CHICAGO DAILY PRESS AND TRIBUNE.

VOLUME XII. CHICAGO, TUESDAY MORNING, MARCH 1, 1859. NUMBER 206.

REPUBLICAN NOMINATIONS.

Charter Election, Tuesday, March 1st.

For Mayor,
JOHN C. HAINES.
For Treasurer,
A. Harvey.
For Collector,
A. F. C. Mueller.
For Attorney,
Geo. F. Crocker.
For Surveyor,
S. S. Greeley.
For Clerk of Police Court,
Niels Larsen.
For Police Magistrates,
South Division—D. VAUGHN.
West Division—ANDREW AKEN.
North Division—B. F. MILLERD.
For Street Commissioners,
South Division—PETER WOLF.
West Division—PETER BEYGEH.
North Division—M. W. KOLWEX.

ALDERMEN.

Wards.	Wards.
1—J. K. Botsford.	6—G. A. Reno.
2—Jas. Harris.	7—John Alston.
3—Fernando Jones.	8—Christian Wahl.
4—John H. Foster.	9—A. H. Burley.
5—Levi S. Taft.	10—D. F. Wilson.

CONSTABLES.

Wards.	Wards.
1—Chas. F. Chilson.	6—Edwin G. Ferris.
2—Jere Sherlock.	7—John Heilmann.
3—Levi L. Pierce.	8—R. S. McLare.
4—R. E. Cook.	9—Simeon Prince.
5—H. Gardner.	10—Anthony Otto.

Down with Lecomptonism.

If there were no other reasons why the sham Democracy should not be entrusted with the management of our Municipal affairs, the Lecompton Charter presented to the Legislature a few weeks ago, and insisted upon with such disgraceful pertinacity, ought to condemn them to a perpetual minority. When a ballot is cast to-day, let the voter remember that, if his suffrages are exercised in favor of Gilman and the ticket that he leads, it is so far, an endorsement of that infamous measure which was concocted by a disgraced and beaten party as the means of regaining, in spite of the people, the power of which they have been dispossessed! Don't forget that!

The men who plotted that iniquity, who went to Springfield to consummate it, and who are hoping that in the chances and changes of fortune, they may yet succeed, are the men who put Gilman on the track and who will use him for their own purposes if he succeeds. Without their support, he would not continue in the field until night. Never will there be a more fitting time than the present for the people to express their opinion of that Lecompron scheme. Let them speak at the polls to-day. Let them answer the charges which were urged against them all winter at Springfield, by the Lecomptonites, in terms that the plotters cannot misunderstand!

Hannibal and St. Joseph Railroad—Acknowledgements.

In the hurry of making our sketch of the Hannibal and St. Joseph railroad celebration for yesterday morning's paper, several matters were omitted which ought to have been included in the report. Most of the road itself is in capital order. Who ever knew a road to be otherwise with which J. W. Brooks was in any wise connected? A portion of the road has been laid down in the past few weeks, and of course needs ballasting; but for a new road it is in as good condition as could be expected. The few miles newly laid will do very well for business, and all of it will be in good order by the time the spring travel commences. To the excellent Superintendent, Josiah Hunt, Esq., our party were indebted for many courtesies. We were also indebted to Mr. Osborn, the contractor for the work, for many kind attentions.

We hardly know where to begin in expressing our thanks to the citizens of St. Joseph for their many courtesies. To J. P. Grubb, Esq., and his partner, Mr. Slayback, to Mr. Fouts of the *Gazette*, and Mr. Cunningham of the *West*, we are under special obligations for personal favors. We must not forget to thank Geo. B. Hoge, Esq., for his courtesy and politeness. We know we express the unanimous sentiment of the Chicago delegation when we tender to the citizens of St. Joseph their hearty acknowledgements for their many kind attentions, and we all hope at some time to have the pleasure of returning the courtesies which they so kindly extended us.

We must not forget to return thanks to Mr. H. Stearing, the agent of the Chicago, Burlington and Quincy railroad for his unremitting efforts to contribute to the happiness and the comfort of the entire party. His unwearied exertions in this regard entitles him to the esteem and the best wishes of the Chicago celegation one and all.

The Eighth Ward.

We hope every voter in the Eighth Ward will give his enthusiastic support to C. Wahl, the Republican candidate for Alderman. The writer of this has been with Alderman Wahl for two years in the Common Council, and it gives us pleasure to bear personal testimony to his unblemished integrity and unwearied attention to the interests of his constituents, and of the city at large. He is in all respects an honest, whole-souled man, true as steel to every principle of Republican freedom.

TO THE POLLS.

To-day decides the guardianship of all our municipal interests for another year. The taxeaters are making a desperate rush to get into the treasury. Go to the polls early, and remain till you have deposited *the full Republican ticket.*

Alderman Ellithorpe.

Ex-Alderman A. C. Ellithorpe has a grief. He ruches into the *Times* to give it vent, and now feels easier in his mind. He had a terrible secret in his keeping. Duty—nothing but the overpowering promptings of duty—caused him to divulge it. What do you suppose it was that weighed so heavily upon the conscience of our friend Ellithorpe. Let him speak for himself:

"Mr. Haines, fresh from the field of victory, did bolt publicly the regular Republican nomination of our last April Convention."

Mr. Ellithorpe is not only a "Republican, but an *ultra* Republican." But in his wonderful anxiety to preserve the purity of regular nominations, there is one little circumstance that he seems entirely to have forgotten. He has made a sad mistake as to the "bolter"—it was *A. C. Ellithorpe*, and not John C. Haines, that "bolted" the "regular Republican nominations of our last April Convention."

It will be remembered by West Siders that there was a spurious ticket got up, known as the "Mormon ticket," to be run in opposition to the regular Republican candidates. It was devised and nursed by the Sittses, Ellithorpes, and other sore-heads, and was opposed by all good Republicans. It was this contrivance which the Mayor refused to countenance or support. He not only "bolted" the "Mormon ticket," but used his influence to get several of the candidates to withdraw from it. When election day came on, the "Mormon ticket" tumbled all to pieces, and the regular Republican ticket, which the Mayor supported, was overwhelming elected.

Having thus refreshed Mr. E.'s memory, and shown him the grave mistake he has committed, we expect as a matter of course that he will now turn in and help re-elect the man that never bolts a Republican nomination.

Third Ward.

Fernando Jones can be elected Alderman in the 3d Ward if the Republicans half do their duty. The Third is a Republican Ward by 50 to 80 votes at a fair election, when all the legal voters turn out and each man votes only once. See to it that there is a full vote on our side, and fair voting on both sides.

Over the Rhine.

The North Side is sometimes called "Over the Rhine," because of the number of sturdy Germans living in that Division of the city. Well, the boys "Over the Rhine" promise to give the Republican ticket 400 majority to-day. What do you think of that, ye South Siders?

VOTE EARLY.

The Republican voters of Chicago hardly need to be reminded of their duty to *vote early*. Deposit your ballot before noon, and then stir out your friends. See that none of your acquaintances fail to vote—the earlier the better. Every ballot placed in the boxes before noon insures a Republican triumph!

The Policy of the Enemy.

Since the nomination of Gilman, the sham Democracy have been exulting over supposed dissensions and divisions in the Republican camp. It has been their policy to give the growl of every sore-head the sound of a thunder clap, and the act of every bolter, the importance of an earthquake. In carrying it out, they have manufactured bolters and sore-heads without number, and out of the very best Republican material in the city. Men who are as true to the Republican creed and organization as the needle to the pole—men who have never supposed it possible that their political faith could be questioned, and who have never dreamed that any act of theirs would be used in the restoration of the sham Democracy to power—have been announced on the streets, in Democratic meetings, and, by Democrats, in Republican circles, as new and zealous converts to Lecomptonism and its ticket; and the announcement, a lie in the beginning, has lost none of its importance as it progressed. There are Democrats, to-day, who believe that the Republicans are so disorganized and split into factions, that Haines, before night, will be left with hardly a corporal's guard; and there are Republicans who fear that this Democratic boasting is true! The object is too apparant to deceive. But let both Democrats and Republicans be assured that the integrity of the Republican organization is not impaired. Let Republicans particularly beware how they permit the reports of the defection of this, or the treachery of that or the apathy of the other man, to dampen their hopes of victory, or excuse their neglect to work. Our ticket will be elected to last man; and when the friends assemble at Head Quarters to-night to cheer over their victory over Lecomptonism and Gilman its foolish ally, they will admit the truth of the prophecy we make. Do your duty as a Republican, and be sure of success!

Fourth Ward—Dr. Foster.

The Republicans of the Fourth Ward are supporting J. H. FOSTER for Alderman. Mr. Foster has one specialty—public schools. For them his purse is always open; for them he is always ready to labor. Last fall he gave *one thousand dollars* to be set apart as a fund for premiums on scholarship, to incite children to study more diligently when at school. With this money prizes are bought which are given to those pupils who excel in their lessons—the object being to promote application and attention to their books on the part of the children. The Fourth Ward owes it to the good cause of education to send this time a friend and benefactor of popular instruction to the Council, that he may there labor in the cause he has so much at heart. Every friend of free schools in that ward should vote for Dr. Foster.

Look out for Spurious Tickets!

Last evening there were several spurious tickets in circulation designed to defraud the Republican voters at the polls to-day. One of these has "for City Treasurer, *Andrew* Harvey." That is not the name of the Republican candidate for Treasurer. Another of these fraudulent concerns has the name of Mr. Riedel for City Collector instead of Mr. Mueller, the Republican candidate—the balance of the ticket containing the names of the regular Republican nominees. The correct ticket is that which stands at the head of the PRESS AND TRIBUNE this morning.

Vote for A. H. Burley.

It will be an honor to the Ninth Ward to be represented in the Council by two such citizens as B. CARPENTER and A. H. BURLEY. If every decent, right-minded man does his duty to-day in the Ninth Ward, Mr. BURLEY will be elected to the Council by a handsome majority. He is infinitely better qualified than his opponent, who is a very ignorant, incompetent man for the office of Alderman.

Good Old Days of Dyer.

The *Times* wants the good old Dyer times to be re-established in Chicago—those good old days when he was the best Democrat who could steal most and hide best. When the proceeds of 14 mills of taxes were eaten up. When $100,000 were borrowed to be eaten, and when a floating debt of $194,000 besides were created. Ah! those were juicy days for Democrats.

Boys, Do You Hear That?

The indomitable Republicans of the "old bloody 7th Ward" say they are going to roll up 200 clean majority for the whole Republican ticket. The boys over the Rhine never scratch their tickets, but go the "whole hog." That's the way to do it if you want to win.

The Big Wards.

There will be a close race to-day between the First, Fifth and Sixth Wards to see which will roll up the largest majority in proportion to the vote each one will cast. The aggregate Republican majorities in these three will reach 1,200.

The Council.

See to it that you vote for the right men for the Council. We print the names of the Republican candidates for Aldermen in another place, with the Wards in which they belong. *Let them all be elected.*

☞ Let the telegraph, to-night, send word to the Republicans all over the Union, that Chicago is still true to her principles—that she is still the leading Republican city; that free-soaled men, and not dough-faces, sway her councils, and a shout will go up to-morrow morning from Leavenworth to Boston for the Young Giant of the North-west. To-day for work, to-night for congratulations.

Tragedy in Washington.

We have by telegraph the details of a tragedy in Washington—being no less than the shooting of the U. S. District Attorney for the District of Columbia, by Hon. Daniel E. Sickles, Member of Congress from New York City. The provocation was an alleged intimacy on the part of the former with the wife of the latter. Sickles had previously and quite publicly declared his determination to take the life of Key, (the District Attorney.) Key fell dead instantly, and Sickles gave himself up to the authorities.

The Judicial Election in Wisconsin.

The Republicans of our sister State have been having a dismal time over the question of a candidate for the Supreme Bench—the difficulty being found in the failure of the State Central Committee to call a Convention to nominate a candidate. The Milwaukee *Free Democrat* of Saturday learns that the Republican members of the Legislature have resolved in the emergency to designate and call out a candidate on the 5th inst.

Daring Robbery and Desperate Fight,

[From the Berlin, (Wis.) Democrat.]

The house of a German named Mott, in the town of Mecan, (Wis.) was broken into on Monday night, the 14th inst., between the hours of 12 and 2 A. M., by fire men, who demanded that Mr. Mott should give up his money; on his refusal, the robbers beat him so severely that he was left on the floor for dead. They then commenced beating Mrs. Mott; two boys, sons of Mr. Mott, one 12 and the other 14 years old, who were sleeping in the chamber above, were awakened and came down stairs, one of them with a gun, which he discharged into the bowels of one of the villains. The boys then rushed at another of the robbers, and threw him down, when another struck the oldest boy on the head and knocked him down. The other boy got away and ran to a neighbor's, who, being afraid to interfere, loaned the brave little fellow his gun. On the boy's return he heard the robbers coming, and, hiding in the brush he fired at them and wounded two more of the villains. The next day one of the scoundrels, named George Maxson was arrested by Philo M. Knapp, Esq., of Princeton, another, named Wahnke, a German, was also arrested, and offers to turn State's evidence, and has implicated a great many as belonging to the gang.

Some other arrests have been made and a large quantity of counterfeiting tools have been discovered on the premises of Delos Maxson, with a lot of bogus money.

Great Britain Out-Herods the U. S. in Central America.

NEW YORK, Feb. 28.—Advices from Central America concur in stating that Sir Gore Ousley had succeeded in making a favorable treaty for England with Nicaragua, and that a copy was on its way to London. Sir Gore was about to proceed to Costa Rica, and there were reports of the speedy return of Mr. Lamar to the United States.

It is said a French gentleman of Nicaragua corresponding with the English is to be suspected.

THE CITY.

Places of Holding the Polls.

First Ward—American House; Inspectors, Orrington Lunt, D. R. Hitt, Morgan L. Keith.

Second Ward—Engine House No. 1. C. J. Jenks, Theobold Hartmann, J. L. Marsh.

Third Ward—Court House. George A. Flagg, C. B. Farwell, M. Lynch.

Fourth Ward—Engine House No. 2. John R. Allen, John Boorman, Nicholas Burdell.

Fifth Ward—Engine House, corner of Clinton and Washington streets. Noah Sturtevant, Russell Green, B. P. Bradley.

Sixth Ward—Engine House No. 6. J. B. Culver, P. McGinnis, Gustav Leverenz.

Seventh Ward—Corner of Wells street and Chicago avenue. N. Mears, A. Brunning, W. W. McFarlin.

Eighth Ward—North Market Hall. Eli Bates, Caspar Butz, T. J. Kinsella.

Ninth Ward—Engine House No. 8. A. C. Coventry, G. B. Carpenter, John S. Voght.

Tenth Ward—Land office of Mr. Shoup, corner of Twelfth and South Clinton streets. Samuel Rugg, Charles Reitz, T. Schaaf.

Proclamation.

MAYOR'S OFFICE, CHICAGO, February 28, 1859.

Whereas, Information has been conveyed to me that it is the intention of sundry persons, not residents of this city, to attempt to vote at the election to be holden to-day, March 1st, I do hereby make proclamation, and give all such persons notice, and all others who shall attempt to vote, who are not legally entitled to do so, that all illegal voting will be prosecuted to the utmost extent of the law. And I do hereby direct all officers in charge of the polls, and request all good citizens, to use the utmost vigilance in aiding to detect all such illegal voters.

JOHN C. HAINES, Mayor.

A Scandinavian Rally.

On Saturday evening, a Scandinavian Republican meeting was held at K. Olson's store, corner of Union and Owen streets. The meeting organized by electing K. Iverson, President, and O. T. Birkhand, Secretary. Several speeches were made in both the Norwegian and English languages. The room being too small for the audience, it was resolved that the meeting adjourn to Smith's building, corner of King and Desplaines streets.

An immense crowd assembled at the last mentioned place, and were addressed both in Norwegian and English. The greatest enthusiasm prevailed, and the most rapturous cheers and hurrahs were given for the Republican ticket. Every one expressed his determination to support the Republican ticket, and the meeting adjourned at a late hour, with a tremendous hurrah for the Republican nominees.

The Opera of "Martha" this Evening.

Madame Colson appears again this evening in Flotow's *chef d' oeuvre* the beautiful opera of "Martha," sustaining the *role* of the royal peasant girl Henrietta. The cast for this evening's entertainment is thus far the most brilliant of the season—Madame Strakosch as Nancy, Mons. Junca as Plunkett, Sig. Brignoli as Lionel and Signor Nicola as Sir Tristan. The scene of "Martha" is laid in England in the time of Queen Anne, and alternates between the Palace of Kew and the Richmond Fair. "Martha" is one of the choicest gems in the musical *repertoire*. The action throughout is lively, and the finale satisfactory to all true lovers, while the score is not surpassed in the musical triumphs of the age. It abounds in fine solos, and choruses which are familiar to all.

The Strakosch Troupe will also give a grand gala Matinee at Metropolitan Hall on Friday next at 2 P. M., for the benefit of Grace Church. Admission to all parts of the Hall one dollar.

MAGIC IN DIFFICULTY.—Two wise men of the east came from New York State not long since, and set up in this city as magicians, styling themselves Fakirs, prepared to give exhibitions at Minstrel Hall, on Randolph street. To help them piece out their wardrobe, Mr. Roberts, proprietor of the Hall, gave them an order on Mrs. Martin, costumer at McVicker's Theatre, for dresses, which she furnished. After the performance, they were duly returned.

Subsequently, they went to Mrs. Martin without an order, and obtained two dresses, valued at $25, pretending that they were to give another performance. Having obtained the dresses, they suddenly left for a tour in the country. On Saturday last, they returned to the city, and one of them, Joseph C. North, was arrested—the other one, Frank Ward, escaping. The latter, however, was arrested by Bradley's force. Both have been held to appear.

LARCENIES.—A man named John Johnson was yesterday arrested and held to bail for the larceny of brass castings from the Galena depot. The property amounting in all to $50 in value had been sold to a junk dealer named Fitzsimmons, who was arrested while in the act of selling it at Nugent's Foundry. He implicated John Johnson as the thief, and the latter was taken into custody.

Yesterday afternoon a man named John Hart was arrested for larceny, on suspicion of having stolen a double barreled gun and a steam gauge he was attempting to pawn.

MARK THAT.—When, on the occasion of the Lake street fire, Silas McBride, then Chief Engineer, was openly defied and insulted by some of the firemen under his charge, (but never under his command,) then was fully evinced the danger of filling so important a post with so worthless an officer. There is not a boy who runs with the hose cart that would fear to defy and disobey McBride, and for this reason insubordinate firemen seek to-day to elect an easy chief. The best firemen in the city, the flower of our present and past Fire Departments, are seeking to-day to secure a leader all will respect and none dare to disobey. The citizens are bound to help them elect U. P. Harris.

RAISING BUSINESS BLOCKS.—The Garden City Hotel on the corner of Madison and Market streets has been raised to grade, by Messrs. Ely & Smith. This firm are also about to commence raising to the new grade of Lake street, the marble dry goods palace of Wm. M. Ross & Co. It is to be raised twenty inches.

This business of raising business blocks to grade has already called into the field several firms, among whom a competition for jobs has left little profits for any. The general results tell well for the city however.

DISSOLVED.—It will be observed that the firm of Collins & Blatchford, extensive Lead-Pipe and Sheet Lead manufacturers in this city and St. Louis, have dissolved. Mr. Blatchford continues the business in Chicago. We intended a longer notice this morning, but prefer to take time to look through the establishment and make a note of our observations.

PRESENTATION TO THE CITIZENS' FIRE BRIGADE.—At a meeting of this Company on the 17th inst., Lieut. Wm. B. Bass, of Company 3, presented the Brigade with an elegant eagle-headed flag-staff. Capt. Raymond received it on behalf of the Company, in a brief speech thanking Mr. Bass as well for the beautiful gift, as for the devotion that he has ever shown to the interests of the Brigade.

THE ITALIAN OPERA.—Last evening *Il Trovatore* was magnificently given, Parodi, Mad. Strakosch, Brignoli, and Amodio in the principal parts. The second week opens with a promise of splendid hopses and much enthusiasm. To night *Martha* will be given. To-morrow night we are to have *Norma*. On Thursday evening *Somnambula*.

CHARGED WITH RAPE.—A man named Bartlett Hallett has given bonds in $1000 to appear to-morrow to answer to a charge of rape preferred against him by a girl named Mary McDonald, who alleges that the offence was committed at the Young American Saloon under the Sherman House.

☞ Yesterday was one of March's best, anticipated some twenty days or more. A little more such weather and vegetation would begin to spread itself. Peach trees and such like, however, are advised to lie still for a while to come.

ATTENTION BRIGADE.—There will be a regular meeting of the Citizen's Fire Brigade at their rooms, on Thursday, 3d inst., at 7½ P. M. Every member is expected to be present, as business of importance will come before the meeting.

☞ Messrs. Newhall & Co. sent to our sanctum yesterday a "hull bilin" of maple sap in the form of toothsome maple sugar. Greenman, they say, made it. Well, they wont be very green men who buy it.

☞ This morning, at 10 o'clock, Messrs. Gilbert & Sampson sell at their salesrooms, No. 83 Lake street, a large and splendid assortment of Furniture, Velvet and Brussels Carpeting, and housekeeping goods, and books.

THE MURDER CASES.

Impressive Scene at the Circuit Court Room.

Michael Finn and Michael McNamee Sentenced to be Hung.

MARTIN BARRY SENTENCED TO FIVE YEARS IMPRISONMENT.

Great Public Interest—Appearance of the Prisoners—The Convicts in the Jail.

Monday was one of the most impressive and important days in the criminal annals of Chicago. More than one decade had passed in this county before the exemption from executions for Capital offences was varied by the expiation of the crime of William Jackson a year or more since. The execution of Staub followed not many months thereafter, and now we have in our jail three men under sentence of death.

The issue in the Henry Jumpertz case is already known; his partners the solemn results of the late term of the Circuit Court of this county, came up to succeed him before Judge Manierre in the decission upon the motions for new trials. The case of Michael McNamee represented by Messrs. Ayer and Mattocks was taken up yesterday morning. The motion for a new trial was based not upon any matter of evidence but upon alleged informalities.

The Court in a decision which occupied three hours in its delivery, passed over the whole ground covered by the motion, and held that the informalities were not of such a nature as to vitiate the verdict. The motion for a new trial was overruled. At the opening of the afternoon session of the Court, the attendance large in the morning, was such as to densely fill all available space in the Court Room.

Among the spectators were numerous ladies. The outer halls were crowded by hundred of persons utterly unable to obtain admission.

The prisoner, McNamee is a light-haired, smooth-faced, light-complexioned man of about thirty-five years age, an Irishman by birth, and not above mediocrity in the laboring class of his countrymen. His is not a countenance quick to manifest emotion, and he passed through the trying scene of yesterday without the slightest manifestation of feeling, though there was no lightness of manner. At the opening of the Court he rose to receive the address and sentence of the Court, which was delivered by Judge Manierre as follows:

Michael McNamee—You stand before me convicted by the verdict of a jury of the murder of your wife, Jane McNamee, on the 22d July last, and it is the duty remains for this Court to do is to pronounce upon you the final sentence and judgment of the law.

Before doing so, in conformity with the established practice of the law in capital cases, I inquire of you whether you have aught to urge why sentence should not be pronounced upon you?

[The prisoner in reply stated that he had nothing to say, and the Court proceeded.]

Of your guilt there remains upon my mind no doubt whatever—the evidence conclusively establishes it. Indeed, though a new trial has been urged by your counsel, yet they they have not felt it their duty to urge upon me as a reason therefor that the jury have found their verdict against the weight of evidence—nor that a reasonable doubt remains of your guilt. I am thus relieved from the duty of a careful analysis and scrutiny of the evidence upon which the jury found their verdict.

Your counsel relied much in your defence upon the plea of drunkenness; that you acted under the influence of liquor at the time you perpetrated this horrible crime, I have no doubt—the evidence I think establishes that fact; but the law declares that drunkenness shall be no excuse for the commission of crime. It was also urged in your defence that the degree of drunkenness may have amounted to insanity—to an utter dethronement of reason. But of this there is no evidence, on the contrary, many of the circumstances established beyond any doubt that during all the time in which this murder was perpetrated you were, though intoxicated, in the full possession of your reason. I shall only allude to a few of them.

When you gave notice early in the morning of July 2, that your wife was dead, she was found in bed shockingly beaten, bruised and bloody, but in a position so natural that the medical witnesses express the confident belief that she was so placed before death or very soon after, and before the body became rigid. The clothes were carefully drawn over her; and her own torn garments smoothed down with something like order.

By whom was she so placed?—in your own bed, the bed in which you slept, yourself, that night? If she had been so bruised and beaten in the street, she could never have taken herself into her rooms in the third story of that building, and placed herself in that position in the bed. The blows upon the head were alone sufficient to produce insensibility and the entire loss of the power of locomotion—nor could the most careful examination discover any traces of blood on the stairway leading to your room.

What is your explanation of this evidence? It is that the deceased left your house at the hour of 9 o'clock the night previous—that you sat up waiting at the window for her till 12 o'clock—that then you retired to bed to wake at 4 o'clock in the morning to find her dead by your side.

I do not cite these facts here for the purpose of showing your guilt, but only for the purpose before indicated, though the account is utterly improbable in itself. They prove conclusively *design* on your part to conceal the impression as to the cause of death—the belief that under the circumstances you could form as an explanation of this tragedy. This effort of your understanding discloses your own consciousness of the crime—an effort utterly irreconcilable with the plea of insanity.

And not the least evidence of design and reason on your part is the further fact that the body was found shockingly bruised and torn in the lower part of the abdomen—for the purpose, unquestionably, of giving plausibility to the account that she had received her injuries elsewhere, at the hands of a ravisher.

But notwithstanding all this, there is much in your case to enlist profound sympathy. That your domestic relations were in some measure unfortunate, I cannot doubt; that your wife was not all that you could wish, may be admitted. Yet her faults you may have formed yourself; and consequently must be responsible for, to some extent; that at the time she met her death at your hand you were laboring under the influence of added spirits—excited not to joy, but maddened to the degree of murder. You fall as another victim to the fell destroyer—intemperance.

That you are not naturally wicked may be inferred from one of the evidence. None, I think, speak of you as a man of wicked disposition. Your appearance bears no indication of a naturally vicious man. In this terrible extremity, I cannot withhold from you an expression of my commiseration! If I could save you consistently with my sense of duty, I would. If there were any doubt of your guilt, it would be with a glad heart I would say to you, Go! But it is not in my power so to so. Of your guilt, there is no doubt. You have committed the greatest crime known to either the law of God or man. That crime has a deeper shade and stronger hue because the victim was your wife. The law denounces the penalty of death—it is my duty to pronounce it.

In your poor, obscure and (apparently unfriended) condition, you have not been without friends. You have had counsel assigned to defend you, who have been earnestly constant and devoted in the discharge of their duty. They have omitted nothing, as the Court will bear witness. They have done this without fee or reward. Some children have found a friend who will care for and protect them, and teach them, I trust, to deplore the crime by which a mother was destroyed and a father was compelled to mount the scaffold.

To meet such a death requires the extremest human fortitude—not only the mere pang of dissolution and the consciousness that your name will be forever associated with so terrible a crime and odious penalty—but the fear of meeting an offended and just God.

Yet in this hour, I bid you be of good cheer; that though human law does not forgive the criminal and say to them as the Savior said, "Go and sin no more"—but exacts the penalty, yet there is hope for you of forgiveness, as there was for the malefactor who died on the cross when the Savior offered up his spirit.

To that God and to his mercy I can alone commend you. It is all that I have it in my power to do.

The Sentence—The sentence of the Court is that your Michael McNamee, be taken from the bar of this Court to the jail of this county, and that on the 5th of May next, between the rising of the sun and the going down of the same, you be taken by the Sheriff and hanged by the neck until you are dead. And may God have mercy on your soul!

The prisoner was then remanded to the jail.

THE CASE OF FINN.

The case of Michael Finn, convicted of the murder of Vial, was then taken up. The motion for a new trial, by his counsel, C. R. Jones, Esq. had not been argued. Like the former, it was based on alleged informalities. The Court having occupied less time than in the previous case, overruled the motion.

Finn was then asked if he had anything to say why the sentence of death should not be passed upon him. He answered in an earnest tone, "It never entered my mind to kill that man, for which I thank God, who sees the hearts of all men."

The Court then proceeded to the address and sentence, and took occasion first to speak more definitely of the crime of the prisoner. He expressed his confidence in the propriety of the distinction made in other States as to degrees of murder. He was confident from the evidence that there was no purpose of murder in the mind of Finn. The evidence had shown that he had abundant opportunity to wreak his full will on his victim, and yet no serious wound was given beside that on the leg below the knee. He should not hesitate to join with such motives as might be made to induce the exercise of the Executive power to the commutation to life imprisonment.

Judge Manierre then proceeded to pass sentence upon Finn, substantially the same, and fixing the same day as above.

In the McNamee case it is, we learn, the intention of the counsel to carry the case to the Supreme Court.

Martin Barry was next brought into Court and sentenced to five years' imprisonment for fatally stabbing a saloon keeper in this city. He was, it will be remembered, put on trial for murder, but the case became one of manifest manslaughter, and the youthful appearance of the prisoner doubtless had much to do with the light term of imprisonment fixed by his jury.

We have thus now three convicted murderers awaiting penalty of death in our jail in this city. It should be and doubtless will be a general source of satisfaction among the right-thinking portion of our community that by a law passed by our late Legislature, the public are to be spared, what too many will feel a loss, the spectacle of executions in the face of day with a gaping crowd in attendance. It is a tardy honor to Illinois that henceforth all executions are to be private.

LEGAL INTELLIGENCE.

Jacob B. Merrick vs. Minihan & Simpson.—United States Circuit Court, before Hon. Thomas Drummond.

This was an action by the plaintiff as endorser against the defendants as the drawers of four, and as the acceptors of two, bills of exchange, all of which were made payable at the Merchants' Exchange Bank, N. Y., and amounted to the sum of twenty-seven thousand dollars. The bills were all drawn payable to the order of F. S. Day & Co., and by them endorsed to the plaintiff.

The defendant, Simpson, filed especial pleas, and the defendant Minihan the general issue only.

The especial matters of defence were as follows:

1st. That the bills were executed by defendants for the mere accommodation of Harmon & Huntoon, the drawers. That they received in payment from said F. S. Day & Co., no consideration except drafts drawn by the Bank of Peru on *time*, payable at the Merchants' Exchange Bank, New York. That the bank is prohibited by the provisions of the act (the 20th section of the general banking law) from issuing drafts not payable on demand. That the issue of the same was an illegal act, rendering the security therefor void. That no subsequent payment by the bank of its time drafts could render valid the bills declared, constituting as they did part and portion of the illegal contract giving rise to the issue of the prohibited time drafts of the bank. That the object and policy of the prohibition was to protect the public from issues of bank promises of this character, as also to protect the stockholders of banks, and its depositors and creditors from the insolvency and bankruptcy incident to the issue of such paper. That the object of the legislative prohibition was to *prohibit* the issue by the banks of time bills, and that payment of the same was but a *consummation* of the original unlawful act of issuing the same. That their payment could not give a right of action on the common courts for money had and received, or paid out or otherwise howsoever. The Court instructed the jury on this point, that although the original issue of the time drafts of the bank might be illegal, yet the subsequent payment of the same would constitute a valid consideration for the promise of the defendants. To the giving of which last part of said instruction the defendant's counsel excepted.

Another ground of defence was that the bills declared on were wholly void, a greater rate of interest than ten per cent having been taken by F. S. Day & Co., who, it was claimed, was a mere nominal firm, having no existence in fact, but organized for the mere purpose of attempting to evade the law. That the transaction was in fact a transaction with the Bank of Peru, and in violation of its charter, rendering the securities taken wholly void. That the case was not governed by the general usury laws of the State, declaring forfeit merely the excess of interest reserved or taken. That the 3d section of the general act of January 31, 1857, exempting so corporations and declaring simply that the reserving of a rate of interest exceeding ten per cent, should only have the effect of rendering forfeit the excess, was repealed by the 5th section of the act of the 14th of February, 1857, declaring that banks should not be authorized to take or reserve interest at a rate greater than ten per cent. per annum. That the first named act took effect from its passage, and that the latter not until after sixty days from the adjournment of the Legislature.

The Court instructed the jury on this point, to the effect that if the rights of the party were to be determined by the Bank Charter, the taking more than ten per cent would constitute a paper declared on void. That if it was to be governed by the general law of the State, and the 3d section of the act of 31st January was not repealed by that of 14th February, the paper would not be void, although interest at the rate of more than ten per cent per annum was taken. His Honor stated that he had, with some doubt, come to the conclusion to instruct the jury that the 3d section of the act of 31st January, as to banks was not repealed by the 5th section of the act of 14th February; that both stood, and hence banks and individuals stood on the same footing. To which ruling defendant's counsel excepted.

A further ground of defence was raised by the defendant Simpson's plea that the bills declared on were executed by his co-partner, without the scope of the co-partnership business. There was much evidence on this point, and it elicited a full discussion.

A further ground of defence insisted upon by he defendants' counsel was, that that the plaintiff was a merely nominal or colerable plaintiff; that the Bank of Peru was the real party; that the bills were assigned to plaintiff since the suit was commenced. There was much and conflicting evidence on this point. The charge of His Honor Judge Drummond was very full and clear as to all of the points.

The jury rendered their verdict for the defendants. Beckwith, Merrick & Cassin; Chunnosero & Eldridge, and Hasbrouck Davis, attorneys for plaintiff. Elward H. Brackett and Thomas Dott attorneys for defendants.

Meeting of the Board of Education.

Present; Messrs. Haven, Haven, Hoard, Brooks, Taft, Porter, Ward, Foster, Adams, Carpenter and Dore.

Absent; Messrs. Moseley, Baumann, Hayes, Higginson and Bass.

Minutes of last meeting were read and approved.

Mr. Ward, Chairman of the Committee on Buildings and Grounds, presented a report respecting repairs and improvements.

On motion of Mr. Hoard, the Committee on Buildings and Grounds were authorized to provide gutters for the roofs and screens at the Branch of Jones School.

On motion of Dr. Foster, it was voted that School No. 11 hereafter be designated as the Newbury School.

The following resolution was presented by Mr. Brooks:

Resolved, That Robinson's Elementary Astronomy be used in the High School, and that all other text books upon that subject in said school be discontinued. Concurred in.

On motion of Mr. Brooks, it was voted that Hitchcock's Geology be used as a text book in the High School till otherwise ordered by the Board.

On the motion of Mr. Brooks, the President and the Superintendent were authorized to provide the necessary chemical substances to be used in performing experiments in the High School.

The following appointments of teachers were confirmed:

Emeline S. Haley, Principal of primary department, Foster School; salary, $375. Sarah B. Catlin, Assistant in primary department, Foster School; salary, $300. Ellen V. Smith, Assistant in primary department, Newbury School; salary, $300. Ann E. Winchell, branch of Jones School; salary, $325.

Reports were presented by the Sub-Committees and the Superintendent respecting the condition of the schools.

On motion of Mr. Brooks, the salary of Elizabeth J. Cory and that of Sarah J. Merriman, teachers in the Foster School, were advanced each from $300 to $325.

On the motion of Mr. Brooks, Jennie E. McIaren was transferred from the Primary to the Grammar department of the Foster School.

On motion of Mr. Brooks, the subject of relieving the Foster School from its crowded condition, was referred to the President and Superintendent, with power to act.

Mr. Haven, President of the Board, presented a report respecting the selection of a room for the use of the Board.

On motion of Mr. Brooks, the subject of providing a room for the use of the Board, was referred back to the President and Superintendent with power to act.

On motion of Mr. Carpenter, adjourned to Saturday, March 19th, at two o'clock in the afternoon.

W. H. WELLS, Sec'y.

MR. VERNON MATINEE.—*Messrs. Editors:*—I take pleasure in announcing to you that the proceeds of the Matinee, after paying all the expenses, amount to $206.00, which amount I have paid to Mr. E. I. Tinkham, the Treasurer of the Committee of Ladies' Mount Vernon Fund.

Yours truly, JNO. B. DRAKE,
Ch'n Com. on Matinee.

HELD TO BAIL.—The two men Cunningham and McCloskey, before alluded to as having robbed a railroad man, named Henry Coburn, of about $120, having for that purpose got him intoxicated, have been held to bail in $800 each. They were betrayed by a woman of the town, to whom McCloskey communicated the success of their scheme.

[From the Chicago Times of this morning.]

TREMENDOUS INVASION OF THE STREETS.

Great Public Disturbances.

A "PACKED" CONVENTION.

Omnibus Horses Frightened.

OUR REPORTER BADLY CRUSHED.

There are times where forbearance ceases to be a virtue, and it is with bitter agony of soul as Democrats and as citizens of Chicago, that we appeal to the people that this day be not lost, in the opportunity offered to relieve this unsovered city. Is it not enough that ruin stares us in the face, that so low have our finances sunk as a city, as shown by the Comptroller's report, that for one of our citizens to write "Chicago" after his name in a hotel register is New York, is simply sufficient to guarantee his being denied a room without a special previous deposit at the desk.

We ask with bitter sadness what is a Chicago Bond worth in the market, and how much pocket change the city now has for paying its daily expenses? Financially we are ruined, and the Court House might pass to the auction block to-morrow but that fortunately the city does not own it. Let us proceed. Financial ruin was bad enough. But there is a deeper depth!

There is a loss that paltry dollars cannot replace. We refer to our lives and liberties. Both are in peril. Vote friends. Vote Democrats early, often and everywhere for your rights to-day. Do not be deterred by threats or promises. The events of last evening that we are to relate, indicate fully to what a depth we have sunk. A riotous mob ruffianly revel in our streets, and over-ride us, as witnesses last evening.

Will it be believed that Randolph street, one of our most public thoroughfares was last evening filled with a riotous mob several thousand strong. That even the Temple of Justice was not respected, but a disorderly rout of some three thousand or more held possession of the building on its north entrance, and that a ribaldous din was kept up to the extent of shouting. It should have been enough that Metropolitan Hall was the scene of a large gathering, though we have the testimony of proof that that was "packed"—and can our opponents deny it?

We make the distinct charge against the Republicans that they disturbed the peace of the city last evening. There was no call