Plows and all repairs for the O. C. Plows, such as Points, Shares, Landsides, Mouldboards, Standards, Wheels, Bolts, Handles, Beams, Clevises, etc. Discounts to dealers. Write us for catalogues, prices and terms. January 28, tf

HEADQUARTERS

FOR

Cement for Masonry and Cisterns, Calcined Plaster, Barrel and Bulk Lime. Contractors and Builders, see us before buying.

Choice Clover, Timothy, Red Top and Orchard Grass Seeds. Old Hickory Wagons and Road Carts, Bissell Chilled Plows and Repairs, Eureka Spring Tooth Harrows.

T. C. Williams' and Dick Reynold's Tobaccos,

"May Apple," "Noseegay," "Mattaponi," "Big Foot," "Dixie," "8-oz Double Thick," "R. J. R." "Reynold's Level Best," and "Black Oak"—Alliances favorite.

Pure Linseed Oil, Spirits Turpentine, and Superior Mixed Paints—in large and small quantities, Coal Oil, Harness Oil, Lubricating Oil, &c. Tire and Strap Iron, Steel and Iron Nails, Horse Shoes and Horse-shoe Nails, Sash, Doors and Builders Hardware.

GROCERIES.

Raw and Refined Sugar, Rice, New Orleans and Porto Rico Molasses, Syrups, Salt, Green and Roasted Coffee, Canned Goods, Chocolate, &c.

CRYSTAL FLOUR

will make beautiful bread, beautiful cake, &c. Every barrel guaranteed to give entire satisfaction or no sale. If you do not use it, now try it. Many use it and will not have any other.

Come to see us or write us.

BAKER & BROWN.

feb 18 6m

SALE OF PROPERTY AT NEW HOPE

As the executor of Mrs. Mary Jane Firebaugh, I will offer for sale privately two pieces of property—a house and lot of two acres in New Hope, and ten acres of land one-fourth of a mile from New Hope—till the

23RD DAY OF MARCH,

(county court day) on which day they will be offered at public sale at the courthouse if not sold privately before that day.

The ten acres of land is of fair quality and in a good state of cultivation. The lot in the town contains a good dwelling, barn, garden and orchard.

CYRUS J. BARGER
Ex'or of Mary Jane Firebaugh, postoffice, address, Coiner's Store

"A BIG ENOUGH FAMILY."

"I think there was chil'ens enough
There was Kitty and Pomp and me:
A cat and a dog and a little boy
Are a big enough family.
We used to have lots of fun, you bet,
And now we have none as all;
There's something upstairs in mama's bed,
A little red thing in a shawl.

"If I slide down the bannisters,
Jes make a little noise
A woman comes out and pats my head,
And talks about 'good little boys.'
She wears a white apron and cap.
And 'pears to own the house,
I wonner 'f she thinks a fellow like me
'S got fur on his feet like a mouse?

"They're all the time talking about my nose,
It's broke on the bridge they say.
And they were certain sure there'd be
A accident there some day.
And when I look in the glass they laugh;
I's funny I suppose,
But nobody ever did that before
When anything hurted my nose.

"When papa comes in, he says, 'Hullo
You little rat—how's Sis?'
He means that wiggly thing upstairs
The cook calls 'Litt'e Miss"
That's got the puckers in her skin.
And squinties in her eyes,
And looks like a 'gyptian mummy,
Specially when she cries.

"Her nose is ten times broker 'n mine,
Don't look like a nose a bit.
It's got little holes, but not any bone,
And mama keeps pinching it.
Jack Wilder's got a brother now,
'At can walk and pitch a ball,
Why didn't they get a child like that
'Stead of that thing in a shawl?

"Anyhow I've got Pomp and Kit,
They know a lot for true,
They scoott when they see that woman come.
And that's zactly what I do.
She can't catch us, but when she says
That baby's the image o'me,
I wish that Pomp and Kit and I
Was all the family."

—*Eleanor Kirk.*

For the SPECTATOR.

LETTER FROM TEXAS.

AN INTERESTING ACCOUNT OF A CASE OF MURDER BY A WOMAN—A SERIES OF TRIALS—OTHERS TO COME.

SAN DIEGO, TEXAS, March 1891.—While I was in Augusta county last October, my friend, J. S. Beard, Esq., of Parnassus, Va., called my attention to a letter or appeal for help just published, signed by Mrs. Mary Inez McCabe, headed "Public Jail, Matamoras, Mexico," and dated Oct. 6th, 1890. I promised friend Beard to write more fully about this case as the facts occurred in my district, and I was acquainted with the parties and the facts; since then I have found out much I did not then know, and will send some to you in shape of an open letter, as the facts, which are all true, read like a romance.—The following is

MRS. M'CABE'S APPEAL.

"PUBLIC JAIL, MATAMORAS, Mexico, Oct. 6.—In some of the leading papers has appeared an appeal for financial assistance, with my signature thereto. Many letters have been addressed to me asking for a corroboration of the facts set forth therein. To all I have this to say: That the article above referred to is in every respect true. As stated in that appeal, I shot Max Stein, a rich merchant, on the night of Aug. 17 in Reynosa, Mexico.—This man Stein persecuted me with his attentions, and in his pretensions to be an officer, threatened to put me in jail if I did not submit to him. Then he waylaid me and attempted to violate my person. As a result of the struggle I lost a child by premature birth, and for three weeks lay at death's door.

When I recovered from this sickness Stein continued his persecutions, and on the night of Aug. 17, in Reynosa, Mexico, very near my own house, while my husband was sick in bed, he again criminally assaulted me, and to prevent my person from being violated I shot him dead. I am eighteen years old, a native Texan and the wife of Judge H. T. McCabe. My maiden name was Mary Inez Buckelew. For the killing of Stein I am now confined in the Carcel Public (public jail) of this city without bond. I am prostrated on my bed, and hold a certificate from Dr. Barrigan, a graduate of Mexico, that my sickness is due to being confined in a damp room.—The atmosphere is foul, there is no ventilation and I can have no exercise. I am penniless and destitute, not a dollar to employ counsel, unable even to buy necessary medicines while sick, and if it was not for the charity of a Mexican lady I would go hungry. I am in the same jail where are confined the worst criminals of Mexico. It is said I am the first woman ever confined in this terrible place. My distress is beyond description, and while waiting for my trial I appeal for help to every true American.

To corroborate my statement in reference to my condition, and that all at a distance may know that this is neither romance nor fiction, but a stern reality, I refer to the following well-known gentlemen: F. Martinez, Civil Judge; Manuel Ysasi, Clerk; Jose M. Cantu Guerra, Civil Judge; Dr. Gornez Mackelroy, Military Surgeon; Col. N. Hernandez; Lieut Col. Pina, Capt. Arteaga, of the Fifteenth Cavalry, all of Reynosa, Tamaulipas, Mexico; Dr. A. M. Canoso, Camargo; Arturo Martinez, Cacores; Drs. Barrigan and McManus, Col. Villareal, editor El Sol de Mayo, editor Amigo del Pueblo, all of Matamoras; Tamaulipas, Mexico, and Don Manuel Trevino, Mexican Consul at Brownsville, Tex. Communications may be sent direct to me. All other papers please copy.

Yours, in distress.
MRS. MARY INEZ MCCABE."

The woman who signs her name to the above appeal was born in Baudera county, Texas, on March 19th, 1872, and is nineteen years old this month. She is of Scotch-Irish parentage; her father's name was Frank Buckelew, and he was a ranchero in Baudera county. Mrs. McCabe is five feet eight inches in height.—Her features are regular and the expression of her face, which is large and oval, shows health and firmness. Her hair is jet black and very thick; her eyes large and blue.—Her figure is well rounded—her feet and hands are small. She is quite talkative, and her language is correct, and, seen on the street, she would pass for a well-behaved and educated lady with nothing to indicate that she

FIRED THE FATAL SHOT

that sent one of her fellow creatures to his final account. She was married on Oct. 16th, 1887, at Medina City in Medina county, Texas, to H. T. McCabe, a young man who was a school- and music-teacher, and, as seen by dates, was about fifteen years of age; and I might here give my opinion on the bad results of children marrying, but it is my intention only to give facts as I am really prejudiced against the lady, and I think it one can be justly and correctly imbued with that feeling, I am. Mrs. McCabe lived with her husband for some time in Medina City, where he left her and came to San Diego, while Court was in session, and stated he intended to locate

AT SAN DIEGO

and practice his profession, which he stated was the law, though it is now stated he never had been licenced to practice in our courts. Our district Judge, Jno. C. Russell, who has a large ranche in Hidalgo county, persuaded McCabe to go taere, which he did, and located at Hidalgo, the county seat of the county of that name.—Here McCabe abandoned music teaching and was admitted to the bar, but the writer knows if he was ever admitted to the bar it was some other place than in the Hidalgo or the 28th Judicial District. He did not secure a very lucrative practice in his new home, but made a living for his wife, as anybody can do in this place where people can live without houses and reap without sowing.

"BLUES AND REDS."

In the county of Hidalgo there are two parties, as in our county we have the "Boots and Sandals," and the warfare between these two factions and the history of their exploits and troubles would make volumes, as the same has lasted since the election of 1884, and really back of that time; since that time, however, very serious consequences have followed the elections twice to my knowledge, when the county offices have been in what might be termed

'A STATE OF SIEGE,'

and several killings and many indictments have resulted from these feuds, and to this schism in the parties both H. T. McCabe and Max Stein owe their election to the County Judgship; but we will not attempt in this letter to show all these troubles and political fights. McCabe was appointed County Judge as a compromise candidate, having lately come into the county and was not identified with either the "Reds" or the "Blues." But it was not long to remain thus—the two parties were so bitter he could not remain on the fence.—He could not stand the pressure, and it is claimed joined the side of the devil and become corrupt in office. An affidavit was made charging him with

CORRUPTION IN OFFICE,

and conspiracy, and upon trial by Judge Russell was removed from office and Max Stein appointed in his stead. McCabe was indicted and fled into Mexico, just across the river, where he remained until last month, when he was arrested in the city of Brownsville. McCabe stayed in Reynosa, a Mexican town just opposite Hidalgo, the county seat of Hidalgo county, Texas. Both towns are on the Rio Grande river. The Mexican town of the Southern banks of the "Great River" is well known in this section of the country on account of its "fiestas" (faire). These festivities, as I have heretofore described in a letter to your paper, draw large crowds of the most cosmopolitan character—Mexicans, some picturesque and some excessively commonplace and dirty; Texas merchants, ranchmen, cowboys, Indians and women of all shades, from African stock to the purest white. For years these "fiestas" in Reynosa have been full of excitement and interest, but the one last August has become the most famous, when a Texas County Judge was shot to death by the wife of his political opponent, and whose husband had been removed from the same office. This fair murderer was not only fair to look upon, but attractive, and naturally drew men towards her, and especially after they heard her story. It has been charged that Mrs. McCabe was never married to McCabe, but a woman plying her vocation on the streets of San Antonio, picked up by McCabe on his way to Hidalgo county from Medina City; but this is denied by both the lady and McCabe and she ought to have the benefit of the doubt. The

KILLING OF MAX STEIN,

the presiding County Judge of Hilado county, Texas, August 17th, 1890, at this fiesta was a genuine border tragedy. It lasted but a moment, but ended in the death of a respected and well-to-do citizen of Texas, and the imprisonment, trial, and conviction for assassination of an implusive and beautiful woman of only eighteen summers. Mrs. McCabe murdered Max Stein in cold blood, and claims she was justifiable; but under the law her claims only go to show malice and she must give some reason other that her feeling towards Max Stein because her husband was displaced by said Stein, and if her following assertions were true, as to the insults, which his friends claim are the grossest of lies, no man of Max Stein's character and standing would approach a lady as she claims he did without some incouragement from her. But I wish to be fair and I will give

MRS. MCCABE'S STORY

of the killing of Max Stein. "I used to cross from the Mexican to the American side, "(meaning from the town of Reynosa to the town of Hidalgo on the Rio Grande River) and Judge Max Stein stopped me frequently and offered me the grossest insults. On one occasion during a visit to the American side on business for my sick husband" (then a fugitive from Justice)" this man Stein, grabbed me, and attempted to forcibly detain me, and violate my person. On the night of August 17th, 1890, I attended a ball with a friend of my husband's during the fiesta at Reynosa. I went from the ball to my home about eleven o'clock, and on my way was met by Stein, who made indecent proposals to me and again assaulted me. I ran home and procured a pistol. In about an hour I again went back to the ball." (Far better to have staid with her sick husband than to have been prowling around a Mexican fiesta at 12 o'clock at night alone.) "As I was crossing the plaza, ("public square,") "Stein advanced towards me from the opposite side. Knowing his purpose, I warned him not to molest me, but he came with the intention of grappling me, and fearing bodily harm,

I PULLED MY PISTOL

from under my shawl and fired, the ball striking him in the left side and piercing his body. He fell to the ground.

She admits the killing. She says above in the letter, "I shot him dead." Seems to glory in the idea of taking a fellow being's life—that which can not be restored. Stein is dead—his mouth is closed, but his excellent character speaks. His many friends, and, in fact, all who knew him, believe, and, in fact, know he never insulted this or any other woman. He was a gentleman, an honest, good man. I don't believe her story. The court that convicted her did not believe her story, and she don't believe it herself, unless she has told it so many times that she has convinced her own mind of it. She was

ARRESTED AT ONCE

and placed in jail at Reynosa, and shortly afterwards taken down the river to Matamoras, just opposite Brownsville, Tex., and across the Rio Grande into Mexico. Here Mrs. McCabe got a Mexican lawyer, named Ortero Martinez, to attend to her case, and because he did not succeed in clearing her on the trial, she says, "he was bought off by the other side." She says she wanted to discharge Martinez, but "he would not give up, but held on to the case and I could not get another one to attend to it." She says she was three months in the main jail, and sick all the time. She was removed up-stairs of the Matamoras prison, she says, by obtaining two physicians' certificates, something no common convict could obtain; but she says her husband paid $20 a month board in prison. This the writer doubts, as he does the fact of her not being present when she was tried, and she says everything was done through an interpreter. This is true in all such cases, and is proper and right; in fact, is the only way with a prisoner who can not speak Spanish in a Spanish country. She says she was not present when

THEY CONVICTED HER.

This is the fact in Texas and even in Virginia—the jury is alone when they deliberate upon any case, civil as well as criminal.

On February 7th, 1891, Mrs. McCabe obtained a rope from a Mexican and escaped from the jail, falling, however, in the hurry and broke her left foot, which, she says, by the way, did not prevent her from running two blocks to the River, where the same Mexican friend who gave her the rope had a boat in waiting and brought her over the Rio Grande to Brownsville. From Brownsville she rode horseback 120 miles to Santa Rosa, and on the 8th of last month she came to Kleburg 11 miles from San Diego, and was arrested and placed in jail, awaiting now extradition papers. The following is what she is held on:—

WARRANT OF ARREST.

THE STATE OF TEXAS, }
CAMERON COUNTY. }

To the sheriff of any county.

You are hereby commanded to arrest Maria Inez McCabe if to be found in your county, and bring her before E. C. Forto, county judge and extradition agent for said county at my office in Brownsville, then and there to answer the requisition and demand made for extradition made by Ramon Flores, judge of the Third Judicial fraction and extradition agent, Matamoras, state of Tamaulipas, Mexico, charging the said M I. McCabe with having committed the crime of murder within the state of Tamaulipas, Mexico, on the 19th of August, 1890. Herein fail not, but of this writ make due return, showing how you have executed the same.

Witness my official signature this 14th day of February, A. D. 1891.

E. C. FORTO.
County Judge and Extradition Agent, Cameron County, Texas.

If carried back to Mexico, Mrs. McCabe would have to serve double her former sentence—would be 12 years, and her cell would be isolated, dark and doubtlessly filled with vermin, and she would probably be chained to the stone-floor of her prison.

She is without money and with but few friends, and she says, "When I lie down at night, I awake in a frightened dream that I am being dragged back to a dark and loathsome Mexican dungeon by my relentless pursuers. But she adds, "my suspense will soon be over, and if they decide to hand me over to my savage enemies, I will cheat them of all the pleasure they anticipate at my coming, as

I WILL END MY EARTHLY CAREER

on my native soil of Texas. My Spirit shall take its flight over the dark river ere my body crosses the Rio Grande."

She will take her own life! Now take notice she won't do any such thing. This is all done for effect. She says her trial and conviction was a mockery. If so, why did she not appeal to a higher court. The writer knows some things about Mexican prisons. (See my letter in the SPECTATOR some time ago on Mexican prisons) and Mexican laws. They grind exceedingly stow, but exceedingly fine, and the laws of Texas are copied after the same law as is extant in Mexico, the old Spanish law. Mr. McCabe did not appeal on her first trial. Note whether she appeals when Judge Russell decides

AGAINST HER DISCHARGE.

Her case was tried before Judge Jno. C. Russell on February 23rd, with Messrs. Welch and Scott, Esqs., for her defence, and the Commonwealth's Attorney to oppose the discharge. Mrs. McCabe was sworn and examined and most of testimony were the facts as stated above, but in her own way, and was crossed questioned by the Commonwealth's attorney. Dr. Headly was then placed upon the stand; said he was acquainted with Mrs. McCabe and her husband, now in jail at Brownsville. He also testified as attending physician to serious injury of Mrs. McCabe's foot and said that she could not bear the fatigue incident to transportation to Brownsville without great bodily injury, and probably serious results to her injured foot. He had forgotten the bodily pain of Max Stein and the awful anguish of his dear wife. Truly the way of the transgressor ought to be hard. Her attorneys then read the following law of the country to the court, and after the attorneys on both sides had delivered quite lengthy arguments.

LAW READ BY DEFENDANT'S COUNSEL.

"An examination of the extradition treaties between the United States and other countries shows the following to contain the sentence, 'Neither of the contracting parties shall be bound to deliver the stipulations of this treaty,' being the same as that contained in the Mexican treaty:—Treaty with Austria, December 15, 1856; Baden, May 19, 1857; Bavara, November 18, 1864; Belgium, May 1, 1874; Belgium, November 20, 1882; Hanover, November 5, 1855; Hayti, July 6. 1865; Japan, May 26, 1875; Mexico, June 10, 1862."

* * * * * * * *

"In 1874 Francisco Perez, a Mexican, murdered Joseph Alexander, an American, residing at Brownsville, Texas, and escaped into Mexico. It was the purpose of this government to have Perez sent back for trial on this side the frontier, and the instruction from Mr. Fish to Mr. Foster states that though this, under the treaty, could not be expected as a matter of right, and would not be asked as a matter of favor or even accepted as such with any understanding that it would be reciprocated by us, still Mr. Foster was authorized to apply to the Mexican Government, making known all the circumstances, and submitting whether they were not such as to warrant a voluntary surrender of the party, if this could in any case be done. October 3, 1874, Mr. Foster reported that the Mexican Government declined to surrender Perez, and Mr. Fish, in acknowledging this dispatch, remarked that it was not surprising that the Mexican Government so acted, especially that it had the technical right to refuse the request."

* * * * * * * *

"By the treaty with Mexico proclaimed June 26th, 1862, this country places itself under obligation to Mexico to surrender to justice persons accused of enumerated crimes committed within the jurisdiction of Mexico who shall be found within the territory of the United States; and further provides that that obligation shall not extend to the surrender of American citizens. The treaty confers upon the President no affirmative power to surrender an American citizen. The treaty between the United States and Mexico creates an obligation on the part of the respective governments and does no more; when the obligation ceases the power falls. It is true that treaties are the laws of the land, but a statute and a treaty are subject to different modes of construction. If a statute by the first section should say: The President of the United States shall surrender to any friendly power any person who has committed crime against the laws of that power, but shall not be bound so to surrender American citizens, it might be argued, perhaps correctly, that the President had a discretion whether he would or would not surrender an American citizen. But a treaty is a contract, and must be so construed. It confers upon the President only the power to perform that contract. I understand the treaty with Mexico as reading thus: The President shall be bound to surrender any person guilty of crime, unless such person is a citizen of the United States.

"Such being the construction of the treaty, and believing that the time to prevent a violation of the law of extradition was before the citizens left the jurisdiction of the United States, I telegraphed the governor of Texas that an American citizen could not legally be held under the treaty for extradition.

"It would be a great evil that those guilty of high crime, whether American citizens or not, should go unpunished; but even that result could not justify an usurpation of power.

"On further reflection, in view of the fact that fourteen of our treaties contain provisions identical with that contained in our treaty with Mexico, and impressed also with the fact that the safety and peace of society on the frontier would be greatly injured if criminals, because citizens of the United States, could here find an asylum and go unpunished, I concluded that the question was one of too much importance to be settled by the dictum of any individual, but should receive judicial determination, and to this end I telegraphed the officers to hold the accused until they received other direction. The accused had, however, after my first telegram, been discharged.

"I now propose to inform the officers in Texas, who, subject to the supervision of the President, are authorized to determine whether a surrender of the accused should be made, that if another arrest is made and a case of guilt is made out the President will not, on the ground of citizenship, interfere with an order of surrender if such be made, but requires that the accused be informed that if he or they wish a hearing before the Supreme Court of the United States on habeas corpus as to the power of the President in the matter of extradition, or as to the true construction of the treaty before the surrender be actually made, every facility for such hearing will be afforded. Should the court hold that the President has a discretionary power of extraditing citizens proven guilty of crime, the evil apprehended will not be realized, and should the court hold that the President has the power to extradite only when bound by treaty to do so, Congress can then, if it should be its pleasure, by statute confer the discretionary power."

Judge Russell took the case under advisement until 9 o'clock, Feb. 24th, when he decided that the writ of *habeas corpus* be decided, and that Mrs. McCabe be remanded to the custody of the sheriff to await extradition by the Mexican authorities. In the argument of counsel for Mrs. McCabe, the above warrant was attacked as not being in due form. Judge Russell decided that the writ was in due form, contained the proper substance and was according to law, and must be recognized by him. The Judge further said, "I will not pass upon this as an

INTERNATIONAL QUESTION,

but must decide that the facts presented to me warrant that the prisoner be remanded to the custody of the sheriff. You have the right of appeal from my decision, and you can fight the case in courts having greater jurisdiction than mine, and carry it up to the highest tribunal in the land.

My readers will note that Mrs. McCabe did not appeal from the court that convicted her, and she has not appealed from Judge Russell's decision, and the time given her by law has expired. She will try some other course, she is afraid of law and of jury and court. My readers will also note that she said she would commit suicide. She is still well and talkative as ever. The next move will be before U. S. District Judge Maxey at Austin, and if he rules against her, which he is likely to do, then the last resort will be to go to Washington D. C., where it takes a case

THREE YEARS TO BE REACHED

on the docket—not saying anything about the trial—caused by the overcrowded docket and number of cases before that honorable court. Therefore, it may be Mrs. McCabe may be fed by the county for that time, and then it is our belief, unless she gets into the upper story of the prison and gets away, she will be taken back to the Matamoras prison there to suffer for her crime against God and Man. The object of war is peace. The object of hanging a human being for taking his fellow-being's life is to prevent a like occurrence. Law is to prevent crime. This way of forgetting a murder and expressing

SYMPATHY FOR THE MURDERER

is wrong in principle, dangerous to society, and against the law, both human and divine. But, say all Mrs. McCabe says *is* true, then it would be an outrage on humanity and decency to condemn her to live possibly thirteen years in the vermin-infested, filth-reeking cells of a Mexican prison, subjected to the brutality of Mexican prison officials. In the meantime we have done with her case and hope no more such affairs will ever happen in Southwest Texas. Your readers will no doubt see much of this case in Washington, D.C., papers, and like Cutting, Mrs. McCabe will become more notorious than famous, a notoriety the writer hopes never to make. C. L. C.

HEED THE WARNING.

It is not infrequently the case that itching pimples and irritating "cat boils" are the forerunners of larger boils, or the more serious carbuncles. Invariably Nature puts out her danger signals, and they should be heeded at once. The pimples and little boils show that the blood is not in a good condition and nature is trying to relieve the system. A few doses of Swift's Specific at this juncture will accomplish wonders. The eruption will be healed and the system cleansed of its impurities. The modern paraphrase of the old saying, "A stitch in time," etc., is that "Timely stitches will save nine pairs of breeches." The modern form has a touch of humor that does not modify the truth of it. In that vein, we may say that a course of Swift's Specific prevents ills terrific.

NEW YORK FASHIONS.

SPRING AND SUMMER MATERIALS: NEW DESIGNS: MILLINERY.

Spring and summer wools are conspicuous because retaining the very large plaids, long hairs and astrakhan weaves that have been noticeable since last fall. The latter frequently outline mammoth squares or are placed in stripes an inch or more in width and the former in some cases lie on surfaces to the extent of six inches. Large round or oval spots also in astrakhan or hairy weaves, and their quota, while bourette flecklings dispersed among plaids, broken or otherwise, or stripes, contribute towards a general roughness.

COLORS

however, are invariably subdued in case of such marked features, else the results would be unbearable. Soft shades of tan or gray with occasional variations in blue or heliotrope prevail, and should a bright relief in red or yellow be introduced, it is to a limited extent only. Where colors are bright, surfaces are smooth, and here there are quite brilliant contrasts. Yellow is the foremost hue of the season and is introduced everywhere, coming out in wools in peculiar combination with heliotrope or gray or in millinery it may form unitings of great dash, especially when used with black lace. It appears in three tones, of which the deepest is orange: next comes "Cleopatra" and then light canary. Elegant parasols are of black lace over yellow or trimmed with yellow ribbons.

NEW DESIGNS

show panniers on skirts and some others have slight draping or are full in front, thus showing a tendency towards fuller outlines. Despite these signs, nevertheless, sheath skirts are still made and waists continue long with great opportunity for showing off a good figure. As a result, there are not a few beautifully-fitting corsages, especially if made over the R. & G. corset which will not like other corsets, stretch and lose its original form. It is extra long-waisted and meets the requirements of both full and slender figures.—Combinations of plain and figured goods are a necessity, because of the large patterns in vogue and importers therefore show them side by side, the plain being used for corsages and parts of skirts. Entire skirts of plaid on the bias are however still worn, but usually of smooth surface fabric.

MILLINERY.

The peculiar and in some instances, fantastic shapes in winter millinery are repeated and occasionally exaggerated for spring and summer. Brims caught up at the back and extending out in front are again the rule and from large sizes, diminish to quite small specimens which show almost in miniature the last mentioned features. Toques and turbans re-appear and the former being provided with strings, are chosen to the disadvantage of capotes which are in an unusual minority. A few hats and bonnets are in Milan, chip or split straw, but fancy weaves are seen to a remarkable extent and the smallest shapes are entirely in such style or with only the crown in plain weave. Black appears to some extent, but is no longer a special factor and in view of the great run on tan and gray shades in dress goods, the majority of straws come in such hues with a goodly proportion of yellow that in fine fancy weave, looks like lace.

METAL RIBBONS

are a marked feature and from "baby ribbon" up to widths of two and a half inches, glistens in the attractions of steel, silver or gilt, of which the latter is by far the most freely employed, all being in plain weave or brocaded. With colored silken ribbons, metal is plentifully intermingled: it reaches to fruits and flowers in trimming and some elegant capotes are wholly made of gilt with beautifully lustrous result. Charming hats are composed wholly of interlacing stems with crowns left open at the top, over which wide brocaded ribbon is placed softly, while small flowers in wreaths or larger ones nodding in bunches or separately according to size, will complete the summer-like picture.

STEMS

are indeed a factor in millinery and of large size and often thorny, form a link between flowers placed respectively at the front and back of hats or are conspicuous appendages to very large roses that extend loosely from centres, mammoth chrysanthemums, tiger lillies or morning glories. The free use of velvet in making, causes these large flowers to seem yet more pronounced, but all is atoned for by a richness that is captivating. Gilt asps form a little world at millinery houses and from small ones, four or five inches in length that are tied in knots to fasten trimmings, they increase in size to over a foot and are sometimes enriched by simulated jewels in large cord-like bodies. All have open mouths and extended tongues.

ROSALIND MAY.

I have been troubled with catarrh for ten years and have tried a number of remedies, but found no relief until I purchased a bottle of Ely's Cream Balm. I consider it the most reliable preparation for catarrh and cold in the head.—Geo. E. Crandall, P. M., Quonochawntaug, R. I.

[For the SPECTATOR.]

MOTHER.

BY WM. W. LONG.

In the Pennsylvania penitentiary an old man died a short time ago, who had been a prisoner for fifty-one years. His name was Wm. Stanford. In 1831 he became suddenly insane, and committed murder. He was tried, convicted, and sentenced to life imprisonment, and for eighteen years he was chained down to the floor. Just think of it, chained to the floor for eighteen years. God pity the man or woman who passes through the doors of a penitentiary for life. For them charity, sympathy, love, are dead. Hope deserts them upon the threshold, and one long agony of torturous existence follows.

This man was eighty-one years old when he died. Free, happy mortal, pause and think of it for a moment—eighty-one years old, and fifty-one years in the penitentiary. In the whole range of human thought, human existence, is there anything more terrible? Eighty one years old, fifty-one years in the penitentiary, and chained to the floor for eighteen years. God, have mercy! Christ, have mercy!

Can you find anything in the conception of Shakespeare, Dante, Milton or Byron, as terrible? Is there anything in the history of the expiation of crime that can surpass it? Fifty-one years in the penitentiary, and chained to the floor eighteen of them.