Wilmington Journal.

WILMINGTON, N. C:

FRIDAY, MAY 8, 1874.

JUDICIAL DISTRICT CONVENTION.

The Fourth Judicial District Convention of the Democratic Conservative party, met at the Court House yesterday at 11 o'clock A. M., in accordance with the call issued by the Executive Committee. Major C. M. Stedman, Chairman of the Committee, in calling the body to order, addressed the delegates in a few well-timed remarks. He refered briefly to the importance of the business for which they had assembled, and the necessity for Judicial reformation in North Carolina. Comparing the former ability and renown of the judiciary of the State with its present standing, and the influence an upright, learned and impartial Judge would have upon the general prosperity of the State, he urged upon the delegates to unite for the common good. Major Stedman requested Mr. J. N. Stallings, of Duplin, to act as Temporary Chairman, and Colonel T. C. McIlhenny, of Brunswick, and Mr. W. C. Powell, of Columbus, to act as Temporary Secretaries.

Upon motion of Mr. S. H. Fishblate, of New Hanover, the several counties handed into the Secretaries a list of the delegates. The following comprise the delegates present:

BLADEN.

K K Council, W O Robeson,
J D Currie, Dr F Thompson,

BRUNSWICK.

Henry T Williams, Joseph Standland,
Marsden Bellamy, John D Taylor,
Thos C McIlhenny,

CARTERET.

W F R Bell.

COLUMBUS.

J W Hall, A Peacock,
V V Richardson, J M McGougan,
T F Toon, G W Elkins,
A Meares, W C Powell,
S B Jennings, E H Todd,
J G Jackson, J A Hinson,
D J Neeley, B W Smith.
John Creech.

DUPLIN.

I B Kelly, D T Carr,
A Southerland, Jno F Southerland,
B Johnson, Dr M Moore,
A G Mosely, D J Aaron,
Dr J W Blount, J N Stalling,
G W Carroll, Rufus Bass,
W H Sloan, Ira W Hatch,
A M Faison, J G Branch,
E B Herring, Thos J Carr,
A S Colwell, W B Hurst,
R C Johnson.

NEW HANOVER.

Jno W Hinson, Dr B F Cobb,
Chas D Myers, DuBrutz Cutlar,
Chas Flanner, W P Oldham,
Jno H Robinson, H C Cassidey,
S W Vick, Wilkes Morris,
F W Kerchner, John Lippitt,
A Weill, S H Fishblate,
W L Saunders, R K Bryan,
Wm H Bernard, C W McClammy,
Roger Moore, A H Paddison,
P Heinsberger, I T Vann,
G L Dudley, Thos Williams,
W H Green, John R Hawes,
E Glavin, J A Harmon,
E H Eilers, S P Richard,
R S Radcliffe, W W Harriss,
I B Grainger, Jno J Fowler,
O G Parsley, Jr, Dr W T Ennett,
W H King,

ONSLOW.

J W Shackleford, E Murrill,
Simon B Taylor, R W Ward,
B L Kellum, A C Huggins,
J F Gibbs,

ROBESON.

M C McNair, D B McGougan,
John Patterson, W A McNair,
R McCaskill, W W McDiarmid,
John H Collins, P P Smith,
R B Gregory, W J Brown,
Ed. Smith, J W Plummer,
Alex McIntyre, C Black,
Alex McMillan, O Kinlan,
W J Tolar, E H Paul.

SAMPSON.

Dr C T Murphy, J R Beaman,
E W Kerr, M J Faison,
Everett Peterson, T F Cox,
J J Bronson, L A Powell,
John Lamb, A R Herring,
John W Brown, P Merritt,
Richard Herring, A J Johnson,
N H Fennell, J B Lane,
J A Corbett, J R Maxwell,
Luther Highsmith, H Boykin,
John D Kerr, A B Chestnutt,
Dr W B Murphy, Thos Rogers.

Mr. R. K. Bryan, of New Hanover, moved that a Committee of one from each county be appointed on permanent organization. Carried. The following comprise the Committee:—Bladen, Dr. F. Thompson; Brunswick, Marsden Bellamy; Carteret, W. T. R. Bell; Columbus, V. V. Richardson; Duplin, A. G. Mosely; New Hanover, R. K. Bryan; Onslow, R. W. Ward, Robeson, R McCaskill; Sampson, E W. Kerr.

The Committee, through their Chairman, R. K. Bryan, reported the following gentlemen as permanent officers of the Convention, viz:

President—Col. Jno. D. Taylor, Brunswick.

Secretaries—W. C. Powell, Columbus; A. C. Huggins, Onslow.

Upon motion of Mr. J. R. Beaman, of Sampson, Col. W. L. Sanders, of New Hanover, was added to the list of the Secretaries, and the report was adopted.

Col. Taylor, being escorted to the Chair, addressed the Convention, thanking them for the honor of being called upon to preside over a Convention, so large in numbers, so intelligent in its character and having under consideration such important duties. He appealed to the delegates to so discharge those duties that their action will enure for the good of the people.

Dr. C. Tate Murphy, of Sampson, moved that Mr. K. K. Council, of Bladen, be added to the list of delegates from that county, which was carried.

It was moved by Mr. Kerchner, of New Hanover, that when this Convention adjourns, it be to meet at the Opera House at 3 o'clock. Carried.

Upon motion of Maj. C. W. McClammy, of New Hanover, it was resolved that a committee of one from each county be appointed to provide a method of voting for candidates, and to prepare business for the Convention. The following gentlemen compose the committee: Bladen, K. K. Council; Brunswick, T. C. McIlhenny; Carteret, W. T. R. Bell; Columbus, T. F. Toon; Duplin, J. N. Stallings; New Hanover, W. H. Bernard; Onslow, E. Murrill; Robeson, W. W. McDiarmid; Sampson, E. W. Kerr.

The Convention then took a recess until 3 o'clock.

EVENING SESSION.

The Convention reassembled at 3 o'clock. Mr. W. H. Bernard, Chairman of the Committee on Business, submitted the following report:

The Committee appointed to recommend a basis of voting for this Convention beg leave to submit the following report:

After careful consideration of the question we unanimously recommend that each county represented in this body, whether by one or more delegates, shall be entitled to the exact Conservative vote cast by such county in the Gubernatorial election of 1872; and that any candidate receiving a majority of the whole vote cast shall be declared the nominee of this Convention.

Upon motion of Mr. E. Murrill, of Onslow, the question was divided upon the adoption of the report, first upon manner of voting, and second, upon the number required to nominate. The first part of the report was adopted

Mr. Kelly, of Duplin moved that the second part of the report be amended so as to require two-thirds of the whole number of votes cast to nominate candidates.

Mr. Kelly urged his views upon the Convention. Dr. C. T. Murphy, of Sampson, and W. H. Bernard, of New Hanover, opposed the motion.

The Court House being inconvenient for the purposes of the Convention, a motion to adjourn to the City Court Room was made and carried.

Upon the reassembling of the Convention the President ruled upon a division of the vote that in the decision of this question each county would be entitled to cast its Conservative strength as determined in the Gubernatorial election of 1872.

Upon the call of the roll the following counties voted aye: Duplin and Onslow, and the following nay, Bladen, Brunswick, Cateret, Columbus, New Hanover, Robeson and Sampson. The motion was lost.

Upon motion of Mr. R. K. Bryan, of New Hanover, the report was amended so that it would only be necessary to have a vote by counties when any county should demand it.

The second section of the Report was then adopted, and the Report as amended was adopted.

The Convention upon motion of Mr. McDiarmid, of Robeson, resolved to go into the nomination of a candidate for Judge.

Mr. J. W. Plummer, of Robeson, nominated Col. A. A. McKoy, of Sampson, Capt. W. T. R. Bell, of Carteret, seconded the nomination in a speech, urging the claims of Col. McKoy.

Mr. W. J. Tolar, of Robeson, nominated Capt. J. W. Ellis, of Columbus, which was seconded by Gen. T. F. Toon, of Columbus, in a few remarks acknowledging the compliment to his county, and commenting upon the fitness of Capt. Ellis.

Mr. J. N. Stallings, of Duplin, placed the name of Col. W. A. Allen, of Duplin, in nomination, in a speech urging the claims of his candidate and his county.

Upon a call of the roll the counties voted as follows:

FOR A. A. MCKOY.

Brunswick	711
Carteret	1,061
New Hanover	2,261
Robeson	1,631
Sampson	1,697
	7,362

FOR W. A. ALLEN.

Duplin	1,750
Onslow	892
	2,642

FOR J. W. ELLIS.

Bladen	1,208
Columbus	1,024
	2,232

Before the vote was announced Columbus, Onslow and Bladen changed their votes to McKoy, and upon motion of Mr. Kelly, of Duplin, the nomination of Col. McKoy was made unanimous.

Mr. E. W. Kerr, of Sampson, returned the thanks of his county for this unanimous recognition of the merits of one of her honored sons. He promised that if this unanimous nomination shall be confirmed at the ballot-box, that the ermine will be worn in purity and that the rights of all shall be respected. This Convention will never have cause to regret their action in placing Col. McKoy in nomination for Judge of the Fourth Judicial District.

A recess of fifteen minutes was had to allow delegations time for consultation.

The Convention being called to order, nominations for Solicitor were announced as in order.

Mr. W. W. McDiarmid, of Robeson, nominated W. S. Norment, of Robeson, which was seconded by Messrs. Marsden Bellamy and S. R. Chinnis, of Brunswick.

Mr. W. J. Doughty, of Carteret was placed in nomination by Mr. Chas. Flanner, of New Hanover. This nomination was seconded by Mr. W. T. R. Bell, of Carteret.

Mr. DuB. Cutlar, of New Hanover nominated Mr. J. N. Stallings, of Duplin.

Upon a call of the roll the counties voted as follows:

FOR J. N. STALLINGS.

Bladen	2,208
Duplin	1,750
New Hanover	2,261
	5,119

FOR W. J. DOUGHTY.

Carteret	1,062
Onslow	892
Sampson	1,692
	3,651

FOR W. S. NORMENT.

Brunswick	711
Columbus	1,024
Robeson	1,631
	3,366

A second ballot being called, and before the completion of the vote, and upon motion of Mr. J. W. Hinson, of New Hanover, Mr. W. S. Norment was unanimously nominated.

Mr. W. W. McDiarmid returned the thanks of his county for this nomination of Mr. Norment, and promised a good report from Robeson in August next.

The President of the Convention was requested to inform Col. McKoy and Capt. Norment of their nominations.

The present Judicial Executive Committee was reappointed.

The thanks of the Convention were extended to the President and Secretaries, and to the city authorities, for the use of the City Court Room.

The Convention then adjourned *sine die*.

SOUTHERN LITERATURE.

The New York *Times* lately contained a warm and truthful tribute to Edgar Allan Poe, the great Southern writer. It made an admission, says the Lynchburg *News*, which we never saw made before in any Northern journal, or by any Northern critic—that Poe possessed more real genius than any other writer that this country has produced. We are glad to see that the truth is beginning to be acknowledged in the North, and that they are commencing to admit that something good, in a literary way, can come out of our Southern Nazareth.—Hitherto it has been sufficient for any thing literary to have a Southern origin to damn it forever in the eyes of the Northern people and Northern critics. This has been the case, not only with regard to works of fiction and light literature generally, but has been extended to every department of literary effort. Southern authors have been laughed at, and sneered at, and ridiculed by would-be critics in the North, who were not worthy to so much as touch the hem of their garments, from whose heads they so vainly attempted to snatch the crown of their justly deserved fame. And the Southern people have themselves to blame in a great measure for all this. They have not encouraged and cherished their own literature as they should have done, but have suffered it to pine away neglected and uncared for, or have allowed it to be hounded and hunted by literary curs of the lowest degree from Northern kennels. We have gone North for everything. We have obtained there not only the material luxuries of life, but it became so much the fashion to look to the North for everything, that we actually sent there for our literary ideas. All our school books were from the North and written by Northern authors; all the works on art and science that we read came through Northern hands, even if not written by Northern pens; in short, most of the reading that we did, came from the same source. Perhaps, under these circumstances, it is not so much to be wondered at that the North should not credit or admit the existence of literary talent in the South; it concerned both its pride and its interest that it should not do so. Of late years we have been becoming more independent, in every way, of the North, and as we have developed enterprise in our material concerns, we have at the same time waked up and called forth our dormant and latent literary talent and put them to work for the benefit of our section. We believe that the South in the future will produce as gifted authors as she has great orators, and soldiers, and statesmen in the past. But to do this she must encourage Southern literary enterprise and effort, for it is as true in letters as in anything else in life, that "men will praise thee when thou doest well to thyself."

STEPHENS AND HILL.

General A. H. Colquitt has been recently interviewed by the Albany *News* about the Stephens-Hill controversy. The General saw Mr. Stephens in Augusta a few days ago, and was surprised to hear that gentleman reiterate the statement that Mr. Hill was not in Richmond at the time in question. Mr. S. thinks Mr. H. has confounded a meeting of the Georgia delegation in his room to consider a set of resolutions he himself had prepared, looking to the appointment of a Commissioner by Congress, with the subsequent action by Mr. Davis in that regard. He is positive and uncompromising as to the truth of his statement, but General C. thinks Mr. Hill ought to know best where he was on the 27th of January and up to the 3d of February.

The New York *Times* referring to the debate on the Louisiana bill in the United States Senate says:

"The debate will, we believe, have some good effects, independent of Senator Carpenter's bill. It has called attention to the outrageous evils which exist in several of the Southern States; it has broken substantially whatever hold the Southern Governments may have had on the Republican party, and it has made it clear that the party must either reform some of these Governments by extreme measures, or withdraw from them all countenance and support, even though they should fall into Democratic hands in consequence."

The Mormon war in Utah has broken out into a new and wordy conflict. Outside of Salt Lake City, and commanding the town, is "Camp Douglass," the United States military post, with its guns in range of the Tabernacle. The Mormons do not like this at all, and they bear no love for the soldiers, and whenever any of the latter stray into the city and misbehave, they are arrested and put into the chaingang, and made to do all kinds of menial work. Against this punishment Gen. Morrow, who is in command, has protested repeatedly, saying that he would punish the soldiers according to their deserts, but the protests are unavailing. He is advised by counsel that the course of the Mormon authorities has no legal authority, and that these soldiers should be punished only by the military power, and he has, therefore, reported the state of affairs to Gen. Ord, commanding the military division, asking instructions. Gen. Ord has sent the report to Gen. Sheridan, with a vigorous endorsement, and Sheridan, in turn, sends it to Gen. Sherman, with a still stonger endorsement, asking whether he ought not to go to Salt Lake City to "attend to the matter." Gen. Sherman, with a further statement, equally anti-Mormon, has sent the papers to the Secretary of War, and the matter looks very much as if a quarrel were brewing that would further complicate the uncertain state of affairs in Utah.

The actual suffering resulting from the overflow of a large portion of Louisiana has caused the pecuniary damage to be somewhat overlooked. The New Orleans *Republican* of a late date has published a statement of the estimated loss of property by the flood. It estimates the damage to the sugar, cotton and rice crops alone at about $3,000,000, or about one-sixth the total annual production. To this must be added the 500,000 head of live stock, the poultry, vegetables and other articles of food, which will help swell the aggregate loss very largely.

STATE NEWS.

The Prohibition ticket won in Raleigh. The Conservatives carried four out of the five wards.

The Raleigh News says: We learn that our young townsmen, Messrs. Nick Jones and Ed. Merrimon, will start on a European tour on the 16th of this month, and that their immediate place of destination is Paris.

The Raleigh Sentinel says: Prof. W. C. Kerr, who has returned from a visit to Salem and the West, informs us that the fruit crop is seriously damaged by the recent frosts, which will prove a serious loss to that section of country.

The Charlotte Democrat says: The heavy frost of Wednesday morning last led to the belief that everything usually killed by frost was then killed, but that is a mistake, as observation has since proven. We are glad to learn that but little damage was done.

A Goldsboro special to the Raleigh News says: The city election occurred to-day, and everything passed off quietly. The Conservatives elected their Mayor and three of the six Councilmen. This is a great triumph, as last year everything was Radical.

The Newbernian says: We hear from private sources that Mr. T. A. Henry has been nominated as Collector of the Port, *vice* Mr. King, resigned. Mr. Henry is a genial and pleasant gentleman, and those having business with him will, we are sure, find him courteous and agreeable in the discharge of his duties.

The Christian Conference for the Southern States met at Graham on Friday last, Rev. W. B. Wellons presiding. Mr. Wellons was re-elected President, Rev. S. Apple elected Vice-President, Rev. C. A. Apple, Secretary and J. M. Morris, Assistant Secretary. The Convention is well attended.

The Lincolnton Progress says: Heavy frost in Lincolnton on the morning of the 30th of April. The wheat, up to this time, never looked more promising. The extent of the damage is not known, but it is thought by some of our oldest and most experienced farmers that the crop will be injured.

The Newbernian says: A friend in Pamlico county, informs us that a severe gale of wind passed over the lower portion of that county on last Tuesday night. In its course it demolished large trees, dwellings, and a colored church, and seriously injured two colored men on Dawson's Creek. The fences in that region, he states, were entirely demolished.

The Newbernian says: Among the various pieces in the furniture line which the steamer Gary has just brought from Baltimore, is an immense rocking-chair for a certain North Carolina gentleman who had the article manufactured expressly for himself; the dimensions of the seat measure 27x29 inches. Who dare say that the Old North State cannot boast of at least one large citizen?

The Lincolnton Progress says: The dwelling of Mr. Marcus Carpenter, of this county, was totally destroyed by fire on the 28th ult., together with all its contents. Mr. Carpenter saved nothing at all, he and his family being absent at the time. What money he had was also consumed. The fire is supposed to have been accidental, they having left fire in the house and the wind blowing very hard.

The Goldsboro Messenger says: It is our painful duty to chronicle the sudden death of our young townsman, Samuel D. Nelson, son of Rev. C. J. Nelson, who died very suddenly on Sunday evening of apoplexy while walking near the river bank and in company of several of his companions. Samuel left town a few hours before his death, apparently in very good health. His age is twenty-three years. A coroners inquest will be held to-day and the funeral takes place to-morrow.

The Charlotte Observer says: Jos. H. Carson, Esq., who is just from his home, in Rutherfordton, gives us some facts concerning Bald Mountain. He says there has been no serious commotion in the mountain since last Tuesday. On that day the rumbling was very great. The mountain heaved and trembled to an alarming degree and an eruption was momentarily looked for by the people living around it. Mr. Carson says the quivering is felt sensibly at Rutherfordton and has been for some time past. It has been more quiet, though, since Tuesday, and the sensation now is that of quivering. This is the latest intelligence from the mountain and it is reliable.

The Municipal Elections in the State.

[From the Raleigh News.]

SALISBURY, N. C., May, 5, '74.

The municipal election in this city passed off quietly. The whole Democratic ticket was elected. Dr. T. W. Keen is re-elected Mayor, with a full Board of Democratic Aldermen. License, carried.

HILLSBORO, N. C., May 5, '74.

A. C. Murdock, the Democratic candidate, is elected over the opposition candidate by 15 votes. The "License" ticket was won by 115 votes.

JONESBORO, May 5, '74.

The municipal election of yesterday resulted in a throughout election for a Democratic Mayor and Board of Commissioners.

CHARLOTTE, N. C., May 5, '74.

Editors of the News:—Charlotte elects a Democratic Mayor and a full Board of Commissioners.

DURHAM, N. C., May 5, '74.

Editors of the News:—Durham is all right side up with care. We elect Ed. Parish, Democrat, for Mayor and a full Board of Democratic Commissioners. Hurrah for hurrah (Amen, say we).

WELDON, N. C., May 5.

Editors of the News:—At the election held here yesterday the following persons were chosen Town Commissioners:

B. W. Spellman, R. O. Edwards, L. F. Larkin, T. L. Emry and Peter Cook. Four white and one colored man.

A funny incident happened at the Boston Theatre a few nights since.—Maggie Mitchell was playing "Fanchon." In the third act a scene was set in which a bridge began on the right of the stage down near the auditorium, ran directly to the rear, and thence along the whole width of the stage, which is perhaps the largest in the country. At the end of the act, after "Landry's" dialogue with "Fanchon," he runs off up the bridge, and when about to do this, and just as he took the first step on the bridge, the hero's trousers, which were of the baggy kind generally worn by stage peasants, fell down in the rear, and immediately a square yard of linen began to flutter in sight of the audience. "Landry" felt what had befallen him, clapped his hands to the exposed place, and ran up and along the bridge as fast as his legs could carry him. For the first couple of seconds the audience hardly could believe its eyes, but when the situation was fully appreciated there was a perfect howl.

Laying Down the Law.

A horse thief on trial at Hernando, Mississippi, pleading insanity, ex-Governor Clarke, who was acting as District Attorney, argued thus to the jury: "If the prisoner is insane, he should be sent to Jackson to the Lunatic Asylum. If he is a thief, he should be sent to the State Penitentiary. If he is partly a thief and partly an idiot, he should be sent there to the State Legislature."

Four-fifths of the bottom lands between Memphis and New Orleans were inundated by the late floods.

HANGING A MANIAC.

Pitiful Scenes of the Execution.

Joseph Waltz, who was hung at Catskill, N. Y., on Friday, for the murder of Joseph Holcher, a scissors-grinder, and who, only on the day preceding his execution, mashed in the skull of the keeper placed in the cell to watch him, was undoubtedly a maniac, a maniac, however, whom it would have been dangerous to allow at large, and who would have been an unsafe inmate even for an insane asylum. In his confession of the murder of Holcher he states that his victim came to the house of his (Waltz's) father to pass the night. The evening was spent in pleasant conversation, and after all had gone to bed, young Waltz, as his confession states, was seized with an uncontrollable impulse, which he took for the prompting of an evil spirit to kill the German. He opened his Testament to read, but soon laid it down and "resisted the spirit until it overcame him." He then went out of doors and got a hatchet and crept softly into the guest's room. Another struggle of conscience against the murderous impulse took place, but it was too feeble and he killed the old man in his sleep. He says in a subsequent confession, "I struck very hard, but I seemed to have no strength." He then buried the corpse, and broke the scissors-grinder's poor apparatus to pieces and buried and hid the fragments. He committed so many follies as to attract suspicion to himself, and after he was arrested he took the officers to the place where the body was buried, and made a voluntary confession of the crime. He felt no remorse for what he had done and no fear as to his own fate. His family were too poor to employ able counsel to defend him, and he was convicted. His execution was delayed for some time, and Gen'l Dix made some effort to gain information as to his mental condition. He was satisfied that Waltz was not so insane as to be morally irresponsible, and therefore refused to interfere with the execution of his sentence. On Thursday Waltz gave another terrible proof of his homicidal madness. He had been violent all day, and some time before had threatened the life of his keeper, Charles Ernest. But the latter did not believe in his insanity and did not fear his violence. His confidence proved his ruin, for about two o'clock, as he was lying on a lounge in the cell, Waltz attacked him with an iron bar he had torn from the floor and crushed his skull in several places. He possessed himself of the victim's revolver and keys, but made no effort to escape. Having gratified his murderous impulse, he sat down on the floor in the corner, growling and muttering like a wild beast. He made no resistance to the jailers who came in and chained him, with tardy decision and sagacity. Ernest was a general favorite in the village, and there was a momentary attempt to lynch his slayer, but the Sheriff succeeded in preventing it.

Up to the moment of the execution, the conduct of the doomed man did not differ from what it had been since he was first arrested. He muttered, or rather growled, most of the time he was crouched silently in a corner. He stared vacantly at his keepers, and would answer no questions. A 9 o'clock his mother was led into his cell. It was thought that she might bring him to a consciousness of his position, but those who held this belief were disappointed. For a few minutes after she entered he continued gazing at the wall. His expression was then that of an utter idiot, and lacked even the slightest gleam of intelligence. Suddenly, and without relaxing his gaze at the wall, he gave a fierce, hoarse howl, sprang to his feet and seized his mother by the hand in a threatening manner. The officers had anticipated mischief, and Constable Whitcomb, who was watching the prisoner's movements, forced him to loose his hold on his mother, and the lady at once retired, grief-stricken at her son's sad condition.

The most pitiful scene of the day, however, was the visit of Waltz's sister to his cell. She pleaded with him long and with deep religious fervor, beseeching him to acknowledge his crime and in prayer seek the forgiveness of the Almighty; but it was of no avail. He either could not or would not hear her, and the girl, weeping bitterly and with nerves so unstrung that she could hardly walk, was compelled to go away without having accomplished her mission. At ten o'clock Father Driscoll, a Roman Catholic priest, entered the prisoner's cell, followed by the latter's friends. The priest read the burial service of the Church, but did not administer sacrament, as he did not believe Waltz was in a fit state of mind to receive it. When the funeral service was over, the prisoner's arms were stoutly pinioned, and the procession was formed for the march to the scaffold, which was erected in the northeast corner of the upper floor of the jail. Father Driscoll led the way; then came Sheriff Coonley with Waltz, and Constable Witcomb and the jury who had pronounced the verdict on the doomed man brought up the rear. The noose was at once adjusted on the prisoner's neck. After the usual preliminary ceremonies of reading the death warrant, and prayer by Father Driscoll, the prisoner was asked if he had anything to say. There was no response. A shudder of horror at this instant seemed to pass through the frames of all present, for, as some said, they felt that they were about to see a lunatic hanged. But at the thought of the keeper, Charles Ernest, who lay unconscious in an adjoining room from injuries received at Waltz's hands, the feeling of sympathy which had been momentarily excited spent itself. The black cap was then pulled over the face of the doomed man, who gave not the slightest indication of consciousness of the proceedings, and then, at 10:16 the fatal cord was pulled. At the recoil of the body, the noose slipped round to the back of the head. Apparently, there was little suffering, for after two or three convulsive contractions of the fingers, the whole frame hung motionless.

In fourteen minutes the body was cut down. Just before this was done, Anselm Waltz, the father of Joseph, who was present, said, with deep emotion, pointing at the dangling remains of his son, "Can anybody who looked upon that body say he was not insane?

Shortly after the body of Waltz had been cut down, six physicians entered his cell and proceeded to hold a post mortem examination. They found the neck broken. They then trepanned his skull, and on examining the brain found it to weigh fifty-four ounces, a half ounce heavier than that of Daniel Webster, and fourteen ounces heavier than the average brain of a human being. All the organs were in a healthy condition, and the intellectual faculties were largely developed. The physician could discover nothing to indicate insanity. After the examination had been completed the brain was placed in liquor and will be taken to Albany to undergo examination by experts of that city.

HIS LAST VICTIM STILL ALIVE—BURIAL OF THE CRIMINAL'S BODY.

HUDSON, N. Y., May 2—Charles Ernest, the officer who was assaulted by Waltz, was alive at one o'clock this afternoon, and was removed to his residence.

The body of Waltz was buried on the farm last night, the only persons in attendance being the father, mother, sister and a laborer.

The brain of Waltz was sent Albany to-day for scientific examination.

The Knoxville *Press and Herald* of Thursday reports four and a half inches of snow at Jonesboro, Tennessee, on the day before at nine o'clock, three and a half inches at Greenville, and two inches at Bristol. It hears, however, of no injury to the growing wheat or the fruit.

THE BALD MOUNTAIN TERROR.

Prof. DuPre Says "Earthquakes."

The more recent noisy manifestations of Bald Mountain, says the Knoxville Press and Herald, have renewed the public interest in the phenomenon. The terror is now so great, even twenty-four miles from the mountain, that many settlers are preparing to leave their homes. There seems, after all, to be little doubt that the shaking of the mountain is traceable to volcanic influences. Professor Du Pre, Geologist of Woford College, South Carolina, in his official report takes this view. After describing his visit to the scene of the disturbance, he says:

"All the testimony which we collected from the people while passing along the eastern and western side of this mountain, covering a distance of eighteen miles, concurred in the following summary: That there were certain days marked by loud reports and severe shakes; that from fifty to seventy-five shocks have been felt since the 10th of February; that the noise begins with an explosion like a blast, followed by a rumbling sound, lasting only a few seconds; that the shocks are simultaneous, or almost so, with the reports, and seemed to follow the direction of the rumbling sound, with this exception, that those near the top of the mountain assert that they appear to be under and all around them; that the reports all come from Stone and Bald Mountain Ridge, those living on the east side pointing to the west, and those on the west pointing to the east for the direction of sounds; that that these reports occur as often during the night as in the day, in fair weather as in foul; that the effects are felt five miles on each side of the mountain ridge, and extend from Broad river on the southwest to Catawba on the north, a distance of twenty-five miles; that houses shake, trees with their dead leaves tremble, glasses and crockery rattle, shavings in their workshops shake and 'quiver,' as one expressed it. This testimony was collected from thirty or forty men and women, of different degrees of intelligence, and their remarkable concurrence in the above statement places the fact beyond the possibility of doubt."

Prof. DuPre discusses with much profound wisdom the various hypotheses which have been proposed to explain these facts, and announces that the phenomena connected with the agitation of Stone and Bald Mountain must be referred to the general volcanic or earthquake force, which seems as necessary to the economy of nature as light, heat or electricity.

Mrs. Gaines as a Lawyer.

Belva A. Lockwood's recent appearance in the Court of Claims, in this city, reminds the New Orleans *Picayune* of what occurred in the District Court of that city nearly thirty years ago.

It was on the trial of one of the first of the many suits of Mrs. Myra Clark Gaines. Judge Buchanan presided, and the case was submitted to a jury. It happened that the lawyers, some of the ablest at the bar, fell into a bitter wrangle with the Judge, and were so offended at his rulings that they withdrew from the case and the court.

Mrs. Gaines and the veteran general, her husband, were present in court. The general wore his full uniform, his sword and sash, in conformity to the regulations. The lady was there in the meridian of a beauty, grace and vivacity, even now preserved to so remarkable a degree, after reaching the Scriptural limit of human life.

Immediately upon the withdrawal of her lawyers the stately old hero of Fort Erie, taking his wife by the hand, led her to the bar and addressed the judge as follows:

"May it please your honor I was educated for the bar, and the honored relative whose name I bear, (the celebrated Chief Justice Edmund Pendleton, of Virginia,) impressed me, in early youth, with the profoundest reverence for the civil courts of my country. Perhaps, in the view of the world and of the court, it would be my duty to supply the place of my wife's lawyers upon their retirement from her case. If it were a duty that I thought myself adequate to perform, I should not shrink from it, for the lady, besides being my wife, is the daughter of my old friend, Daniel Clark, to whom I am bound by many ties of an ancient friendship and warm esteem, to render every service I can in the maintenance of the rights of his friendless daughter. And this service I should be bound, as a soldier and a gentleman, to render to any lady in like circumstances. But as the lady is far more able to argue her case than I am, I beg that she be allowed to conduct her own case."

And then raising his head, and gently touching his sword, he turned to the opposite counsel and remarked.

"For whatever the lady shall say or do, I hold myself, to the full measure and in every manner, recognized among gentlemen."

Judge Buchanan was greatly annoyed at this proposition, and fired up at the allusion of the General to his personal responsibility. He manifested his anger by reminding the General that a display of military pomp and pounce could not be allowed in the court. He was not to be overawed in that way.

General Gaines, in a most courteous and submissive style, begged to assure his honor that, if he referred to his presence in court in military dress and accoutrements, it was from respect to the court, and in strict conformity to the regulations of the service. The sword which he wore would never be drawn with more alacrity than in the defence of the civil authority and tribunals of his country.

Mrs. Gaines then took charge of her case, and for several days conducted it, with all her spirit and zeal, confronting and vexing the learned counsel, and worrying the Judge with her sharp little speeches and piquant personalities, winding up her case with a very effective speech to the Jury. We do not now remember the result, but have a very distinct recollection that the Judge, who was a plucky, but high-tempered gentleman, did not resume his place on the bench the next day, and for several days thereafter. The final judgment in the case was in favor of Mrs. Gaines.

"He."

Highlanders have the habit, when talking their English, such as it is, of interjecting the personal pronoun "he" where not required—such as "The King he has come," instead of "The King has come." Often, in consequence, a sentence or an expression is rendered sufficiently ludicrous, as the sequel will show. A gentleman says he had the pleasure of listening to a clever man, the Rev. Mr.———, (let his locality be a secret,) and recently he began his discourse thus: "My friends, you will find the subject of discourse this afternoon in the first Epistle general of the Apostle Peter, chapter 5th and verse 8th, in the words: 'The Devil he goeth about like a roaring lion, seeking whom he may devour.' Now, my friends, with your leave, we will divide the subject of our text to-day into four heads. Firstly, we shall endeavor to ascertain "Who the Devil he was.' Secondly, we shall inquire into his geographical position, namely, 'Where the Devil he was going.' Thirdly, and this of a personal character. 'Who the Devil he was seeking.' And fourthly and lastly, we shall endeavor to solve a question which has never been solved yet, 'What the Devil he was roaring about.'"

Choice flocks of sheep continue to be sent from Vermont to the far West. One numbering 113 was shipped a few days ago to Washington Territory, a distance of 4,000 miles.

From the Columbus Enquirer.

"JESS SO! JESS SO!"

Hard Times.

"It's mighty hard times, *I tell you!*" We took a short walk yesterday, and this was the salutation we heard one man give another. The speaker was a tall man, in his shirt shirt sleeves and a slouched hat, and he stood holding in his strong hand a rope attached to the horns of a stunted juvenile steer, that, with its consumptive little companion, looked as if the rope were superfluous; for there was nothing more foreign to their thoughts or spirits than running away. The little shambling wagon to which the attenuated cattle were hitched groaned in its oilless joints under nine sticks of green wood, unsplit because too thin. The wood looked like English hop poles, and the man who vowed the times were hard could have carried the load easily. In the back part of the wagon, secured by a strap, was a glazed earthen jug with a corn cob stopper supplemented by a piece of red rag. We did not wait to hear more of the stale platitude, but went on; the sight of such teams, such loads, such men and such statements have become too common to excite comment. Late in the afternoon we saw the team again, going home through the mud, rain and increasing darkness. The driver had the glazed jug under his head, as he lay on the two planks that formed the wagon's bed. We do not know what the jug contained, but whatever it was the man had given all the contents he could, an inside passage. The little steers had visibly shrunken since morning, looking, poor things, as if they were gradually washing away, and longing for the job to be over. This man was not a type of the yeomanry of this land. Unfortunately, it has no class corresponding to the yeoman. He was a poor, ignorant white man, with a wife and a large family, no doubt, and he lives in a wretched one-roomed cabin, on a piece of water-washed land, unknown and uncared for, with no impulse, and no aid to rise to a nobler life. "Hard Times?" Who are making them? The poor wife, with her little ones huddled about her last night, knew what brought "hard times" to her wretched abode, when the famished brutes stopped, with hanging tongues, in the darkness, and she heard the oaths of the greater brute as he staggered in with the glazed jug in his hand.

"Hard times!" says the man who never did a stroke of earnest, honest work to make them better. "Hard times!" says the young man, too proud to labor with the white hands which he folds as he waits for chance to give him an easy job. "Hard times!" says the planter, as he begs the merchant to give him time for the food he needs, and paying 50 or 100 per cent. for his advances, he goes back over barbarous roads to an uncomfortable home to bet his remaining time and credit on that game of chance—cotton. "Hard times!" cries the merchant as notes fall due and not one dollar of the thousands owing him comes in to meet them. Yes the times are hard and the cause lies at our own door. Our merchants are the slaves of New York, and our farmers the vassals of the merchants. There is too little earnest, manly effort, too many of heaven's blessings to incite to persistent labor. Six months from now will tell the story, and the farmer who from neglect is forced then to buy his food, deserves all the hard times it will be possible to inflict.

Senator Merrimon.

North Carolina has cause to feel proud of her present Congressional delegation, and in particular of her two distinguished Senators—Ransom and Merrimon. Only a few months since Judge Merrimon took his seat in the Senate and he is evidently winning for himself an honorable, national reputation. The recognized leader of the "Inflationists" he has just added another laurel to his statesmanship in a late speech on Grant's usurpation in Louisiana, which speech reflects honor upon this State and the people of the South alike. The New York Herald thus speaks of the speech:

THE LOUISIANA QUESTION—SENATOR MERRIMON'S SPEECH.

In the Senate the Louisiana question was resumed by Senator Merrimon to-day, and he made a most able and powerful speech, which was listened to, towards its close, with a great deal of attention. He became very animated and dwelt at times upon his subject with crushing force and an unanswerable pertinacity. He denied that the republican party lost any votes by the failure of the colored people in Louisiana to vote, as the people of that race never declined to vote, and would go any distance to do so, be it long or short. He said the republican party had accomplished its work and was now on the decline. He would not say what party would succeed it; but the day of that party was over.

Mr. Davis, (democrat) of West Virginia. Amen! (Laughter.)

Mr. Merrimon argued that Mr. McEnery was the legally elected Governor of Louisiana.—*Goldsboro Messenger.*

BEFORE THE SUPREME TRIBUNAL.

A Catholic Bishop Sentenced to Four Years' Imprisonment With Hard Labor.

At 10 o'clock on the morning of the 21st the trial of the Right Reverend Bishop of Pernambuco [charged with acting in antagonism with the laws of the civil government] was resumed by the Supreme Tribunal. His Grace was accompanied by the Right Reverend Bishop of this city and by his Lordship the Bishop of Kansas, U. S., who came to Brazil to collect donations for the poor Catholic Churches of that State. The court was densely crowded with people of all classes of society. The countenance of the accused, though dignified in the extreme, bore evident signs of deep sadness.

The report of the Judge Relator having been read, the President addressed to his Grace the question whether anything within the document just read was incorrect? But his Grace, faithful to his original answer—*Jesus autem tacebat*—did not reply to the question. A long debate then ensued about the right of the spontaneous defenders to address the court in behalf of the accused; the President, however, firmly declared that the tribunal having already granted this right, he would sustain it, requesting, however, the spontaneous orators to be brief, on account of the lateness of the hour.

Senators Zacarias and Candido Mendes, who were allowed to defend the Bishop in the quality of spontaneous advocates, then delivered successively their defence in two most eloquent and pathetic speeches. But the doom of the poor Bishop was sealed. After the defence the Court closed its doors for a session. At 3:40 p. m., the doors being again opened, the President proceeded to collect the votes of the Supreme Judges, which stood thus: Six condemned the Bishop to four years' imprisonment, for the