Alexandria Gazette AND VIRGINIA ADVERTISER

SIC SEMPER TYRANNIS

PUBLISHED DAILY AND TRI-WEEKLY BY
EDGAR SNOWDEN.

TUESDAY EVENING, SEPTEMBER 4.

Ex-President Thiers, of France, died quite suddenly of apoplexy at six o'clock yesterday evening at St. Germaine. His sufferings were apparently slight. M. Thiers was a little over eighty years of age, having been born in April 1797. For nearly half a century he has filled France and almost the world with his fame as journalist, historian, orator and statesman. No one in France has had a larger share in moulding her destinies. His first office was under Louis Phillippe; his last was after the fall of the Empire. M. Thiers was a statesman of the very highest order, and his career, which extended over perhaps the most important period of French history, forms a large portion of the annals of his country. His death at the present time is a severe blow to the Republic. He possessed the confidence of the French people to a greater extent, perhaps, than any man of his day.

In response to a summons issued by the Supreme Court, of New York, Wm. M. Tweed was yesterday before the Aldermen's committee appointed to investigate the "ring" frauds, but on account of the absence of Tweed's counsel, from illness, the investigation was adjourned until Thursday.

The estate of the late Ben De Bar is worth not quite $50,000, the net result of a life time of toil. One third goes to his widow, formerly one of the Vallee Sisters, ballet dancers, and the remainder to his daughter, with the exception of a few small bequests.

The Baltimore Gazette would like to see the courts definitely settle the question whether a mob of communists has any right to forcibly close up the workshops of an entire city just because it doesn't want to work itself.

The London Post's correspondent at Berlin states that Prince Gortschakoff has authorized the Russian Minister at Washington to open negotiations for an extradition treaty between Russia and the United States.

At the convention to nominate a conservative candidate for the House of Delegates held at Culpeper C. H., yesterday, Mr. Jas. Barbour was nominated. It is said that Mr. Strother will run as an independent candidate.

Wells and Anderson do not expect to be convicted at their approaching trial, and both the President and Secretary Sherman are understood to share the opinion.

Ford's National Theatre, Washington, was opened for the season last night, the attraction being McDonough's farce comedy "Baby."

The snow storm on Mount Washington, noticed in yesterday's Gazette, may account for the change in the temperature in this section.

The funeral of E. L. Davenport, the actor, took place in New York this morning.

It is stated that Senator Morton continues to improve in bodily health, though slowly.

SOUTHERN GUIDE.—We have received the advanced sheets of Bramball's & Co's. Southern Guide, a work intended to convey information about the States of the South to the tourist and immigrant. Its description of Alexandria is as follows: "Alexandria is a port of entry on the south back of the Potomac, seven miles below Washington, where the river a mile wide forms a commodious harbor, sufficiently deep for the largest ships. Steamers "John Gibson" and "E. C. Knight" make weekly trips to New York, and daily steamers from Washington run to Norfolk and all the river landings. Hourly ferry boats connect with Washington. Population about 17,000. It has a United States Court-house and Postoffice of white marble, a large and finely constructed market house, twelve churches, (among them, Christ Church, covered with ancient ivy and containing Washington's family pew,) three banks, two newspapers, and several excellent schools. A canal to Georgetown connects with the Chesapeake and Ohio canal. Railroads: Baltimore and Ohio; Alexandria and Washington; Alexandria and Fredericksburg; Washington City, Virginia Midland and Great Southern, and Washington and Ohio. Hotels: Mansion House, City and Alexandria. A mile back from the city, and conspicuously placed on the top of the hill, is the Theological Seminary of the Diocese of Virginia, of which the late Bishop Johns was for many years president. It was used as a hospital during the war, and from it the visitor gets a fine view of the superb system of outlying fortifications of Washington and Alexandria, while the beautiful white dome of the Capitol rises airily yet grandly to the northward. A few miles down the river is Mount Vernon, the home and tomb of Washington, reached by a daily steamer, and a few miles above, opposite Washington city, the flag floats over Arlington House and the National Cemetery, where lie the remains of twenty thousand Federal soldiers, who died in its defense."

The September number of the Maryland Farmer has been received from its publisher, Ezra Whitman, Baltimore. It contains in addition to the usual amount of matter of special interest to the agriculturalist, in preceding numbers, a terse, sensible and well written article, entitled "A Cry for Bread and a Cry for Labor," the perusal of which wou'd not be detrimental to any class of readers.

Suspensions.

NEWPORT, Sept. 4.—The Perry cotton mill has suspended operations, pending the financial difficulties of the Newport manufacturing companies. Benj. Finch, an endorser of the latter's paper, is the principal owner. A large number of workmen are thrown out of employment. Other disasters are predicted. Several banks will immediately act in reference to the matter, and their representatives will be present at a meeting of creditors to be held this afternoon.

Mills Burned.

CINCINNATI, O., Sept. 4.—The Eagle flooring mills, at Oakville, Ill, together with 25,000 bushels of wheat, were burned yesterday. Loss $15,000.

The Eastern War.

The London Daily News of yesterday says: "We have just received a long telegram from a special correspondent describing his visit to the Schipka Pass on Friday last. He says Suleiman Pasha has abandoned the attempt on the Russian positions and marched away from the neighborhood of Schipka. Some say he is still at Kasanlik and others that he is searching for another pass. My own belief is that he is engaged in trying to reorganize his shattered forces. There remain still confronting the Russians a few battalions of Egyptians, with some cannon on the heights and a few more miscellaneous battalions in the village of Schipka. Several Russian reinforcements have been marched back, and Gen. Nepokoitschitzky, the Grand Duke Nicholas' Chief of Staff, was returning from his visit to the pass quite relieved and satisfied with the position there."

The London Daily News' special, dated Pardedin, August 31st, contains the following: "Osman Pasha's attack on the Russian positions at Pelisat and vicinity was one of the most hardly fought battles of the war. The Turks early in the fight captured a Russian redoubt one mile in front of Pelisat. In the course of one hour this redoubt was taken by the Turks, retaken by the Russians, and taken again by the Turks. The Russian left wing was driven back on Pelisat, in front of which trenches had been dug, and were lined with troops. The Turks advanced as though determined to drive our left out of Pelisat and turn it. The Turks began to descend the hill in that direction, not with a rush, but leisurely, and without firing; not in masses or lines, but scattered and diffused. They came down about half way in this manner, the Russian artillery tearing up the groups all the time in the most savage manner. The Russian infantry fire, which had for the last five minutes been very heavy about Zgalitsa, now began to roll along the hill crest in our direction, and the Turks, who were just coming into range, began to drop rapidly. The Turkish advance now veered to the left, and went at the Russian trenches on the crest of the hills between Pelisat and Zgalitsa, with a shout, opening fire at the same time. The Turks descended into a little hollow and were lost to sight for a time, while the Russian trenches flamed and smoked, and a storm of balls was poured into the advancing Turks. This must have lasted 15 or 20 minutes, during which time a fearful loss of life must have occurred. Then we saw the Turks begin to withdraw, carrying off their wounded. The Turks had no sooner withdrawn from the Russian fire than they formed and advanced again. Many dead bodies of Turks were found within ten feet of the Russian trenches. The little slope on the crest on which the trenches were situated was literally covered with the dead. I counted seven on a space of not more than ten feet square. The battle here was terrible, but the Turks were again repulsed. It will hardly be believed that they went at it again, and yet they did so. It seemed madness, because we could see that the Russian fire never slackened an instant, and that the Russian line never wavered, while the reserves were waiting behind, ready to fall in at the least sign of wavering. This scene of carnage was again repeated, but only lasted a moment. The Turks, completely broken, withdrew sullenly, firing and carrying off their wounded and many of their dead. They fell back on the redoubt which they had first taken, apparently with the intention of holding it, but they were not allowed to remain long there. Another attack on the Russian centre had been equally as unsuccessful as that on the Russian trenches on the left. The Russians pursued the retreating Turks with a murderous fire. Then six companies went at them with bayonets and swept them out of the redoubt like a whirlwind. At four o'clock the Turks were in retreat everywhere, and the Russians occupied the whole of their first position, besides pursuing the Turks a short distance with their cavalry. The Russians were about twenty thousand strong. Their loss is estimated at five hundred and the Turkish loss at two thousand, killed and wounded."

The London Times' Belgrade special, dated September 2 says: "Servia refuses to give assistance to the Bosnian insurgents. Their deputies applied here to Prince Tseretelef, who informed Prince Gortschakoff and the Grand Duke Nicholas of their demand. Prince Tseretelef, however, received a reply from his Government that Russia neither can nor wishes to assist the Bosnian insurrection. The insurgents may act according to their judgment. The means of the insurgents are exhausted and they are in want of everything. They intend to treat with the Turkish Government and try to obtain permission for the Bosnian refugees living in Austria to return home unmolested, and the insurgents would then also lay down their arms. There exists among the Bosnian Rayahs great animosity against Russia. The Rayahs regret the useless sacrifice of men and means made during the last two years. Some of the insurgent representatives have returned to the insurgent camp. Others remain here until the future fate of the Bosnian Rayahs is decided at a meeting of the insurgents and refugees, soon to be convoked."

It is stated that the Grand Duke Michael, Commander in Chief of the Russian army in Asia Minor, has assumed command of General Melikoff's corps in person, that officer having been removed for exceeding his orders.

A dispatch to the London Daily News, dated Erzeroum, Monday, says advices from Kars indicate that great operations are imminent, and that the Turkish army is preparing to march on Alexandropol.

The News' special from Goroy Studen says the Emperor will present General Radetzky with a sword set with diamonds for his defence of Schipka Pass.

The new week promises to be a bloody one. The summer is going and decisive results become every day of more importance to the Russians, for there are indications not to be disregarded, financial, political and social, which point against the probability of a continuance of the war into another campaign.

The London Times' Vienna dispatch says:—"The report that Suleiman Pasha was acting under imperative orders from Constantinople in pressing the attack on the Russians in the Schipka Pass is emphatically denied. He receives full credit in Constantinople for his earlier operations, but in renewing the attack over and over again he is deemed to have not only made a useless sacrifice of excellent troops, but also to have acted contrary to orders, according to which the operations on that side were to have been, at least in the first instance, merely a demonstration on a large scale to attract the Russian forces.

An order has been sent to Suleiman Pasha to desist from his attempt for the present, and to follow in future more closely instructions received from Mehmet Ali Pasha.

Suleiman Pasha telegraphs from the Schipka Pass as follows:—"Cannonading began again on Saturday, and continued Sunday. A prisoner states that the effective strength of most of the Russian battalions has been reduced by one-half. The Bulgarians have also suffered cruelly."

The Turks acknowledge the loss of seven thousand men in the Schipka Pass. Two thousand wounded reached Adrianople yesterday.

The Turkish commandant of Rustchuk has made a sortie, with seven battalions defeating the Russians.

Osman Pasha, after inspecting the battle field of Pelisat, reports that the Russian losses were greater than at first supposed.

A special to the London Post from Bucharest says Prince Charles of Roumania has issued a manifesto to his troops announcing that he has been appointed to the supreme command of the Russian and Roumanian armies before Plevna. The manifesto states that it was the duty of the Roumanian army to cross the Danube and encounter the Turks in their own territory, because the war was approaching the Roumanian frontiers, and if the Turks were victorious Roumania would suffer carnage and desolation.

A Vienna Political Correspondence's Bucharest special announces that the Prince of Roumania has left Nikopolis for his headquarters at Paredin.

The London Times' cables say friends of Russia in high quarters in England are using their influence in favor of peace, though under present circumstances Russia may not repel good offices of other powers in favor of peace, and Turkey would not begrudge the required concessions. Turkish successes have had marked influence on its tributary powers. Servia hesitates to take part in the war. Greek sympathy with suffering Greeks is checked. Roumania regrets having entered the struggle. Prince Charles' army is in a dreadful condition—ill fed, unpaid and sick.

BATOUM, Sept. 4.—The Turks have completely evacuated Sukum Kaleh.

LONDON, Sept. 4.—The special correspondent of the Daily News at Poredin, under date of September 1st, telegraphs as follows: "I rode over the battlefield when the Pelisat affair was over. The Turks left very few wounded and only about 300 dead on the field. Their losses could be better judged by the number of knapsacks with which the ground was strewn. In front of the Russian trenches, half way between Pelisat and Zgalitsa, the Turkish dead were lying so close that they might have shaken hands with the Russians lying inside. It was a desperate attack and desperate resistance. The attack seems to have been well directed. It was made so suddenly and with such violence that the Russian redoubt was taken almost by surprise the first time. It was, in fact, taken almost before Gen. Zotoff knew the attack had begun. From a Russian point of view I look upon the whole system of fighting in fortifications as a mistaken one. It would have been much better for Gen. Zotoff to have retreated and drawn the Turks out into the open country, where their inaptness at executing manoeuvres in the field of battle would have put them at great disadvantage with the well drilled Russian troops. The Russians have always been wanting the Turks to come out and fight in the open, yet they entrench themselves in such a manner that the Turks have no temptation to come out, and find it impossible to do so when they try. If the Russians wish to fight them in the open they should offer them temptations to come out in the open, and not meet them everywhere with fortifications."

LONDON, Sept. 4.—The Times' leading articles of yesterday and to day are devoted to showing the needlessness of the present war—its excessive costliness in men and money, far outweighing its possibilities for good, and the danger of eventual Russian failure; from all of which the Times concludes that the present moment is propitious for intervention, and that Germany and England ought to take the initiative to bring about a truce.

LONDON, Sept. 4.—A Russian official dispatch, dated Goroy Studen, 7:35 o'clock this morning, says: Lovatz was yesterday carried by an assault by the Russian troops under Gens. Meretinsky and Shakeloff. No details have yet been received.

Destructive Fire in New York City.

A devasting fire occurred in New York city yesterday, occasioning the death of several persons. The rapid spread of the fire was mainly due to the scarcity of water, the firemen not being able to secure enough water to fight the flames.

The fire commenced in an eight story building, occupied as the piano factory of J. P. Hale on West Thirty-fifth street. This building has been an unfortunate one. When originally built, six years ago, the walls fell and killed a number of persons. There were 24 men employed on the upper floor, and about 150 in the entire building, and though the building was furnished with fire escape ladders at either end, they seem to have been nearly useless in saving life. Several threw themselves from the upper stories to be crushed to death on the rocky ground below. The loss of life is estimated at from twenty to one hundred. So rapid was the progress of the fire that the entire building was enveloped in flames within fifteen minutes after the fire was discovered, and as many as fourteen men were hanging at the upper windows in the attempt to escape when the walls began falling. Eighteen or twenty wounded men were taken to the hospital. The heat was so intense that a steam fire engine had to be abandoned in the street, and was ruined by the fire. The fire spread to three other large factories and a school house, which, together with about forty tenement houses and a large number of shanties and stables, were completely destroyed. At least 250 families were rendered homeless and most of their household goods consumed. The fire originated from a workman heating some varnish on a stove, which took fire while his back was turned for a moment. The blaze instantly communicated to the combustible materials scattered around, and the man had to run to escape with his life, giving the alarm as he did so. The fire spread to the upper floor through the open hatchway, the blinding smoke causing suffocation to many before the flames reached them. It is thought there were about two hundred workmen employed in the building.

The scene during the fire was heartrending. Wives of the workmen and members of their families quickly rushed from neighboring streets to the scene. Some of the women sobbed and cried bitterly. A few entirely succumbed and sank on the sidewalk, moaning piteously. The homes of many hundreds of families were desolate, and women and children were running about the neighboring streets perfectly bewildered in their bereavement. The burnt district covers a space of about 400 feet on the north and south sides of Thirty fifth street, 175 feet on the west side of Tenth avenue, and about 500 feet on the south side of Thirty-sixth street. Thirty eight buildings in all were burned. Hale's building cost $800,000. The total loss can be safely estimated at from $1,500,000 to $2,000,000.

Hale's piano factory was a very extensive establishment, turning out about one hundred peano fortes a week. It is reported to have contained a large quantity of stock.

August Vorrath, a varnisher in the factory, said that he was one of twenty-four men at work in the top story when the fire was discovered. The alarm was given to them by a workman who had put his head out of a window and seen the smoke issuing from the windows below. The foreman urged the man to keep cool, saying there was probably plenty of time for escape. Vorrath says that the men scattered in various directions, but that the fire and smoke drove them back from the stairways. There was a fire ladder at each end of the building and also a chain fire escape. Vorrath got down by one of the ladders. He said that since his escape he had not seen any of his fellow workmen. He saw one man jump from a window in the upper story, and supposed that this was the man Packmaster. He saw another workman attempting to lower himself on to the roof of another building, and had been told that this man after hanging by his hands some time from a roof gutter, was compelled by the heat to relinquish his hold, and was killed. It is asserted that the occupants of houses in Thirty-sixth street could distinctly see workmen in the piano factory making futile efforts to escape from the roof and the upper stories, and could hear their shrieks for assistance. These persons believe that the bodies of many workmen will be found in the ruins. The sparks from the fire fell on the roof of Silberman's silk factory, on Tenth avenue, and set fire to that building. The roof of Phelan's billiard factory on Tenth avenue, was also set on fire, but these fires were soon put out by the citizens and employees.

While the fire was at its height a number of people who were on a shed in Phelan's yard were thrown to the ground and badly injured. A woman jumped from a window of a tenement and was instantly killed.

It is stated that one woman, who rushed into No. 524 after it had been cleared, in search of some household treasure, perished.

Annie Sweet, an occupant of a tenement house, died from fright. Dr. Tyng's gospel tent, which was also destroyed, is to be replaced at once. It burned up in about three minutes. Loss $1 000.

Over fifty buildings in all have been destroyed, and the losses are large, with insurances probably covering half the amount. Some of the most terrible scenes of the fire occurred in the tenement houses. One fireman rescued an infant and its helpless father from the fourth floor, and then went back at the peril of his life and found another child just expiring from suffocation on the top floor.

NEW YORK, Sept. 4.—The losses and insurances in the great fire in 35th st. and 10th ave., are still to a great extent a matter of conjecture, it being difficult to find many of the owners of property destroyed. Engines are still at work upon some parts of the ruins, and water is being poured on a heap of coal formerly in the piano factory, and which is still a live bed of fire. Firemen are at work pulling down the remnants of walls and chimneys. In those portions of the ruins where some employees of the factory are supposed to be buried the bricks are yet too hot to admit of removal to any extent. Up to noon no bodies had been found, and there is great anxiety in the neighborhood as to the fate of missing friends and relatives. A large force of workmen are on hand, and search for the missing will be commenced as soon as circumstances will permit.

A Ride in Lower Fauquier.

[Correspondence of the Alexandria Gazette.]

FAIRFAX C. H., Sept. 3.—The unproductive lands of Virginia, how extensive they are? Pines, pines everywhere, sombre and monotonous, growing on land so poor that "fifteen miles will scarcely graze a goose," as the Stafford people say. The national capital probably not sixty miles away, and Fredericksburg much nearer, while here reigns a solitude as complete as that which existed long ere the white man came. Mineral treasures may be below? Perhaps. And when the people shall arouse themselves to the appeals of your intelligent correspondent and vivacious conversationalist, Mr. Douglas, of Catlett's, something may be done in that way at occasional points. But what about the great bulk of the land? Can nothing be done to render it productive and valuable with a country like Belgium supporting a population of 410 to the square mile mile, only two weeks' journey distant? Such were some of your correspondent's reflections as he travelled along, solitary and alone, a few days since. Pines to the right of him, pines to the left of him, one narrow strip of deep blue sultry sky above, a white winding road in front, and he, a lonely rider on a lonely horse. At length he came to the little village of Pine View in that part of Fauquier where the Stafford line and winding Rappahannock bound that extensive county. Here an animated scene in pleasing contrast to the previous desolation met the gaze. Works of nature doubtless please some people more than works of art. "Chasseur" gazed with rapture upon the magnificent mountain scene which he so eloquently described in your columns. Byron, who, by the by, was a confirmed misanthrope, declared

"There is a pleasure in the pathless woods."

But the average traveller just out of them, like your correspondent, would not give one work of art for two of dame nature's, even though the former should contain the horrid steam engine. A grist and saw mill, tanyard, store and postoffice in the foreground, a comfortable homestead beyond, and around it a clean, well kept farm of some 150 acres, divided into small fields, in one of which was a promising crop of corn, made up the scene. The place belongs to Mr. John Crittenden, who has owned it about 20 years.

The writer is neither a farmer nor a fertilizer agent, but he will venture to give the substance of a conversation had with the owner:

"You were fortunate in hitting upon good land in this poor section Mr. C?"

"My land is no better than any pine fields around here. What has been done with it can be done with them. I make from seven to eight barrels of corn and over eighteen bushels of wheat to the acre on an average. The fields contain about ten acres apiece. I have the usual rotation of crops, and put the same field in corn once in every five years."

"You must use manure pretty heavily?"

"We cannot get along in this section without fertilizers, but I rarely use more than one hundred pounds to the acre."

"How can you be sure of a pure article?"

"A man need not be very badly cheated in fertilizers unless he wants to be. The following are two good and ready methods of testing the purity of bone dust and artificial manure: Pour a little bone dust into a glass half full of water and give the glass a twist causing the water to rotate. Any impurity will gradually sink to the bottom and the pure bone will continue to revolve on the top of the water. Take a shallow pan, put in a little fertilizer, and pour some water on it, give time for dissolving, gently pour off the water, and repeat the process several times. The valuable portion being soluble will pass off in the water and the part of no value will be found in the bottom of the pan.

Moral—Brains pay in farming.

ANGLO VIRGINIAN.

Foreign News.

LODON, Sept. 4.—The Paris correspondent of the Times says M. Gambetta has not yet received a summons from the Correctional tribunal. The rumor of overtures by Marshal MacMahon to the Left Centre through the medium of Gens. Berthaut and Chanzy is officially denied.

LONDON, Sept. 4.—A special dispatch from Paris to the Standard says: It would be impossible to convey an idea of the grief and consternation which prevails at the death of M. Thiers. This morning the news spread like wildfire, and even at an early hour, although the weather was very inclement, the streets were filled with people in great excitement. Some were actually shedding tears, and all were giving vent to feelings of grief and apprehension, the death of M. Thiers just now being regarded by all as a national calimity. The deceased statesman had been staying during the last few weeks at the pavilion Henri Oautre, at St. Germain Ex Laye, and had caught a slight cold, but nothing led to the anticipation of the sudden termination of his eventful career.

A special dispatch from Paris to the Pall Mall Gazette says the death of the Ex President has made a deep impression in political circles. The conservatives think it assures them success at the elections. Great consternation prevails in the republican camp.

The Fairfax Delegate.

To the editor of the Alexandria Gazette:

In your paper of yesterday appears a letter, signed Mt. Vernon, which endorses D. Mc. Chichester as a *true conservative*. Since when? Will Mt. Vernon tell the people whether or not Mr. Chichester, at the election two years ago, voted for Mr. Pearson, the republican candidate? This question has been asked time and again, but Mr. C. has refused or declined to answer. Perhaps Mt. Vernon will answer for him, and relieve him of the suspicion that he did vote for Mr. Pearson and against the then nominee of the conservative party.

PROVIDENCE.

Fairfax county, Sept. 4, 1877.

The Loudoun Insurance Case.

The argument of the motion for a new trial in the case of John Y. Bassell vs. the American Fire Insurance Company, was begun this morning in the Circuit Court for the U. S., the plaintiff being represented by Gen. Eppa Hunton, Messrs. Charles Lee, R. H. Lee and Capt. J. W. Foster, and the defendant, by Messrs. H. O. Claughton and Henry Heaton. This case was tried at the July term when the plaintiff recovered a judgment for $3,000, principal and interest, for damages occasioned by the burning of his dry goods store at Middleburg. Exceptions were taken to the rulings of the court by the defendant and a motion made for a new trial upon the ground of after discovered evidence and misdirections of the court.

Mr. Heaton opened the argument for a new trial by reading the several grounds of the motion, and argued that Mr. Shroff, who effected the insurance, was not the authorized agent of the company; that the conditions of the policy are as much a part of the original contract as though they were embraced in the body of the instrument. It was the expectation of counsel for the defendant that a material witness from Baltimore would be present at the trial, and in this the defence was disappointed. Mr. H. read the affidavit of H. Clay Ryan, of Middleburg, as newly discovered evidence, which the defence did not know of at the time of the trial.

Mr. Lee asked that the counsel be required to produce their authorities if they had any.

Counsel for the company stated that they had none.

Captain J. W. Foster, counsel for Bassell, in opposition to the motion, read counter affidavits of the deputy sheriff of Loudoun, W. B. Noland, and Captain E. B. Powell, that they would not believe Ryan on oath, and that he is unworthy of credit.

Mr. R. H. Lee, for Bassell, addressed the court in opposition to the motion for a new trial, and said that the motion was grounded upon the assumption that the instructions of the court were erroneous. These instructions had been given upon a review of the whole law and the counsel for defendant had said they had no other authority. The instructions the defendant found fault with were those which held that the conditions printed upon the back of the paper, unless the attention of the insured was specially directed to them, were not binding upon him. The speaker would mainly address himself to this point. This policy was handed to the plaintiff after the money was paid, and it was a question whether any of the conditions were a part of the contract. The conditions were spoken of in the contract as being annexed to the policy. Webster had given a different definition, and there was a difference between conditions annexed and those endorsed upon the back of the policy. The insurance company had made no objection to the agency of Shroff; none when the insurance was effected or the money paid, or at the trial of the cause before the jury. They were concluded by their own admissions upon this point. At the trial the jury found as a question of fact that hats, caps, boots and shoes were dry goods, and the loss of these articles were clearly covered by the words "dry goods." At all events it was a question of fact upon which the jury passed, and it was not within the province of the judgment of the Court as a legal question to set aside the verdict upon that ground. Authorities were cited as to the responsibility of a principal for the acts of the agent. At the time of the motion for a new trial this new evidence was not discovered, for the counsel admits that the evidence was discovered afterwards. Was it the purpose of the Court to give the parties a roving commission all over the country to get up evidence in the case after the trial? This could not be the case. The counsel had not discovered this evidence before the motion. They had made the motion and afterwards gone out to look for evidence. The purport of the new evidence is to impeach the testimony of the plaintiff at the trial and this sort of evidence would not justify the granting of a new trial. The defence had not exhibited due diligence, and the testimony submitted by them would not effect the merits if a new trial was granted.

Gen. Eppa Hunton, for Bassell, contended that the motion did not address itself to the favorable determination of the Court. This was the tribunal of the defendants own seeking, and much cost and expense had accrued to the plaintiff, not only by the loss by the fire, but by being kept out of the insurance. The motion was made before new evidence was discovered, and the motion was not based upon after discovered testimony. The testimony does not come within the rule because the defendant might have obtained it by due diligence, and the witnesses upon whom they rely conversed with the agents of the company upon the subject of the fire before the trial. They had not used due diligence, although they had employed counsel from the Federal city to the foot of the Blue Ridge. They not only had a multiplicity, but a dispersion of counsel, and one of the witnesses upon whom they rely was living in Middleburg under the very nose of one of the counsel, and she should have under circumstances of most ordinary diligence been present at the trial. Mr. Lorman Chancellor, who seemed to have some sort of connection with the case here, interrupted Gen. Hunton to protest that the witness was a white woman, and was competent under the old law. Gen. H. critizised the character of the alleged after discovered witnesses, and showed them to be under the light of the counter affidavits unworthy of belief. As to Shroff's agency, that question was closed by the ratification of his acts by the Company.

The condition embraced in the policy that kerosene was not to be used by the insured was inoperative and ineffectual, unless the knowledge of the stipulation was brought home to the insured at the time of effecting the insurance, and the evidence was clear and uncontradicted that the plaintiff had no knowledge of the existence of the condition endorsed on the back of the policy. The case of Wilson, 221 Grattan, was urged as an analagous case. Gen. H. claimed that if the condition ever existed as valid it had been waived by the Company in this case.

Another ground of the motion was that boots and shoes were not "dry goods," and, therefore, not covered by the insurance. The speaker had consulted merchants upon the subject, and these articles he found classed under that head, when applied to country stores, consequently the argument of the confusio bonorum did not apply. As to the objection that no inventory of the lost goods had been furnished it was in the evidence that the inventory had been consumed with the goods, and if that doctrine holds good no merchant could ever recover upon a policy of insurance—and, besides, the condition of the policy required the production of the inventory in those cases where the nature of the case admitted of the production of the inventory.

H. O. Claughton, esq., contended that new trials were regarded with great favor and not with disfavor as the dicta of counsel would impress upon the Court. If this position had effected a lodgement in the mind of the Court he would read from a learned authority—Blackstone—that new trials were favorably regarded.

Mr. Claughton said there had been much feverish excitement about the case between parties and counsel, and there had not been cool and calm deliberation. The defendant considered itself aggrieved by the verdict if the jury, and as soon as practicable, had moved for a new trial. Mr. C. claimed that Gen. Hunton had assumed antagonistic and inconsistent positions in the case. When he argued before the jury he claimed that the jury could allow salvage, which the jury did, and now, he claims, that the verdict fell short of the plaintiff's full demand, hence the verdict in any event was wrong. He would show that the affidavit of the witness made the case one within the latest rule laid down by the Court of Appeals upon questions of new trials. A most material fact consists in the robbing of the store the night before the fire. The defendant was ignorant of this fact. There was no possible suggestion which could put the Company upon inquiry as to that fact. Did the plaintiff tell the agent of the robbery of the store the night before? He did not utter a syllable or word upon the subject, although he conversed with the defendant's agent. This is a most material and important fact in the case. It was not necessary to show that upon a new trial the verdict must necessarily be for the defendant to obtain a new trial. That would be a most extraordinary proposition. The question is, what is the truth? Would the jury, with the knowledge of these newly discovered facts, have rendered the verdict they did. The new witness did not make a casual examination of the stock like the defendant's witnesses, but he made a particular examination. Mr. C. argued at length to show that the defendant had brought the case under the decision of the Court of Appeals in relation to new trials. He then reviewed the instructions of the Court upon the question of the validity of the condition as to the use of kerosene, and said the ablest judges sometimes err.

Mr. Claughton replied to the various arguments of the counsel who preceded him, and submitted the motion for a new trial, which is held under advisement by the Court.

Liquor Punch Case.

In the U. S. Circuit Court to-day the motion for a dissolution of the injunction heretofore granted in the case of Yuengling vs. Fountain, which involves the patent right to the use of the Moffett register came up. The plaintiff Yuengling whose suit is in reality on behalf of the liquor dealers of the State, is represented as counsel by Mr. E. A. Ellsworth of Washington and Col. J. B. Young of Richmond. The defendant Fountain, who is in reality defendant on behalf of the State, is represented by Major Grimsley and Attorney General Field of Culpeper, Judge Crump of Richmond and Gen. Henkle of Washington, D. C.

Mr. Ellsworth, for the liquor dealers, asked for an extension of time to enable the complainant to obtain copies of the patents which were made parts to the defendant's answer, so that experts might examine them before their affidavits were introduced in evidence and read affidavits to show that due diligence had been used, but owing to the pressure of business at the Patent Office it was impossible to obtain them.

Major Grimsley replied, opposing delay and claiming that these patents and specifications had long been in the knowledge of the counsel for complainants. However if he could be relieved from the operation of the restraining order they would be willing to grant a few days extension of time. He was followed by Attorney Gen. Field who said that the hands of the State had been stayed and the State otherwise of her right to collect the revenue. The plaintiff invoking the extraordinary power of the court should have been ready at all times for the hearing. He might have made these very copies parts of his case. The Attorney General opposed any further delay. Judge Crump also on behalf of the State opposed further delay, and said that the answer to the bill of injunction charged that Yuengling, the complainant, was at the head of a conspiracy to defeat the State in the collection of her revenue. The affidavits which the gentlemen on the other side propose to take cannot deny this fact. This is the great question lying behind this contest over the patents. Judge Crump criticised the idea of sacrificing the great interests of the State to the pretext of the complainant. He urged that the bond executed in the case was defective, and was not signed by the original party to the suit, but only by the sureties. It was a grave question whether there was any security for effects produced by the restraining order. He asked that the case be proceeded with at once. The experts could have been brought to Alexandria and could have examined the copies of the patents in the clerk's office, and it was laches upon the complainants not to have adopted this mode. Judge C. concluded the argument against the motion, and Col. Young of Richmond, began to reply in favor of delay, but Judge Hunt adjourned the further hearing until 10 o'clock to-morrow, intimating that the counsel had better be prepared to go into the hearing upon the merits of the cause.

The argument of the case, owing to its novelty and the great interest involved, not only to the State but to a large class of citizens, attracted a number of distinguished persons to the court room, who were attentive spectators to the proceedings.

The Funding Bill.

A writer in the Richmond Dispatch says:

It has become the fashion (especially with those who know very little on the subject) to abuse the funding bill. They call it the "infamous funding bill," the "bill of abominations," &c. One would suppose from the way they speak of it that it was a mass of unmixed evil, with no redeeming feature about it. Is this true?

Let us see: First, the whole amount of banking capital in the State is less than $4,000,000. The whole amount of currency issued by these banks is but little over $3,000,000.

The aggregate of taxes levied by the State and paid by the people (saying nothing of county and city taxes) is about $2,700,000.

Now, if this $2,700,000 had all to be paid in currency, is it not evident that almost the entire currency of the State would be withdrawn from circulation by the tax collectors and locked up in the Richmond banks? How, then, could the crops of the farmers be bought, and how could the business of the country be carried on?

But as $1,200,000 of the taxes is payable in coupons, these coupons perform the office of $1,200,000 of currency, and leave the money to flow in the ordinary channels of business. Is this no benefit to the people of Virginia, who are so much in need of money to carry on business? I am inclined to think that if everybody had to scrape up money to pay their taxes we would have a louder howl than we now have. Again: The cry of the anti funders is that the poor people are overburthened to meet their taxes. If this be so, then everything which tends to lighten the burthens is a benefit to them. Nobody will dispute that fact. Let us now see how the coupon-feature of the funding bill acts. If you turn to the prices current in the Richmond and Baltimore papers it will be seen that tax-receivable coupons are selling at from 80 to 81 cents in the dollar. In other words, they are at a discount of 19 or 20 per cent. The tax payer, therefore, who buys coupons at this rate (as almost everybody does) and pays his tax with them saves 19 or 20 per cent. of the amount of his taxes!

Everybody will admit that it would be a great relief to the tax payers to have the taxes reduced one-fifth. The man who could accomplish this result would be hailed as a public benefactor. Now, the funding bill accomplishes this very result; and yet the "peculiar friends of the people" abuse the funding bill!

Suppose the funding bill were repealed, is it not obvious that it would be equivalent to raising the taxes to the extent of the discount on the coupons?

In this view of the case, would it not be to the advantage of the tax payer to have the whole debt funded? If the number of coupons were increased fifty per cent the tendency would be to depreciate them still more, and tax payers would be relieved to the extent, probably, of one-fourth instead of one-fifth of their taxes. So far as the tax payer is concerned it would be equivalent to a reduction of twenty-five per cent. in the amount of his taxes.

Mrs. Irene House, who murdered her husband, has been released from the Trenton lunatic asylum.

A lovely landscape, all dotted over with unsightly boulders, is not more unpleasant to the sight than is a human face disfigured with Bumps and Pimples, those prime evidences of impurity of the blood. Dr. Bull's Blood Mixture will remove all such disfigurements promptly.