Richmond Dispatch.

BY COWARDIN & HAMMERSLEY.

THE DAILY DISPATCH is served to subscribers at SIX AND A QUARTER CENTS PER WEEK, payable to the Carrier weekly. Price for mailing, $4 a year, or $2.50 for six months, in advance.

THE SEMI-WEEKLY DISPATCH is issued every Tuesday and Friday at $2.00, in advance.

THE WEEKLY DISPATCH is issued every Friday, and mailed to subscribers at $1 per annum.

DAILY DISPATCH.

VOL. XVI.—NO. 105. RICHMOND, VA., TUESDAY, NOVEMBER 1, 1859. PRICE ONE CENT.

SPECIAL NOTICES

Let the Whole Afflicted World Read THE TESTIMONY OF A LADY AFTER 38 YEARS OF SUFFERING.

NORTHAMPTON COUNTY, April 13th.

Messrs. Tyler & Adair:

I have been afflicted with Rheumatism, at times from my twelfth year—I will be fifty years of age the 18th of this month. The attacks were at times so severe as to render me helpless. I have tried various remedies to very little effect. Last October I was attacked in my shoulders, sides, back and hips. I could not rest day or night. I could not move any part of my body without crying with pain. At this time I also tried many remedies, internal and external, without receiving any relief; I was at last advised to try HAMPTON'S VEGETABLE TINCTURE; before I had taken one bottle of which, I felt much better, and as I continued the use of it, I felt strength coming into my back and limbs, and my stomach strengthened and revived every way. I have taken five bottles, and am much better than I ever expected to be. I intend to use it whenever I need it, and would recommend it to the afflicted, believing it to be unequalled.

Yours, ELIZABETH BAGWELL.

Messrs. Mortimer & Moncure:

Gentlemen:—Mrs. Elizabeth Bagwell is a lady of the highest respectability, wealthy and influential—the cure in her case speaks volumes in favor of this wonderful Tincture. Several other persons we have heard of have derived great benefit from its use in our county. We are entirely out of the article, and have daily anxious inquirers to know when we will receive another supply. We expect large sales of it from the present demand, and want you to send us a box as soon as possible.

Yours, TYLER & ADAIR,
April 19th. Northampton county, Va.

Call and get Pamphlets and testimonials.

LURCELL, LADD & CO., Richmond; Dr. COOKE, Fredericksburg; by all the Druggists in Petersburg; by MORTIMER & MOWBRAY, Baltimore; and by Druggists and Shopkeepers everywhere. $1 per bottle; six bottles, $5. oc31—d&ewtx

Hartshorne's Cure-All.

IT CURES ALL PAIN.

This valuable preparation is used internally and externally. It cures

TOOTHACHE, HEADACHE,
NEURALGIA and BRUISES, CHILBLAINS,
CHOLERA MORBUS, EARACHE,
RHEUMATISM, SCALDS and BURNS,
NEURALGIA, CHOLERA,
PAIN IN THE LIMBS, PAIN IN THE SIDES,
PAIN in the STOMACH, PAIN in the BREAST
SORE THROAT, FROSTED FEET,
PAIN IN THE BACK, PAIN in the BOWELS.

Being a fine TONIC, it is very beneficial for a weak stomach. Sold by all Druggists at 25, 12½ and 50 cents. Sold by all Druggists in Richmond, Petersburg and Norfolk, and throughout the State. je 14—12m

A Word to the Wise is Sufficient.—Empirics and others using T. R. BASS' COUGH CURE for Coughs, Colds, Asthma, Consumption, &c., in advertising, can testify that it is the best in use; you are suffering, do as others are doing, give it a trial and continue its use if it benefits you as much is accomplished every way by persons using his other remedies, equally valuable, viz: Pain Extractor, Compound Aperient and Rose Pills, Eye Water, the Diarrhœa, Dysentery, and Bloody Flux Remedies, Toothache Tincture, cure for neuralgia, and others, can be had, by wholesale and retail, of

T. R. BASS, Proprietor,
Clay street, west side, between 1st and 2d., Richmond, Virginia.

Also, APPERSON & DUPUY, Druggists, No. 201, Broad street. oc 26—1m

Goods for Servants' Clothing.—

PERKINS & CO.,
No. 141 Eagle Square,

Now offer a superior stock of FULL CLOTHS, SATINETS, TWEEDS, JEANS, KERSEYS, LINSEYS, SHIRTINGS and FLANNELS, of the best makes. ALSO,

2,000 Negro BLANKETS, white and colored, at low prices for cash.

Planters and others are invited to give us a call. oc 25—tIsN

Book-Keeper and Accountant.—JOHN WILLIAMS offers his services to keep sets of Books regularly and neatly, and to examine, write up, settle and adjust accounts.

He has had a long experience in Book-keeping, and has testimonials from men of the first standing in Richmond.

Application may be made to JOHN L. WILLIAMS, at the office of Messrs. JOHN A. LANGHORNE & SON. oc 18—2m

Light! Light!! Light!!!—Buy the best—Genuine CANNEL COAL OIL, manufactured from Virginia Cannel Coal. beautiful and pure as water, burns well, not to smoke or give an unpleasant order. This oil is free from all adulteration, will not explode, and is the most economical oil in use. Sold by

FISHER & WINSTON,
oc 19—1m Druggists, Wholesale Agents.

To Tobacco Manufacturers.—We have made arrangements with Messrs. Musser & Coleman to make and sell their justly celebrated "FRANKLIN TOBACCO WORKS RETAINING PRESS," and are now prepared to make them at short notice. We call the attention of all manufacturers of tobacco to them. We claim for these machines—

1st. Labor-saving.
2d. It can be and is done better.
3d. The small space they occupy.
4th. The immense saving of money in the outlay for machinery.

A mill of tobacco is set by one of these machines in from three to five minutes, and rolled off in the retainer to a side track, and allowed to stand as long as the manager wishes. If enough of the retainers are procured, the tobacco can stand for hours in the mills.

We refer to the firms of messrs. Palmer & Allison, A. Dill, L. Lottier, J. B. Royster & Co., Turpin & Yarbrough.

ETTENGER & EDMOND,
Manufacturers of Portable and Stationary Engines and Saw Mills, Cary st., Richmond. oc 15—1m

Fire and Life.—We desire to call the attention of the public to one great and important truth, viz: that

FIRE AND LIFE INSURANCE

can be effected to any amount and on the most reasonable terms at the

INSURANCE AGENCY OFFICE,
120 *Main street*,

a few doors above the new Custom House. Please observe that we represent

THE LIVERPOOL AND LONDON FIRE INSURANCE COMPANY!
Capital—$10,000,000!

With over $800,000 invested in the United States, and an annual revenue of

$2,250,000!

We are prepared to take large risks on the MOST FAVORABLE TERMS:

in addition to the ordinary mode of Insurance, this Company issues

PERMANENT POLICIES.

On payment of ten annual premiums, property is thenceforth permanently insured.

By this plan a saving of nearly FORTY PER CT. is effected! (the sum thus saved will, in fifteen years amount to the whole of the deposits!) the risk and inconvenience of renewals are avoided.—The policy can be cancelled at any time by the holder, the premium being returned, less five per cent.

THE NEW YORK LIFE INSURANCE COMPANY,

With a capital of over $1,000,000, is on the

MUTUAL PRINCIPLE,

and offers as great inducements to persons desirous of effecting insurance on their lives as any other Company. We respectfully solicit a call,

WORTHAM & WYATT, Agents,
190 Main street.

Medical Examiners—Ro. T. COLEMAN, M. D., Jas. H. CONWAY, M. D. oc 3—if ts

The Great Virginia Remedy, and no Humbug.—PETERS' INFALLIBLE REMEDY FOR GONORRHŒA AND ALL SECRET DISEASES.—This is a American remedy, containing no Mercurial or Balsamic properties, excels everything heretofore offered the public, in its curative, restorative, and renovating powers; and the medical world are astonished when told that the above remedy will cure the above diseases, and confounded when they have ocular demonstrations of the facts. But the proprietor, who has known of the remedy for twenty-odd years, has known of a case of twenty years standing to be restored to perfect health, and all other cases of shorter duration to be restored, without a single exception, and therefore challenges, any case of Gonorrhœa which the remedy will not cure, provided the directions are carried out with prudence on the part of the patient; and any one purchasing half a dozen bottles, and using accordingly, in his or her case, he guarantees a perfect cure; and in case of failure, will furnish additional medicine, free of charge, to complete the cure, through his agents; and a cure will be effected without inconvenience to the patient. Sold by

APPERSON & DUPUY, Druggists,
Agents for the city of Richmond,
au 3—6m* No. 201, Broad street.

Kidney and Bladder Complaints.—The newest and most important discovery for Kidney, Bladder Complaints, Urinary Obstructions, Leucorrhœa or Whites, Sexual Weaknesses, Physical Prostration and debility of either sex, is HARTSHORNE'S BUCHU COMPOUND.

Persons who have been unable to walk, have soon been relieved by this powerful COMPOUND. It is prepared by a Chemist, and is pronounced by medical men and those who have used it, to be the best BUCHU COMPOUND in the world. Large bottles $1; small bottles 50 cents. A fresh supply just received by FISHER & WINSTON, Druggists,
je 14—12m Main street, Richmond.

Great Bargains—

FOR CASH, AT
PERKINS & CO.'S,
No. 141, EAGLE SQUARE.

4-4 Brown SHIRTING, Heavy, at 6d.
4-4 Bleached " " " at 6d.
Super. " " " at 10 cents
The best 4-4 " " " ever sold here, at 12½ cts.
100 p's Fast Col'd PRINTS, at 6¼ cents
Best English and American PRINTS, at 11 cents
50 p's VALENTIAS and DELAINES, at 12½ cts.
Rich Paris DELAINES, at 62½ cts., worth 87½ cts.
DRESS SILKS, very cheap
25 Very Rich SILK ROBES, at $35, worth $45
KID GLOVES, as good as Alexander's, at 75 cts.
Best 10-4 Bleached SHEETINGS, at 28 cts.

PERKINS & CO.,
se 19—ts No. 141 Eagle Square.

Mrs. J. A. Williams, M. D., offers her services to those of her own sex, and to children, who may need medical advice or attendance.

Especial attention given to the management of female diseases, and displacements.

Those wishing an interview at their residence, can address Post-Office, Box 847.

RESIDENCE on Clay, between 4th and 5th streets, Richmond, Va. oc 4—1m*

Steam Engine for sale.—A two-and-a-half horse STEAM ENGINE, in complete order, having been used only three weeks. It will be sold at a bargain. Apply at this office. oc 4—ts

Every Lover of Good Bread, should try SEMPLE'S INFALLIBLE BAKING POWDER—price 20 cents. For sale everywhere.

Richmond Dispatch.

TUESDAY MORNING.....NOV. 1, 1859.

TRIAL OF JOHN BROWN.

Close of the Evidence for the Defence—The Argument—Affairs in Charlestown, &c.

[FOURTH DAY.]

CHARLESTOWN, Va., Oct. 29, 1859.

The Court met at 10 o'clock, when Judge Parker announced that he had just received a note from the new counsel of the prisoner, requesting a short delay to enable them to have an interview with him. The arrival of H. Griswold, Esq., from Cleveland, Ohio, to take part with George H. Hoyt, Esq., of Boston, in the defence, has increased the excitement. It is also said that Samuel Chilton, Esq., of Washington, who arrived this morning, will join the defence, so that the case will take a new course this morning.

The speech of Capt. Brown last evening, repudiating his counsel, Messrs. Botts and Green, who had certainly done all in their power for a case so utterly indefensible, has incensed the community against him to an extent that can scarcely be restrained.

PROCEEDINGS COMMENCED.

At 11 o'clock the prisoner was brought into Court, and laid down on his cot. He looked quite feeble and haggard, and the effect of the excitement of last evening was quite visible in his countenance.

Mr. Hoyt, of Boston, entered Court accompanied by H. Griswold and Samuel Chilton, Esqs., the latter two gentlemen taking the oath as attorneys in this court. Mr. Hoyt having entered as counsel last evening, Messrs. Chilton and Griswold acting as associate counsel.

Mr. Chilton thought it due to himself to make an explanatory statement before the trial should proceed. He was yesterday very unexpectedly called upon to come here and take part in the defence of the prisoner at the bar. I took some time to consider the proposition, and finally agreed to come on under the expectation of finding Messrs. Botts and Green still in the case. On arriving here, however, I learned, for the first time, the course the case had taken last evening. These circumstances, however, would render it impossible for him to discharge full duty of counsel, not having had time to read the indictment or examine the evidence already taken. He would make no motion for delay—this was a matter entirely within the discretion of the Court, and if the Judge thought proper to refuse to grant any postponement, he knew it would be done under a sense of duty. These extraordinary circumstances would also render it impossible for his associate, Mr. Griswold, to discharge the full duty of counsel. A short delay of a few hours, if the Court thought proper to grant it, would enable them to make preparation.

The Court decided that the trial must go on. Counsel had been assigned to the prisoner here, of his own selection, who had labored zealously in his behalf, and had withdrawn because the prisoner had, yesterday evening, declared in open court that he had no confidence in them. No obstacle has at any time been thrown in the way of the prisoner's having an ample defence. If this was the only case of this kind before this Court he would at once grant the request, but several similar cases remain to be disposed of. This term will very soon end, and it was his duty to endeavor to get through with all the cases if possible, in justice to the prisoners and in justice to the State. The trial must, therefore, proceed.

OBJECTION TO DOCUMENTS.

Mr. Hoyt remarked that yesterday the Attorney for the Commonwealth produced various papers in Court, which were identified,—for what purpose he know not, but presumed he should be informed,—some as being in Captain Brown's handwriting, and some as bearing his endorsement. He had hastily examined those papers, and wished to object to some of them. The learned gentlemen associated with him in the trial had not examined them, but he supposed the Court would not regard that as material under the present ruling.

Mr. Hunter, (interrupting.)—No need of argument about the matter. Designate those you wish to object to.

Mr. Hoyt—I desire to know the object of counsel in introducing those papers.

Mr. Hunter—The papers will speak for themselves. If you will designate which of them you object to, we will go on at once.

Mr. Hoyt—I object to the autobiography of Captain Brown, as having no bearing on this case.

Mr. Hunter—I withdraw it.

Mr. Hoyt—I object to the letter of Gerrit Smith.

Mr. Hunter—I withdraw that, too.

Mr. Hoyt—I handed to the Clerk last night a list of names we wished summoned as witnesses—Samuel Strider, Henry Ault, Benjaman F. Mills, John E. P. Dangerfield, and Captain Sinns. I got a dispatch just now informing me that Captain Sinns had gone to Frederick, but would return in the first train this morning, and would come on to Charlestown this afternoon. I would like to inquire whether the process had reached Capt. Sinns at Harper's Ferry.

Sheriff Campbell replied that the officer stated that Captain Sinns had gone to Frederick.

Mr. Hunter—He was here yesterday, I hope we will proceed with some other witnesses.

TESTIMONY FOR DEFENCE.

John E. P. Dangerfield called and testified that he was an officer of the Armory; he was a prisoner in the hand of Captain Brown at the engine-house; negotiations were going on for the release of all the prisoners before the firing commenced; about a dozen black men were there armed with pikes, which they carried most awkwardly and unwillingly; during the firing they were lying about asleep, some of them having crawled under the engines; witness is free to say, from the treatment of Capt. Brown, he had no personal fear from him or his men during his confinement; saw one of the men shot in the engine-house, who fell back and exclaimed "Its all up with me," and he died in a few moments; this he learned was one of Capt. Brown's sons; saw another young man come in wounded and commenced to vomit blood, who was also a son of Capt. Brown, and was wounded whilst out with Mr. Kittzmiller; the prisoner complained frequently of his men being shot down whilst carrying a flag of truce.

Mr. Hunter complained of going over again the same facts heretofore elicited, all of which were freely admitted by the defence.

Mr. Hoyt stated that he regarded it as the only feasable line of defence to prove these facts. It was the duty of counsel, if possible, to show that Capt. Brown was not guilty of treason, murder or insurrection, according to the terms of the indictment. We hope to prove the absence of malicious intention.

Mr. Hunter was frank to admit that he could not but regard this course as merely calculated to waste time.

Mr. Hoyt would remind the Court that the course being pursued was not only in accordance with their conviction of duty, but in accordance with the express commands of their client.

The Court remarked that the counsel was responsible to the Court to conduct the case according to the rules of practice.

Mr. Hoyt thought the language of the prosecution was calculated to impugn the honor of the counsel for prisoner.

Mr. Hunter—Nothing of the kind was intended. It is presumed gentlemen will conduct the case in accordance with their duty as counsel and their responsibility to the Court.

Mr. Dangerfield resumed—Heard some conversation by Capt. Brown as to having it in his power to lay the town in ashes, and carrying off the women and children, but that he had refrained from so doing; heard him make no threats that he would do so; the only threat I heard from him was at the commencement of the storming of the engine-house; he then said that we must all take equal shares with him; that we could no longer monopolize the places of safety; he, however, made no attempt to deprive us of the places we had taken; Brown promised safety to all descriptions of property except slave property; at the time of the assault by the marines one of the men cried out for quarter; he had heard the same man, in a conversation with Brown during the night, ask him if he was committing treason against his country in resisting the marines, to which Brown replied that he was; the man then said, "I will fight no longer," that he thought he was merely fighting to liberate the slaves; after the attack was made on the engine-house, two of Brown's men cried for quarter; they laid down their arms, but after the marines burst open the door, these men picked up their arms again, and renewed the fight; after the first attack Capt. Brown cried out to surrender, but he was not heard; did not see him fire afterwards; saw Coppee attempt to fire twice, but the caps exploded; witness saw Capt. Brown wounded by a thrust from a sabre on his hip, and several sabre cuts on his head; when the latter wounds were given Capt. Brown appeared to be shielding himself with his head down, but making no resistance; the parties outside appeared to be firing as they pleased.

Major Mills, master armorer, was sworn.—Witness was one of the hostages of Capt. Brown confined in the engine-house; before the general firing commenced negotiations were pending for the release of the prisoners; a paper was drawn up which witness refused to sign; another paper was drawn up embracing certain terms, and borne by Mr. Brua to the citizens outside; the terms were not agreed to; the last time Mr. Brua was out there was severe firing, which, I suppose, prevented his return; Brown's son went out with a flag of truce, and was shot; he came back wounded; the prisoner attended him and gave him water; heard Brown frequently complain that the citizens had acted in a barbarous manner; he did not appear to have any malicious feeling; he undoubtedly seemed to expect reinforcements; said it would soon be night and he would have more assistance; his intentions were to shoot nobody unless they were carrying or using arms; "if you do, let them have it;" this was while the firing was going on.

Capt. Brown here asked witness whether he saw any firing on his part which was not purely defensive.

Witness—It might be considered in that light, perhaps; the balls came into the engine-house pretty thick.

Question by Counsel—Did you not frequently go to the door of the engine-house?

Witness—No, indeed. [Laughter.]

A general colloquy ensued between the prisoner, lying on his cot, and the witness, as to the part taken by the prisoner in not unnecessarily exposing his hostages to danger. No objection was made to Brown's asking these questions in his own way, and interposing verbal explanations relative to his conduct.—The witness generally corroborated his own version of the circumstances attending the attack on the engine-house, but could not testify to all the incidents that he enumerated; he did not hear him say that he surrendered.—Witness' wife and daughter were permitted to visit him unmolested, and free verbal communication was allowed with those outside; we were treated kindly, but we were compelled to stay where we did not want to be; Brown appeared anxious to effect a compromise.

Mr. Hoyt, at half-past 1 o'clock, complained of indisposition from the heat of the room, and asked that the usual recess for dinner be taken. The Court then adjourned for one hour.

AFTERNOON SESSION.

At half-past 2 o'clock the Court re-assembled, and Mr. Griswold, taking his seat by the side of the prisoner, prepared to question the witnesses, and to receive from him such suggestions in the course of the examination as he had to make. The defence examined several witnesses, who stated nothing new, and there rested their case.

Mr. Chilton, for the prisoner, rose and submitted a motion that the prosecution in this case be compelled to elect one of the counts in the indictment and abandon the others. The indictment consists of four counts, and is endorsed thus: an indictment for treason, advising and conspiring with slaves and others to rebel, and for murder. The charge for murder is laid in two of the counts—the third and fourth. The charge of treason is in the first, and the second count alleges a charge different from that which is endorsed on the back of the indictment, and which is upon record. The second count is under the following statute: "If a free person advise or conspire with a slave to rebel or make an insurrection, he shall be punished with death, whether such rebellion or insurrection be made or not." But the second count in the indictment is that these parties, who are charged by the indictment, conspired together, and with other persons, to induce certain slaves, the property of Messrs. Alstadt and Washington, to make rebellion and insurrection.

There is a broad distinction between advising and conspiring with slaves to rebel, and advising and conspiring with others to induce slaves to rebel. Whether he was to avail himself of this irregularity by instructions from the Court to the jury to disregard this second count entirely, or whether it would be proper to wait until the conclusion of the trial, and then move an arrest of judgment, he left to his Honor to decide. He proceeded to argue the motion that the prosecution be compelled to elect one count and abandon another, quoting Archibald's Criminal Pleading in support of his view. He further alluded to the hardship which rests upon the prisoner to meet various and distinct charges in the same trial. From the authority he read it would be seen that in case of treason different descriptions of treason could not be united in the same indictment. High treason could not be associated with other treason. If an inferior grade of an offence of the same character could not be included in separate counts, still less can an offence of a different character. Treason in this country is high treason; treason against the State of Virginia is treason against her sovereignty. We have no other description of treason, because treason can only be committed against sovereignty, whether that of the United States or of a sovereign State.

Mr. Harding could not see the force of the objection made by the learned counsel on the other side. In regard to the separate offences being charged, they were but different parts of one transaction. Treason against the government is properly made the subject of one of the counts, but we also have a count of murder, for it can hardly be supposed that treason can exist without being followed or accompanied by murder. Murder arose out of this treason, and was the natural result of this bloody conspiracy. Yet now, after all the evidence has been given on all these points, the objection is made that we must confine ourselves to a single one of them. He hoped that no such motion would be granted.

Mr. Hunter followed on the same side. He replied to the argument of Mr. Chilton, saying that the discretion of the Court in compelling the prosecution to elect one count in the indictment to be only exercised where great embarrassment would otherwise result to the prisoner. As applied to this particular case it involved this point, that notwithstanding the prosecution, as has been disclosed in the evidence, be one transaction—a continued, closely connected series of acts, which, according to our apprehension of the law of the land, involve the three great offences of treason, conspiring with and advising slaves to make insurrection, and the perpetration of murder; yet in a case of this character, we are told it is not only right but proper to put the prosecution upon their election as to one of the three, and bar us from the investigation of the two others entirely, although they relate to facts involved in one grand fact. Notwithstanding the multiplicity of duties involved upon the prosecutor and assistant prosecutor, yet we have found time to be guarded and careful in regard to the mode of framing the indictment. It is my work, and I propose to defend it as right and proper.

He then proceeded to quote Chitty's Criminal Law and 3 Robinson's Practice, to prove that the discretion of the Court there spoken of is only to be exercised in reference to the furtherance of the great object in view, the attainment of justice. Where the prisoner is not embarrassed in making his defence, this discretion is not to be exercised by the Court, and no case can be shown where it has been thus exercised where the whole ground of the indictment referred to one and the same transaction. This very case in point would show the absurdity of the principle, if it were as broad as contended for by his learned friend.—As for the other point of objection, it was too refined and subtle for his poor intellect.

Mr. Chilton responded—In order to ascertain what a party is tried for, we must go to the finding of the Grand Jury. If the Grand Jury return an indictment charging the party with murder, finding a true bill for that, and he should be indicted for manslaughter or any other offence, the Court would not have jurisdiction to try him on that count in the indictment; and the whole question turns on the construction of the section of the statute which has been read, viz: whether or not advising or conspiring with slaves to rebel is a separate and distinct offence from conspiring with other persons to induce slaves to rebel.

The Court said that the difference might perhaps be taken advantage of to move an arrest of judgment, but the jury had been charged and had been sworn to try the prisoner on the indictment as drawn. The trial must go on, and counsel could afterwards move an arrest of judgment. As to the other objection, the Court made this answer: The very fact that one offence can be charged in different counts, varying the language and circumstances, is based upon the idea that distinct offences may be charged in the same indictment. Prisoners are to be tried on the various counts as if they were various transactions. There is no legal objection against charging various crimes in the same indictment. The practice has been to put a party upon election where the prisoner would be embarrassed in his defence; but that is not the law. In this case these offences charged are all part of the same transaction, and no case is made out for the Court to interfere and put the parties upon an election.

Mr. Chilton said he would reserve the motion as a basis for a motion in arrest of judgment.

ANOTHER MOTION FOR TIME.

Mr. Griswold remarked that the position of all the present counsel of the prisoner was one of very great embarrassment. They had no disposition to interfere with the course of practice, but it was the desire of the defendant that the case should be argued. He supposed that counsel could obtain sufficient knowledge of the evidence previously taken by reading the notes of it. But it was now nearly dark. He supposed, if it was to be argued at all, the argument for the Commonwealth would probably occupy the attention of the Court until the usual hour of adjournment, unless it was the intention to continue a late evening session. From what had heretofore transpired, he felt a delicacy in making any request of the Court, but knowing that the case was now ended, except for mere argument, he did not know as it would be asking too much for the Court to adjourn after the opening argument on behalf of the prosecution.

Mr. Hunter would cheerfully bear testimony to the unexceptionable manner in which the counsel who had just taken his seat had conducted the examination of witnesses to-day. It would afford him very great pleasure in all ordinary cases, to agree to the indulgence of such a request as the gentleman had just made, and which was entirely natural. But he was bound to remember, and respectfully to remind the Court, that this state of things, which places counsel in a somewhat embarrassing position in conducting the defence, is purely and entirely the act of the prisoner.

His counsel will not be responsible for it; the Court is not responsible for it; but the unfortunate prisoner is responsible for his own act in dismissing his faithful, skillful, ableand zealous counsel on yesterday afternoon. He would simply add, that not only were the jurors kept away from their families by these delays, but there was not a female in this county who, whether with good cause or not, was not trembling with anxiety and apprehension. While, then, courtesy to the counsel, and humanity to the prisoner, should have due weight, yet the Commonwealth has its rights, the community has its rights, the jury have their rights, and it was for his Honor to weigh these in opposite scales, and determine whether we should not go on and bring this case to a close to-night. We had until 12 o'clock to do it in.

Mr. Chilton said their client desired that they should argue his case. It was impossible for him to do so now, and he could not allow himself to make an attempt at argument on a case about which he knew so little. If he was to get up at all it would only be for the unworthy purpose of wasting time. He had no such design, but having undertaken this man's cause, he very much desired to comply with his wishes. He would be the last man in the world to subject the jurors to inconvenience unnecessarily; but although the prisoner may have been to blame, may have acted foolishly, may have had an improper purpose in so doing, still he could not see that he should therefore be forced to have his case submitted without argument. In a trial for life and death we should not be precipitate.

The Court here consulted with the jurors, who expressed themselves very anxious to get home. His Honor said that he was desirous of trying this case precisely as he would try any other, without any reference at all to outside feeling.

Mr. Hoyt remarked that he was physically incapable of speaking to-night, even if fully prepared. He worked very hard last night to get the law points, until he fell unconscious from his chair from exhaustion and fatigue.—For the last five days and nights he had only slept ten hours, and it seemed to him that justice to the prisoner demanded the allowance of a little time in a case so extraordinary in all its aspects as this.

The Court suggested that we might have the opening argument for the prosecution to-night at any rate.

Mr. Harding would not like to open the argument unless the case was to be finished to-night. He was willing, however, to submit the case to the jury without a single word, believing that they would do the prisoner justice. The prosecution had been met, not only on the threshold, but at each and every step, with obstructions to the progress of the case.—If the case was not to be closed to-night, he would like to ask the same indulgence given to the other side, that he might collate the notes of evidence he had taken.

The Court inquired what length of time the defence would require for argument on Monday morning. He could then decide whether to grant the request or not.

After consultation, Mr. Chilton stated that there would be only two speeches, by himself and Mr. Griswold, not occupying more than two hours and a half in all.

Mr. Hunter again entered an earnest protest against delay.

The Court replied, then you can go on yourselves.

COMMENCEMENT OF ARGUMENT.

Mr. Harding then commenced the opening argument for the Commonwealth, and spoke only for about forty minutes. He reviewed the testimony, as elicited during the examination, and dwelt for some time on the absurdity of the claim or expectation of the prisoner, that he should have been treated according to the rules of honorable warfare. He seemed to have lost sight of the fact that he was in command of a band of murderers and thieves, and had forfeited all title to protection of any kind.

The Court then adjourned, at 5 o'clock, to meet again at 10 o'clock on Monday morning, when Mr. Chilton will deliver the opening speech for the prisoner.

A correspondent of the Baltimore Sun, writing from Charlestown, on Saturday, says:

Gov. Willard, of Indiana, visited his brother-in-law, Cook, yesterday, in jail, in company with Senator Mason. Mr. Mason proposed to the Governor to retire when the latter entered, suggesting that he would probably prefer that his interview should be private, and also for the reason that anything Cook might say he should feel bound to testify to if called upon as a witness. Gov. Willard very promptly replied that he himself would be a witness in court to any facts Cook might communicate, and insisted that Mr. Mason should be present. Gov. Willard urged Cook to make a full confession of all he knew connected with the affair at Harper's Ferry, in order to exonerate those who were innocent, and to punish those who were implicated, as the only atonement he could now make. Cook signified his willingness to do so, and he will probably make a written confession. He told Cook that he had nothing to hope for but death. Gov. Willard states that his family had lost sight of Cook for several years, and supposed he was dead, until upon reading his name in the papers, he determined to visit Charlestown to ascertain if he was his relative. Mrs. Willard, he states, is in great distress at the conduct of her brother.

A detachment of regular troops, consisting of twenty-five men, under Capt. S. M. Barbour and other officers, arrived at the Harper's Ferry armory to-day, and will probably remain there for its protection until spring.—Superintendent Barker is organizing two companies of armorers, employed at the works, who will be drilled by the officers of the regular troops, and who will be qualified to take the place of the regulars when they leave.—The Secretary of War, Gov. Floyd, who has been at Harper's Ferry for a day or two, left yesterday. Charlestown and the surrounding region remains under strict military surveillance. Col. Davis, of Richmond, is exercising military superintendence here under orders from Governor Wise. All stragglers and strangers are required to give a good account of themselves. A daguerreotypist, with his van and a soap and medicine pedlar were very properly ordered out of town yesterday.

A letter from Richmond to the New York Herald, says:

The Governor is in daily receipt of numerous threatening letters of an anonymous character from different parts of the North. Many of them betray a degree of fanaticism, malice and hatred of the South, which could hardly be supposed to exist even among two different nations. Some of them threaten vengeance upon Virginia if she dares to punish Brown and his traitor confederates, while others detail the plan of attack fixed upon for the future.

The writer gives a specimen of one of the letters, which is a jumble of ignorance and absurdity. The Hardy county (Va.) Whig, speaking of the "dead of the ferry," says:

The body of young Brown, one of the insurgents that were killed, and a son of old Brown, the ringleader of the fanatical band, was brought to Winchester and deposited in the medical college there, where hundreds of persons, ourself among the number, repaired to see it.

A SUPPOSED CONSPIRATOR.—We yesterday published a list, extracted from a Virginia paper, of the places in the Southern States marked on Brown's map, designating, as is supposed, the points of the designed insurrection. Among them, Crawfordville, in this State is to be found. We have been informed that the man Stevens, who was wounded and made prisoner with Brown, resided in and about Greensboro for some weeks last year. For tampering with the negroes, he was arrested by Judge Lynch, blacked and rode on a rail.—Thence he went to Crawfordville, where he was obliged to leave for the same cause.—*Augusta (Ga.) Dispatch.*

THE REPUBLICAN PARTY AND JOHN BROWN. The Republican party denies any knowledge of Brown's conspiracy, or having aided it in any way. A trumpeter, says Æsop, being taken prisoner in a battle, begged hard for quarter. "Spare me, good sirs, I beseech you," said he, "and put me not to death without cause, for I have killed no one, nor have I arms save only this poor trumpet." "For that very reason," said his captors, "shall you the sooner die, for without the spirit to fight, yourself, you stir up others to bloodshed!"

DEATH OF A CHILD FROM DRINKING LYE.—On Tuesday evening a little daughter of C. F. Bennett, of Louisville, Ky., while running about in the kitchen, drank a quantity of potash lye, which was standing on the table in a tin cup. The child, which was only one year old, was immediately taken sick. Medical assistance was called in, but it was of no avail. The child died.

GIN AND COTTON BURNT.—The Natchez Free Trader learns that on Sunday evening, 16th ult., the cotton gin of Mr. Geo. T. McGehee, in Wilkinson county, Miss., on the Natchez and Woodville road, was struck by lightning and entirely burned to the ground, destroying over a hundred bales of cotton.

There are five starch factories in the town of Stowe, Vt., each of which consumes from 17,000 to 20,000 bushels of potatoes yearly, yielding about eight pounds of starch to a bushel.

John C. Terrell has been convicted in Marlborough Parish, S. C., of murdering his great grandfather, and sentenced to be hung.

ADDITIONAL BY THE NOVA SCOTIAN.

The following news by the Nova Scotian was not received by telegraph. The Nova Scotian brings Liverpool dates to the 19th ult.:

GREAT BRITAIN.

The Great Eastern continued at Holyhead. Prince Albert visited her on the 17th, during the sojourn of the Royal Family at Bangor, but the Queen did not go. It had been asserted that the vessel would sail for Portland, Me., on or about the 28th of October, but it is semi-officially announced that the directors had not come to any decision. A meeting was to be held on the 19th, and it was thought that final arrangements would then be made. The Times' correspondent, on board, strongly advocates the postponement of the Atlantic trip until spring, on account of the imperfect preparations, and the consequent risk of failure.

The Prince of Wales had commenced his college studies at Oxford.

The Earl of Westmoreland is dead.

Cabinet councils and meetings of ministers were being frequently held in London, in reference, it is presumed, to the Italian question.

The Stock Exchange had been buoyant at daily improving prices. Money was easy and the supply very abundant.

FRANCE.

The report that France claims three hundred million francs as indemnity for the war from Piedmont, is pronounced unfounded.

Reports were again current of a probable change in the Ministry. The retirement of Walewski and the Duke of Padua was considered likely.

The Sardinian Minister of the Exterior, Gen. Dobormida, was on a mission to Paris, and had interviews with the Emperor and Walewski.

Rear-Admiral Dupuy had left Paris for London on a special mission.

L'Univers complains of having to cease publishing the circulars of Bishops, and hopes the injunction will soon be removed.

It was reported that the Archbishop of Bordeaux would soon visit Rome, at the desire of the Emperor, to press upon the Pope the necessity for reform.

The Moniteur de la Flotte explains that the French fleet will be sent to Morocco on account of the attitude assumed by England towards Spain, the English fleet probably being intended to counterbalance its operations.

It is asserted that France will only recall her forces from Rome when the form of government there renders their presence no longer necessary.

The Paris flour market had been heavy, but closed with a better demand and firmer.—Wheat had slightly declined.

Le Nord says that the deputations of Parma and Tuscany had interviews with Napoleon on the 16th, and that the result was satisfactory, but the details are not given.

The Paris Bourse had been firm at an improvement, but closed flat and inactive on the 15th at 69f. 75c. for rentes.

ITALY.

The King of Sardinia had visited Genoa amidst much enthusiasm. While there he received the dowager Empress of Russia.

The official Piedmontese Gazette states that on a representation made by Sardinia, Austria had suspended the works at Bocca d'Orfo and had notified her that the mines were blown up by mistake, expressing at the same time regret at the occurrence.

A committee at Milan had been making attempts to revolutionize Venitia and the Southern Tyrol, and these efforts to weaken the hold of Austria had not been entirely fruitless.

The Sardinian Government was seriously considering the expediency of fortifying Brescia, Lodiaia, and Cremona.

The Swiss Federal Council had brought the Austrian steamers on the Lago Maggiore.

The report that Naples has promised military assistance to Rome is discredited, as the King of Naples fears the invasion of his own territory.

A revolutionary committee at Ferrara was giving the Austrians great annoyance. It was formed for the purpose of assisting Venitians to join the National army.

The Neapolitan corps d'armee on the frontiers was continually increasing, and will amount to thirty thousand men. Great activity prevailed in the arsenals, and the whole army was gradually being placed on a war footing.

A letter from Florence details the grounds on which the exequater of the American Consul at Leghorn, Mr. Joseph Binda, was withdrawn. It is asserted that he busied himself greatly for the restoration of the dethroned Princes, of whom he was a warm partizan.—Binda is directly taxed with having recommended certain Republicans to proclaim a Republic, while at the same time, he was exerting himself for the Princes, and the inference is that he sought to raise a pretext for armed intervention.

SPAIN.

It is said that Spain has conceded further delay to Morocco.

The Spanish Cortes had approved the bill for increasing the strength of the army to 100,000 men, with full power to increase the number by 60,000 more, if necessary.

Morocco had offered satisfaction to Spain, but without replying to the ultimatum.

A Madrid dispatch of the 17th says the government had declared to the Cortes that before the time granted to Morocco had expired, it received information that Morocco would give the satisfaction demanded. Spain immediately demanded guarantees from Morocco that the place shall not be disturbed for the future. An immediate answer was expected from Morocco.

PRUSSIA.

The Emperor of Russia and the Prince Regent of Prussia were expected to have a meeting at Breslau, October 22d. A grand military parade would take place.

AUSTRIA.

It was reported that the Emperor of Austria will proceed to the frontiers of Prussia and Poland, there to meet the Emperor of Russia.

INDIA AND CHINA.

The India and China mails from Calcutta, September 9th, and Hong Kong August 24th, had reached England. The news is mainly anticipated by telegraph, but the letters give additional details.

Mr. Ward, the American Minister, was courteously received at Pekin. The news of his arrival at Pekin was brought to Shanghai by a Russian gunboat, but no letters were received from him. It was reported that he would be at Shanghai about the end of August, and that he expected to be able to send home the ratified treaty by the following mail.

The Times' correspondent regards the reception of Mr. Ward as a most polite stroke of the Pekin Cabinet, but does not at all remove the treachery to the British Minister.

Three officers, who lost their vessels at the Peiho, had been tried by court-martial and acquitted.

Advices from Japan state that the British Consul had made no progress in respect to the currency question. Trade cons