

VOL. V .-- No. 112

PHILADELPHIA, THURSDAY, MAY 10, 1866.

THE EVENING TELEGRAPI

DOULLE SHEET ... THREE CENTS.

THE MADAME JUMEL WILL CASE.

The Motion for a Postponemant of Irial-Concluding Argument of Conasel-Nature of the Defense-Career and Pedigree of Madame Jamel-Etoquent Speeches and Scathing Sar. casm-Decision of the Motion Reserved.

supreme Court-Chambers, before Judge Barnard, lay 9.-Neison Chase et al. vs. J. Howard Smith et

May 9.—Nelson Chase et al. vs. J. Howard Smith et al.—The controom was crowied to sufficient on this moraing to hear the argument of counsel for plain-tiffs, who opposed the motion made for a postpone-ment of the trail of this case. Yesterday Messrs A. F. Smith, E. R. Stouchton, and ex-Surrogate Bradford, for the detendants, argued in favor of the motion to postpone, and 1 o'clock to day was set down by the Court as the hour at which counsel for plaintiffs should roply. Judge Gray, of the Supreme Court of Massachu-setts, occupied a seat on the bench with Judge Bar-mard. nard.

ARGUMENT OF EX-JUDGE PIERREPONT.

Ex-Judge Pierrepont opened the argument, in op-position to the motion for a postponement. He commenced by alluding to the mattitest wrong which commenced by alluding to the mattitest wrong which would result to his cleants by the putting off of the firmi until October. The case was a very importan one, as it involves the valid ty of a will which lef. properly worth over one million of dollars. This will was alleged to have been made by Madame Jumel, last wife of the celebrated Aaron Barr, who died in this city in July last, gasd ninety years. Long before the deata of this lady, her daughter was married to Mr. Nelson Chase, who, after her marriage, went to hye with her, and continued to live with her for thirty-four years, devoting his whole with her for thirty four years, devoting his whole time and energies to the management of her affairs. When Madame Jume arrived in this city from Prowidence she was a inscinating yoang girl, and, putting up at a loarding-bouse, met with Mr. Stephen Jumel, a wealthy Frenchman. They loyed too truly, but not too well, and a child was born, alter which they married. This child Mr. Chase subsequently married, although she was not born in lawful wedlock. This act was nothing yery strange or new among respective reords. Inwith wellock. This act was nothing very strange or new among respectable people. Counsel here marrated several cases among the British aristocracy where marriages of this character took piace, the facts of birth and parentage being fully known to the parties themselves. After characterizing in strong, deprecatory language the attempts made to cast contumely upon Mr. Chase, the carned counsel west on to receive the history of the case since it came into court, and the repeated attempts which had been made to bring it to trial. He contended that no just reason was given for a

He contended that no just reason was given for a further postponement of the trial. The principal ob-jection put forward by the defense why the case should not succeed was that Mrs. Lvdia Huil, a material witness could not be present before the 15th or May. His Honor would scarcely have time to decide the motion before that date. The other side had undertaken to argue upon the merits of the case. When the evidence was all in it would be shown that they had no merits. Let the merits be shown that they had no merits. Lot the merits be shown before twelve intelligent men and a judge. The, (the plantiffs) said that J Poward Smith pro-cured this will fraudulently. If it were true that unjust assaults had been made upon the character of J. Howard Smith, why were they so anxious for a postponement? Would it not be better to have the cloud cleared up at once? Judge Pierrepont here went on in an eloquent argument to dilate upon the gnestions at issue in the case, and concluded with an earness appeal to the Court to refuse the motion made by the defendants. made by the defendants.

ARGUMENT OF MR. CHARLES O'CONOR.

Mr. O'Conor followed in opposition to the motion. He stated that his object in presenting the considera-tions which he supposed bore on the case would be to dissect and separate what was irrelevant and immaterial from what he considered was relevant and calculated to lead the mind to a tair consideration of the question, and to exclude from vi w, as far as might be possible everything which was foreign to such fair consideration. When the issues were settled, the decendants sought and obtained a post ponement for one month, and they obtained a post ponement for one month, and they obtained in that order a privilege that the case should be called at the next term. The March term was thereby pass dover Twe case was entiled, by the terms of the order, to be number one on the April calendar. Without dwelling upon what occurred at the com-mencement of that term, he would say that the cance was reached in course noon the April calendar. cau-e was reached in course upon the April calenday, and that so conscious were the defendants that the had no right to move this case off upon the common affidavit that they resorted to a special affidavit and set forth the precise and particular reason why they required the case to be further post-poned. They then stated their reasons, which poned. were these :- That although there was no difficulty were theses, as they were all about New York, to meet what had been called the plan issie as to the validity of the will on the question of pediere, a new light had broken upon them, and they needed the testimony of Mrs. Hull. They then obtained on that motion, and without the postness the matter a postnessment to the further looking at the matter, a postponement to the month of May, and that now, when the month of May was reached, they renewed their motion. In addition to the design to produce Mrs. Huli, the defendant tendered, through the affidavit of a Mr. Do-vine, one of the law agents employed on behalf of the d lendants, another line of evidence to the same coint, to wit, the pedigree of the Joneses, and that hey also desired to have the testimony which might possibly be elicited by a rummaging search through ecclematical and other minutes, or records exist scottas and and other minutes, or records exist-ing parity, perhaps, in Boston, parity in Nova Scotta, and parity in Great Britain. The question of whether, upon a common afficavit, the cause might be moved of irom one term to another, was dis-posed of in two ways:-First, the detendant, presented no such cases, but they presented a case on which they rested and invited the judgment of the which they revies and invited the judgment of the court to the question which is for such a reason, and for such a purpose a delay ought to take place; secondly, they had two months' delay since this case might have been tried; therefore, all that had no-thing to do with this case. There were two modes of presenting this motion on its merits, one of which were to make the case short out simple of there of presenting this motion on its merits, one of which was, to make the case short and simple, of there being such a witness in expectancy as Mrs. Hull, and such investigations as air. Devine spoke of in Massachusetts, in Nova ~cotta, and Great Britaia, and they might hen have rested upon their simple affidavit of merits. But they were not satisfied with that. That would have raised questions of a purely and simply legal and practical nature, and which might have been macesed without any display of heat or feeling by counsel upon both sides. One of the counsel for the celendants saw fit to make an affidavit in order to excite a prejudice upon the part of the Court against the plaintiff, Mr. to make an a fildaria in order to excite a prejudice upon the part of the Court against the plaintif, Mr. Chase, as a speculating attorney who had gone about without a copper in his pocket, as the affidarit stated, and induced somebody who had a title to this milion of dollars of property to give it all to him upon the chance that he might, in the course of hitgation, recover it, and might then be able to give detendants \$40.000. That was inserted for the pur-pose of exerting a prejudice against Mr. Chase, and to afford counsel the opportunity of denouncing him as a speculator. Mrs. Jume! was, according to the proots of the defendants, a very poor girl—a caras a speculator. Mrs. Jume: was, according to the proots of the defendants, a very poor grit-a car-rier of fruit about the strees of Provi dence to sell for a sixpence to sustain naturewho found her way to the city of New York radiant with the beauty for which the young women of England are so distograshed. She caught the admiration of a French merchant in this city who was a very ittle older than herself, and in the beginning of this century she became his wife, and she hved with h m intact, without impeachment of her honor in any respect, without a surpleion of he purity or chastly, until he passed to the other world, and thenceforward. for a period of sixty years, she maintained a reputation which had not, been at-tempted to be impeached for perioct purity and chastity. In the commencement of her union with Mr. Jumel there was found in her house a little girl, her some there was touch in the nonzer inter give, har nicee, an adopted daughter, whom she (Mrs. Jamei) cherished, toox her to France, educated her, brought her to this country, sustained her, married her to a respectable young law-yer, and 'took care of her and the lawyer until, m God's good time, when she had reached some forty years of ago, the adopted daughter passed to the other world intert and mainted, and always to the other world intact and unstained, and always protected and cherished as a child. She took into her house two hit e bits of children of this daughter (she called them her grandchildren); she kept them with her; cherished them and treated them with affection down to within some few years before her death, when she passed into the condition which was to be made a question in this case, when the plaintiffs say she was insace and the de-ien ants say she was not, but she was at least eighty years of are In the year 1851 this lady, under the direction of a respectable coun-sellor, made a will, in which she gave three thousand or four thousand dollars to charities, and when she cave as de endants' counsel say, only five when she rave, as do endants' counsel say, only five bundled dollars a year as an annuity, while she gave all the rest that she had on earth between those two children. It was true that she put a chauge in that will as to a part of that property, in case the person to whom it was given should die and leave no issue, that in that ovent, and at that time, it might be

divided between three or four charities. Deten-dants' counsel had produced an affidavit to show inst the property was of no great value at that time. It is was any more valuable now it was because t had grown larger in the estimation of the com-munity. She was then same and sound, which could not be denied. In the will exe-cued by Madame Jumel she made small pro-vi ions for all the children of her sister. Mrs. Jones, calling her her sisters, Mrs Jones ahe then having been a year or two dead. What was to be found when Mad me Jumel arrived at the age of ninety years when her estate had become by appro-precision of the same property, worth a million of dollars? What will was it found she made, accord-ing to the all egation of detendant.' coursel, under the advice of her aminiter? She save nothing to the son of her adopt d daughter-didn't notice him at ing to the all equilation of detendant- counsel, under the advice of her minister? She cave nothing to the son of her adopt d daughter-didn't notice him at all. What provision did she make for the defense said that she gave as much to Mr. Chase as before-\$500 a year. Mr. Chase never wanted more than \$5,0 and would be willing to take less, and he didn toonsider that he, personally, had any direct caim on the bonnty of this lady, and she need not have given him a stiver. But what provision did she make for this daughter, who had never offended her? Why, she gave her the income of \$10,000 a year during her life to support herself and her French husband, who was induced to marry her as a rich heiress, if he was not a man of fortune himself, and this little daughter of hers just a poor \$700 a year, enough to keep one person in food if sone one would be charitable enough to give him clo hes. What was done with the rest? She gave to the Rev. John Howard Smith \$5000 even, until she got down towards the end, where she thought \$3000 would be enough and the stitutions \$5000 even, until she got down towards the end, where she thought \$3000 would be towards the end, where she thought \$1000 would be towards the end, where she thought \$1000 would be enough, and when she came to the American Bible Society, a charity of them all that needed the greatest amount of money for it various necessities, she thought she had already given enough, and she gave \$500 to that. This sum of \$6000 to these several charities would not be very bad, but there was a tail to this will in which she stated that the rest, residue and semigrander of the presender of the schere the and remainder of the proceeds of the sales of her real estate should be divided among the several societies estate should be divided among the reveral societies to whom the foregoing payments were directed to be made, and in the shares and proportions which should be proportionate to the payments therein be-fore mentioned, and directed to be made to them respectively. Any one looking at that will could see that Neison Chase or his daughter could get nothing under the residuary clause. Under no circumstance were they to have any more than the income of the same of 10 000 and northers the capital might go sum of \$10,000, and, perhaps, the capital might go to the heirs of Mrs. Perry, her daughter, in case she should leave issue. The minister, John Howard Smith, plantly cawe in, on his five thousand dollars, for heaven \$60,000 and \$120,000, but when perhods Smith, plainty care h, of his hye toolsand onlare, for heaven \$60.000 and \$120,000; but when nobody could tell. What was this speculation of Mr.-Chase's? He said upon oath, "when I went to the hears of Madame Jumel I said to them:--This pro-ceeding is contrary to equity and justice and to the intentions of Madame Jumel, and you know that Madame Jumel, and you know that Madame Jumel means to give each of you some nandsome, mederate provision You know that she intersted, and ought to have intended the rest of Intended, and ought to have intended the rest of her projecty for my family, for the children of your sister." What would a speculator do, stand-ing in their place? What did Mr. Chase do? Said he:--"Let us make such an arrangement as will conform to the intentions of Machane Jumel during her line, as near as we con well come to them, and such an arrangement as is practicable and precisely as Machane Jumel ourset to base done if in the pays such an arrangement as is practicable and precisely as Madame Jumel ourht to have done if in the pos-session of her seveca, and under the advice, rudance, and direction of able and learned counsel." What was that arrangement? It was to give each of them a handsome legacy, that would be sufficient to meet their expectations and to give the easth intert to the ought to take. [Counsel found no mult with Angestus F. Smith. It was creditable for a man to light for his client. He (Mr. O'Conor) had nothing to say against the counsel for the defendants. They were gen lemen and always behaved as gentle nen to him, and he never desired to do anything but what was kind and courteous to them, and he hoped that would end the matter of persona lites between that would end the matter of persona ities between counsel. It was stated by counsel that Mr. Chase was guilty of an attempt to cast odium upon the memo y of Madame Jumel by proving that she had in her hietime an illesitimate child. Mr. Stoughton - We have not suggested that she

Mr. O'Conor said that the interrogatories all

Mr. O'Conor said that the interrogatories all pointed to proving, and they had proven as iar as the testimony of some old witnesses speaking from hearsay wen:---the defendants had proved in this infamous document which came from Rhode Island, that Pheche Bowen, the mother of the two sirs, and Betsy Bowen, the daughter, who turned up here to be backness down and and her sister whose that an e Madame Jumel, and her sister, whoever that as for was, were women of the loosest character and of the worst and most scandalous associations, and the detendants attempted to prove, and did lurnish some vidence, that Madame Jumel had secretly a boy in her custody down there, which boy the delendance would insinuate was some boy of hers gotten at some eriod when she ought not to have had a boy. Mr. Snoth-We never made any insinuation that William Ballou was her child. We know he was not. Mr. O'Conor said that if she had not a child it would only show that she was was not very fruitiul, because, according to the evidence of the defendants, she put herself in the way of having children as effecshe put herself in the way of having children as effec-tually as any woman ever did. It was honorable to have a child, but infamous to be a prostitute. But as to the charge that Mr. Chase attempted to throw odium upon this lady, it would be found by looking at the examination of Mr. Chase that the in-tention was to throw dirt upon the whole family. Ail the world was inclined to look upon Aaron Burr as the perfection of wickedness, a sort of incarnation of all that was evil; and be-cause Mr. Burr had something to do with this family the detendents wanted to examine into family the detendants wanted to examine into the pedigree of Nelson Chase, with a view of proving a common story that has been in circulation not only about Mr Chase, but about half the peop's in the country, who were alive when Aaron Burr was in existence; but it turned out, to their astomshment, that Mr. Chase never had any knowledge whatever Auton Burr until after he married Miss Jumel The detendants wanted to know the pedigree of Mrs Chase, and thus they interrogated Mr. Chase. 11 Mr. Chase) had no desire to pring before the world. as far as he could avoid it, anything that might flect upon the mother of his children or his wife. stated, when the question was directly put to him, that according to what was proverly called in-formation, she was the daughter of Mrs. Jones, and she, herself, the wife of his bosom, his companion for thirteen long years, and whom he tol-lowed to the grave, never said anything to him but that she was the daughter of Mrs. Jones; and here the matter might rest. There was no seeking to push it-to prove that she was the daughter of Madame Jumel. But they go on, and ask hum what reason, if any, he had for thinking that she might be the daughter of Madame Jume ; and he was obliged to answer that he had been informed so. They were not satisfied with that, but they wanted to know by whom, and he said by Madame Jumel her-self. Was there any justice in saying that Mr Chase dragged this thing before the world? He did d d drag it before the world when the detendants dragged him to the stand. So much for the base imputation that Mr Chase dragged into Court any private scandal affecting his family when into Court any private scandar aneoing ins manny which he could avoid bringing before the Court. Defendants' counsel brought into the case the family Bible of the Jones', kept by William Jones in his lifetime, in which was recorded the marriage of him-self to his wife in the year 1804 in the right place, and there was to be found William Jones, the hus-band, and Maria Jones, the wife, and by somebody lines were drawn over the name of Jones and his wife, and hence some horrible suspicion that this woman's name was not Bowen. It was recorded on woman's name was not Bowen. It was recorded on the valochial records of Trinity Church that Maria. Bowen and William Jones were matried by Bishop Moore about the beginning of this century. It would also be found that William Jones not only recorded his own family, but he recorded, on the next page, the family of his father, and he gave day and date for the birth of every one of them — inther, mother, and ten or twelve children, and the death of one or two of the children. It was in evidence that a subseor twelve children, and the deash of one or two of the children. It was in evidence that at a subse-quent period a Mr. Maddox married one of the daughters of Jones, who was now a plaintiff in this case. He opened his account on another page of the same book by insering his marriage and the hirth of his child, and iong before Madame Jumel died this Mir. Maddox passed to his last account. His entries were not entries that had been made since this suit was commenced. He imitated his father-in-law, William Jones, and he inserted in his own handwriting a copy of William Jones' family record, showing who William Jones mar-sworn as having been made by Maddox, who ried, and what children be had. This copy was sworn as having been made by Maddox, who was long dead; and in Maddox's copy of Jones' matrimonial entry the entry would be found to be William Jones to Mary Bowen. He didn't give any other name but Jones. His wife was Jones, his mother and everybody was Jones and, there-iore, he said the entry was wrong; he scratched it out, and in making the copy he wrote it correctly— Maria Bowen. So much for this pitiful piece of irrelevance. Mr. O'Conor then spoke at length in regard to the evidence which was sought to be inirrelevance. Mr. O'Conor then spoke at length in regard to the evidence which was sought to be in-troduced. In alluding to the Rev. John Howard Smith's connection with the case Mr. O'Conor re-

marked that the duty of a clergyman was to suve the son's of his parishioners, to take care of the r spirinual interests, and not to strip their families of their property. The interests of humanity and there is a supervise of the supervised of the super-rior to the claims of cergymen or the varous public charities hit appealed to the community for a piort. Dofendants' coansel properly called these node charities Every charity was noble; but sometimes charities were ignobily administered, and all he (Mr. C'Conor) had to say was that he would no like to be a member of the board of trastees of any one of these charities a minister, at the bed-side of an aged person of hinety years of age, or therebouts to get if m that person violates all the natural instincts of the family and all the principles of manify and justice, for the benefit of charities and for the benefit of himself. Such acts were out-rageous and ought not to receive any countenance, and for the benefit of himself. Such acts were out-rageous and ought not to receive any countenance, and the the terming to show the the benefit of charities and tor the benefit of himself. Such acts were out-rageous and ought not to receive any countenance, marked that the duty of a clergyman was to ave and for the benefit of himself. Such acts were out-rageous and ought not to receive any countennice, and the attempt to shun that fair invostigation of the true question, whether the will was that of an intelligent testator and procured by honest means, by rummaging the wide world for some pretense that the claimant had not a sufficient title to bring to the matter in question, was cyidence of conscious weakness and of a certaint - that, tried by the com-mon standard of right, morality, and religion, the soft n ust be condemned by all honest men. This minister ought to be more anxious. If h s acts would shard a tar sorut ny, to bring this case to a speedy stand a tair sorut ny, to bring this case to a speedy trial, and not attempt to shun it in this vay If Ma ame Jumel was in her right mind as this ministrial, and not attempt to shun it in this vay If Mar and Jumet was in her right mind, as this minis-ter swore he thought also was; it she intelligently and understandingly gave twolve lats or ground on which to build a new church for his parish, and \$70,000 to omild the church and a parcochial man-sion, or rectory, for the rector, and if she did intelligently, in addition to all that, give the rector \$5000, with a tall to it that brings him from \$50,000 to \$100,000 more— if she did intelligently all these things, then, he (Mr, O'Concr), would ask if there could found in lap-guage, or in the heart of a man a thought which-properly expressed would give with sufficient vahe-merce the sheezing charactor of the deed that would make that minister c une into a court of jus-tice and say, finstead of imeeting the used and show-ing that this woman was sound, and that he prac-tised no artifices:—'I will set to work and f will rake New England and all the world, where raking may possibly lead to any testimony that might help to the conclusion, and in the course of it will issue interrogatories, and I will examine witnesses to prove that the mother and the sister or my benchactrees, and my beneratress herself, until the time ahe came to be a woman of estate and fortune when she was a bright, handscome young Connecteut primination to be contemplated. Could words be found adequate to express the discretia matter too specking to be contemplated. Could words be found adequate to express the discredit-able character of such a course? Detendant's coursel had said that rather than be charged with coulder had said that rather than be charged with having procured this will by uniair devices and pec-tenses he would rather be put on trial for murder; but he (Mr. O'Conor) would rather be put on trial for a thousand murders than be chargeable, on his own showing, with such ingratitude as this. Weit' had it been said, and truly said, by the poet — "He who is uncreated be an unit be car

"He who is unstateful has no tauit but one. All other cilmes might pass for virtues in him."

Mr. O'Conor concluded by stating that he did not mean to say that this clergyman might not be able to give some reasons why he turned aside from the true issues and sought to scandalize this family as he did, but he (Mr. O'Conor) whited to give him a enance to get rid of the difficulty in which he was. He (the munit is a sured that his operation He (the muist r) cauned that his opponents could not show a good technical title, and that, therefore,

as they had not exactly a good with, he had as good a title as they, and he could hold on. This Mr. O'Coner objected to, because delays were dangerous or calculated to be very mischlevons, and dangerous or calculated to be very mischilevons, and such acts ought to be explained at once if they could be and he was willing to say for the sake of the other side, for the sake of private morals, "Let us have this issue fairly met and disposed of at once." If he was free from consure let bim go forth acquitted by a jury of his country. If he was not-if this in-strument was what the plaintiff alleged it to be-let it be brushed away among the things unworthy. During the delivery of Mr. O'Conor's argument, he was once applauded by the speciators, when Judge Barnard remarked that if the applause was rescated he would have the court cleared Mr. Stoughton followed in a short argument, in rebuilted the sate as to the pedigree of the al-

asserted that the issue as to the pedigree of the al-leged heirs at iaw was introduced by Mr O'Conor humself, and not by the side which he represented.

tion, there must cease. All of our people aust enjoy equal rights within the limits of our national domain is to write the constant of the causes of local trouble in the second of the causes of local trouble in the second of the cause of local trouble in the second of the cause of local trouble in the second of the cause of local trouble in the second of the cause of local trouble in the second of the cause of the second trouble is the second of the second soldiers who would be the second leading there, when it hope we shall reader the second leading there, when it hope we shall reader the second leading there, when it hope we shall reader the second leading there, when it hope we shall reader the second leading there, when it hope we shall reader the second leading there, when it hope we shall reader which to base accurate opinions; and I send assess the man should here. W. T. H.L.H.M.A. Malor-General Commanding Department. BIGHAM YOUNG TO GENERAL SHEREMAN. Guntar want Lake City, Andril H., 1866. — Malor-General

Gunar satz Lakk Cirv. Anfil II. 1863. - Major General W. T. Sherman, St. Louis. Mo -Siri-Your delegram of yesterday is at hand, and contents daily considered. The reports that have reached you are not reliable, satisfac-tory evidence of which I will telegraph you as soon as the testimony of reliable sentismen, not Morman can be had-say within twenty-four hours B. YOUNG.

can be had—say within twenty-four hours B. YOUNG. GREAT SALT LARE CITY, April 12 1986.—Major General W. T. Sherman —SIF:-I am under many obligation; to you for your kindness in telegraphing me respecting re-ports which have reached you from this place, as it affords me opportunity or stating facts. As night as we can earn there have been telegrams sent from here to the East which have not been reliable. You for estram gives us some idea of their purport There have been no such assassinations as all aded to in you deepatch. On March 27 s office shot a gent comm-named Mayfie d. and a Mr. Brassfield came here and seduced a Momon's wile, and was shot on the street by gome enknown person; but neither I no other comm-nity at large know any mere about it than an inhabit-ant of st Louis. Citizens who are not of utriath do not suffer from intimidstion here. In no other com-munity could men pursue the course many do here without experiencing the yengennee of a vigitance campit ee. The our rageous anders they have circu-inted against us would have provoked such an outbreak enswhere There are a few speculators hore who are any long to the scene to not suffer from intermident here and such an outbreak enswhere

inted against us would have protocold are anxious to ensowhere There are a few speculators here who are anxious to make it appear that american of izens' luves are in dan-ger through religious anaticism, hoping thereby to have troops sent here to make money out of the contracts. Genilies' lives are as are here as Mormons', and acts o violence occur more rare'y in this city than any other o its size in any of the new States or Territories. B. YOUNG.

CITIZENS OF UTAH TO GENERAL SHERMAN.

CITIZENS OF UTAH TO GENERAL SHEEMAN.
Major-Generai Sheman-Str.-We the undersigned residence of the Mormon Church, have read the above telegram of the Mormon Church, have read the above telegram of the Mormon Church, have read the above telegram of the Mormon Church, have read the above telegram of the Mormon Church, have read the above telegram of the United States.
W. Mullard Smith, Lieuto-nant-colone 5th U S V. S. John States.
W. Mullard Smith, Lieuto-nant-colone 5th U S V. S. John States.
W. Mullard Smith, Lieuto-nant-colone 5th U S V. S. John States.
W. Mullard Smith, Lieuto-nants.
W. Mullard Smith, Lieuto-com ding Camp Douglas.
K. S. Kanebaff & Co., mer chants.
Walker Bros., merchants.
Walker Bros., merchants.
GENERAL SHERMAN TO BERGHAM YOUNG.

GENERAL SHEEMAN TO BRIGHAM YOUNG.

BRIGHAN YOUNG :--Sir:-Your despatch is received, and I am much grati-fied at his substance and spirit. W. T. SHERMAN, Major General Commanding Department.

THE NATIONAL CAPITAL

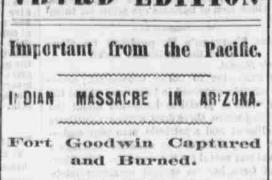
Special Despatches to The Evening Telegraph. WASHINGTON, May 10,

An Indian Treaty.

The President has proclaimed the treaty recently negotiated with the Bois Foite band of Chippewa Indians, by which they cede to the United States all the lands heretofore claimed by them, and more especially that portion of their territory at and near Lake Vermilion, as a reservation. The Government, in consideration of this important cession, will give them lands elsewhere, and provide for their domestic comfort.

Prospective End of Protracted Litigation.

Arguments in the case of the John D. Daniels, Madeira, Good Return, and Constantia, which have been in litigation for nearly fifty years, were concluded to-day before the Mixed Com. mission, under the convention between the United States and New Granada. Sir Frederick Bruce sitting as umpire. These cases involve, in the whole, \$700,000. Only one-halt this amount is claimed from New Granada, the other half having been heretofore recognized by Ecuador and Venezuela. The decision will be rendered within eight days.



124 MEN MASSACRED.

Etc., Etc., Ste., Stc., Std., Ste., Etc.,

SAN FRANCISCO, May 6 .- A special messenger arrived yesterday at Los Angelos, bringing a despatch from the commander of Fort Grant, to General Mason, announcing that Fort Goodwin, Arizona, had been taken by 2000 Indians, and the garrison, consisting of 124 men, massacred, with one exception, and the fort burned. The man who escaped was out hunting at the time, and witnessed the commotion at a distance. He saw the fort burning, and heard the firing of guns during the fight, which lasted nearly an hour.

It is supposed that the Indians gained admission to the fort under the pretext of entering into a treaty of peace, which General Mason had instructed the commander of the fort to make.

[SECOND DESPATCH.]

SAN FRANCISCO, May 8 .- A letter, dated Maricopa Wells, Arizona, April 18, states that Brevet Major James F. Muller, Captain of Company B. Nineteenth Infantry, and Acting Assistant Surgeon Tappan, Uni ed States Army, were fired upon by the Apaches, at Cotton Wood Springs, March 22-the former killed, and the latter badly wounded.

[THIRD DESPATCH.] New Gold Discoveries-Success of the Union Ticket at Charter Elections in Nevada.

SAN FRANCISCO, May 8.-The roads in the interror are now passable, and large quantities of treight are being forwarded. Wheat is firm, with a tair demand. Flour is in moderate request and steady.

A despatch received yesterday from New Westminster reports that new gold diggings, paying \$9 per foot, have been struck on Ciemen's creek, near the Big Bend mines. Hundreds of boats are going up the Columbia river, laden with miners and provisions. It is rumored that the United States soldiers at Fort Adville have deserted and gone to the mines, taking their arms with them.

The charter election in Virginia City, Nevada, resulted in the success of the Union ticket. The charter election at Stockton also resulted in the

THIRD EDITION FINANCE AND COMMERCE OFFICE O THE EVENING TELEGRAPH, {

Thursday, May 10, 1866.

The Stock Market opened dull this morning, but prices continue steady. Government bonds are in good demand. 5-20s sold at 1024. 1094 was bid for 6s of 1881; 1021 for 7'30s; and 951 for 10-40%. State and City loans are also in demand. Pennsylvania 5s sold at 884, and new City 6s at 99, an advance of 4.

Railroad shares are less active. Pennsylvania Railroad sold at 54], a slight decline; Little Schuylkill at 354@36, an advance of 4; Norris town Railroad, 543@55, a slight advance; Reading at 53], no change; Elmira, 28; Lehigh Valley 61, a decline of 4, and Philadelphia and Erie at 334. 125 was bid for Camden and Amboy, and 30) for Catawissa preferred.

City Passenger Railroad shares have advanced. Second and Third sold at 80, an advance of 2; Thirtcenth and Fifteenth at 221, an advance of 1; and Hestonville at 30 @ 30; 54 was bid for Tenth and Eleventh; and 38 for Sprace and Fine.

Bank shares are firmly held at full prices: 140 was bid for First National; 215 for North America; 1374 for Philadelphia; 120 for Farmers' and Mechanics'; 52} for Commercial; 28 for Mechanics'; 95 for Kensington; and 52 for Girard.

Canal shares continue quiet. Lehigh Navigation sold at 541, an advance of 4: 274 was bid for Schuylkill Navigation common: 343 for preterred do.; 15% for Susquehanna Canal; 53} for Delaware Division; and 63 for Wyoming Valley Canal.

In Oil shares there is very little doing. Ocean sold at 8, a decline of 4; and Jersey Well at 31-100, a slight advance.

-The New York Tribune this morning says:-"Money is offered freely at 5 per cent. on call, and brokers are solicited to make sixty day loans at less than 6 per cent. The supply of first-class offis is small, and they can be used at 5 per cent. for best. For good paper the rate is 6@7 per cent. A good deal of money is offered at 4 per cent upon Govern-ment stocks and other theure officients. deal of money is offered at 4 per cent upon Govern-ment stocks and other choice collaterals. Sterling thills are strong and quoted 1.9% for best at sixty days The business of the Sub-Treasury wast-Re-ceigts, \$3 \$11.076-72-for Cusions, \$341 000; Pay-ments \$2 44,637 36; Balance, \$95 072,616 12; Gold Notes, \$715 0.0. In freights the business of the week has been only moderale, but we notice some introvement in the reles for grain to London. To Liverpool the rates for cotton are lower. The en-gagements to day to Liverpool are 21,000 business corn at 36.84d., and per steamer, 200 bales cotton at id. To London, 87,000 onshels corn at 4id., and 2000 tons oil cake at 15s in charters very intie has been done. An injunction was granted on Tuesday against the Dir. ctors of the Mariposa Mising Com-pany, restraining them from increasing the pre-ferred stock. A report that an increase would be made was put in circulation to depress it by parties desiring to replace stock at lower rales than those now current." now current."

-The Commissioner of Internal Revenue has de--The Commissioner of internal devenue has de-closed toat if a check is received as a payment or money, or in payment of a debt due, the receipt given therefor is chargeable with a stamp duty of two cents if the amount exceeds twenty dollars. This, or course, is in addition to the stamp on the check itself.

-The Chicago Tribune of Saturday afternoon says:-

"Business during the week has been more active than usual, and deposits at the banks have been quite heavy. This has r-ndered the money market quite easy, and prime produce and mercantide apper is in good demand at 10 per cent per annum. The sup-

He also alluded to the atlacks which had been made upon Rev. J. Ho ward Smith, and remarked that on the trial of the case, his (Mr. Smith's) record would be found pure and unsulhed. This ended the argument, when Judse Barnard took the papers and reserved his decision. -N, Y, Herald;

AFFAIRS IN UTAH.

The Recent Stories of Assassination Con tradicted-Despatches from General Sherman to Brigham Young-The General Cautions the Mormon Chief -Brigham Denies that the Saints Mo lest the Gantiles, Etc.

To the Editor of the Herald :- In the Herald of May 8, "A Winter Mormon," suddenly awakened to a sense of his duty, makes some extraordinary state ments concerning the "inhuman barbarism" of the Sat 1 ake Mormons, as manifested during a period of four and a half months passed by him in Utah. The writer of the present note took up his rest dence in Great Sait Lake City in the summer of 1861, and terminated it in the summer of 1864. During all that period, and up to this hour, he has looked upon "Mormonism" as no less a delusion than that insti-tuted by Mahommed, and upon its followers from the powerful head of the organization-Brigham. Young-to the humblest convert to the singular Young-to the humblest convert to the singular faith, alke as sincere believers in the dogmas pro-pounded by Joseph Smith, and a remarkably mis-guided class of individuals. He has denounced their illogical harangues, their fierce denunciation of our Government for wrongs claimed to have been endured at our hands, and their defiance of the antiolygamy law; but he is not willing to allow them to rest under the imputation that in some mysterious way the Mormon leaders manage to destroy human beings at the rate of "from three to five" every night. According to a "Winter Mormon" this very summary proceeding occurred throughout a certain winter four years ago.

The "winter" alluded to must have been that of 1861-62, the first of my residence in Salt Lake City. During all that winter as well as the winter following I heard of no sudden deaths save those of three or four horse-thieves who were seeking to avoid arrest, and certainty no "Gentiles" or other citizen s

were "missing" except a haf-dozen culprits who escaped from the penicentrary. It is but simple in the to state that during all my residence in Utah I was impressed with the fact that no pince of equal size could be found on the cont-nent which could well be compared with Sait Lake City for the good order, industry, and sobriety of the most and the apercombination in the its inhabitants, and that encroachments upon the rights of others were not only less frequent but were more sternly represended and more adequately punished than elsewhere within my showledge indent of fuesday is reminded of his Your correspondent of fuesday is rominded of his duty by reading an account of a recent assassina-tion which occurred in the Mormon capital. A fe y tion which occurred in the shormon capital. A 16 y unpublished documents in my possession may shed some light upon this deed. Unfortunately these sacrifices of human life, without authority o' law, are not uncommon in the new States and Terri-tories. California has twice been in the hands of its 'vigilant committees," whose behasts were executed alke in the shadows of midnight or beneath the boorday and and thom whose secret deares no

noonday sun, and from whose secret decree no escape was possible. Idaho, Nevada, and Montana have each had their secret organizations to protect life and property, and to avenge real or wrongs, by the sudden destruction of the fancied Utah has perhaps been as free from secret out

rages, or the apparent necessity for them, as any of the Territories. The only barbarity of the kind at present remembered by the writer was the shooting o death of a "Gentile" stage driver, by a "Gentile" stage agent, during the winter of 1862-8. The un-published documents of which I have spoken relate to the assassination of one Brassfield, and comprise a telegram from Major General Sherman to Brigham Young, and the responses thereto, together with the as follows :-

GENERAL SHEBMAN TO BRIGHAM TOUNG.

GENERAL SHEMMAN TO IMIG HAN TOUNG. ST. LOUIS, A pril 10, 1865 — To Brigham Young :--Sir :--A toierrain comes to me from responsible officers that four men, styled "Gentiles" have been murdered by Mormons, and that there is an apprehension of further danger to this class. By Gentiles I understand Ameri-can citizens not of your relisious creed. I am bound to give protection to all citizens, regardless of religions faith, and shall do so. Those murderers must be pun-ished, and if your people resort to measures of intimida-

Concerning Pensions.

Yesterday the Commissioner of Pensions decided that in the filing of claims for pensions, the last clause of the sixth section of the Supplementary Pension Act of July, 1864, provides that in every case in which a claim for pension shall have been filed more than three years after the discharge or decease of the party on whose account the claim is made, the pension, i allowed, shall commence from the date of the last paper in said case by the party prosecuting the same. Many cases have arisen in which minor children, after the death or marriage o the widow without having received a pension have filed a claim more than three years after the death of the father, but less than three years after they were first entitled to make a claim under the law. The Commissioner decides that in all such cases the law does not apply, provided an application made within the prescribed time by the widow was already pending, but the claim of the minor children must be made within three years from the date of the widow's death or re-marriage to be exempt from

the operation of the limiting statute. The Merchants' National Bank

The further investigation into the affairs o the Merchants' National Bank of this city extends, the more is the complete rottenness of the concern exhibited. It has transpired that, in addition to Government losses already published, there were \$25,000 deposited by T. J. Hobbs, the disbursing clerk of the Treasury Department. The indications are that the wreck is complete, and the depositors will get little or nothing.

Secretary McCulloch's Visiting.

The visit of Secretary McCulloch to Jeff. Davis s still a mystery. The subject has never been mentioned in Cabinet meeting.

Examination Ordered. Secretary Harlan has directed an examination as to how many clerks in the Interior Depart ment were drafted here and put in a plea of nonresidence with the intention of substituting soldiers for them.

The Empire Recognized:

The State Department has received news that the Mexican Empire has been recognized by Gaa emala, Nicaragua, Honduras, San Salvador, and Costa Rica.

Providence Election.

PROVIDENCE, R. L., May 9 .--- Thomas A. Doyle, Independent candidate, was to-day elected Mayor of this city by a majority of 314. The City Council was elected chiefly on local issues, without reference to political questions.

From Fortress Monroe.

FORTERS MONROE, May 10 .- The barque Anna from Bremen for Baltimore, passed in the Capes yesterday.

success of the Union ticket.

CONNECTICUT.

The Senatorial Cauvass-Caucas of the National Republicans-General Ocris S. Ferry Nominated to Succeed Vice-President Foster.

NEW HAVEN, May 9 .- At the Republican caucus to-night seven informal ballots were taken for Senatorial candidates. The first ballot stood:-L. S. Foster, 65; Governor Buckingham, 55; General Ferry, 24. The last ballot stood :-Foster, 65; Buckingham, 1; Ferry, 79, General Orris S. Ferry was then unanimously non-nated

A Verdict of Murder in Baltimore. Special Despatch to The Evening Telegraph.

BALTIMORE, May 10 .- The jury of inquest over the body of Clinton James, killed last night by John Price, rendered a verdict to-day that the deceased came to his death by a pistol-shot tired by Price, who was sent to jail to await trial for murder. James was second in the pugilistic affair two days ago, near Alexandria. Price was released from prison six months ago, and has served over twenty years of his life in the penitentiary and other prisons for murder and other assaults.

The "Kearsarge."

ALARMING REPORTS OF THE PROGRESS OF THE YEL-LOW FEVER ON BOARD-SEVEN OF HER OFFICERS AND MANY OF HER CREW REPORTED DEAD, ETC. MADRID, April 20 —I have some dis ressing news from Lisbon to communicate concerning the cor-vette Kearsarge. As I have written you, she had been sent to the coast of Africa on a short cruise, to show the flag and examine into the present condition of affairs in that choice country. While on the coast she became infected with the yellow fever, which made terrible havoc among her officers and crew. Sbe at once turned and headed north, and arrived on the 18th or 14th at Lisbon, and was immediately

aced in close quarantine. I am pained to say that seven officers and a numer of men were the victims of the terrible scourge I am not able to give their names, or any further details concerning the sad cruise. I hope to be able in my sext to end full particulars, which I have telegraphed for from Lisbon. to be hoped that the reports of the terrible

mortality I have received are exagerated. They are certainly something teartul to contemptate. A few days will clear up the whole question.—N. Y. Herald.

LEGAL INTELLIGENCE.

Court of Quarter seasons—Allison, P. J.— The case of Daniel and Michael Mooney, who were charged with the larceny of two cows valued at \$100, the property of James Brown, was continued After the close of our yesterday afternoon's report witnesses for the defendants stated that they saw the detendants buy the cows in West Philadelphia; saw one of them mark them with tar, and send them home. Two of the witnesses killed and trensed the cows. All of them identified the brides seen at the un yard as those taken from the cows of the de-fendants; whereas Brown swore they were the hides of his cows.

of his cows. The hides were brought into the Square, and the jury and counsel for both sides went out and ex-minee them A witness for the prosecution pointed out a cut on one of the horns by which he could re-cognize and identity Brown's cow A great part of the time was occupied by the examination of wit-messes and the discussion of cows' horns. Still on trial.

The Supreme Court at Nist Prins, Justhe Hompson, was in session this morning, and ea-mared with the Equity argument List. The District Court No. 2, Jadge Stroud, was engaged with the case of Conklin Holesr's admin-istrator, An action on a book account. Nothing of public importance transpired.

-The boys of New Bedford have formed a society for the suppression of pretanity and vulgarity.

ply of Eastern Exchange as compared with the de-mend, is very light, and the market is firm at par buying and 1-10 premium setting R and lot were sold among bankers to-day at a premium of 60a. per thousand.

-The Richmond Whig of the 7th remarks, lative to the Covington and Ohto Railroad Company:-

"At the last session of the Legislature of Virginia an act was passed, in which the Legislature of Wess Virginia concurred providing for the disposal of the State interest and iranchises in the Covington and Ohio Rairosd-on when the State, before the war, had expended three and a half mittions of dol-lars-and leaving the details of the disposal to five commissioners from the State of Virginia, and five irom west Virginia. On the lat instant these com-missioners met in Baltin ore. Three companies, comsisting, as we are informed of men of recognized position and ability, appeared before the commis-sioners with proposals, and a ter two or three meetings, the commissioners adjourned to New York for in the consideration. Our information is that the commissioners will be able, without doubt, to make an arrangement that will insure the speedy and satisfactory construction of the work-a work from which this State has so much to hope in rebuilding her failen fortune "

PHILADELPHIA STOCK EXCHANGE SALES TO-DAY Reported by De Haven & bro., No. 40 S. Third street.

FIRST A	BOARD
\$500 US 5-20s 621023	50 sh Penna R 54
\$3000 do102	30 sh ao 54
8200 do1884.1024	11 sh do 64
\$2000 do1865 102	28 sh do
\$800 Pa. 5s 881	9 sh do 54
\$400 Alleg Co 58 70	23 sh do 64
\$2800 City 6s, new 99	50 sh Lit Sch 35
\$2000 do	100 sh do 86
84000 domun 99	3 sh do 36
8700 Sch Nav 6s 82. 84	25 sh do 36
\$3000 Pa R 2d mtg 6 95	100 sh do 38;
\$3000 N Pa 6s 90	100 sh Reag
100 sh Ocean	9 sh Elmira R 28
200 sh Jers'y W' 5-16	16 sh Leh Val 61
	100 sb Phil & Erie 38
89 sh do 54#	
20 sh do 54	10 sh 2d & 8d 80
8 sh Noriist'n R 547	100 sh 18th & 15th 22
	100 sh do080 22
PHILAD'A GOLD EXC	HANGE QUOIATIONS
10 A. M	12 M
1 A. M	1 P. M
-Messrs, DeHaven &	
-mesers, Dennven a	monder tabe an Bollin

Third street, make the following quotations of the rates of exchange to-day at 1 P. M. :a. Sel mo

American Gold	 1 129
American Silver, is and is	 124
Compound Interest Notes:-	

**		June, 1864.	114	1
14	10	July, 1864.	11	1
41	- 44	August, 1864.	10	10
.68	8X	October, 1864.	92	1
88	10.00	Dec., 1864.	. 8	1
- 14	 The set of the 	May. 1865.	61	1.1
	e	August, 1865.	·· 42	1.14
- 44		Sept., 1865.	41	1110
66	0.001	October, 1865.	3	14
		State of the second sec		

Philadelphia Trade Report.

THURSDAY, May 10 .- The Flour Market is as firm as ever, and there is a fair semand for the supply of the home consumers, at ruli rates, but there is no inquiry

tor exportation, the sivices from abroad being of a char-

tor exportation, the afvices from abroad being of a char-neter which forbids operations by shippers. About look bla were disposed of at prices ranging from \$100 to \$8 for superfine. \$8755210'25 for extants. \$100 bits of the state of the s

-A universal congress of all the followers of Hahnemann will take place in 1867 in Paris.