THE "CHESAPEAKE" AFFAIR.

The Examination of the Pirate Braine Before United States Commissioner Newton, at Brooklyn, N. Y .- A New Secret Robel Organization, Etc. Etc.

This case came up according to appointment on Tuesday. W. D. Croft, Esq., counsel for the prisoner, stated further evidence, documentary and oral, was necessary in the deiense. Some of the proofs are in British America, and some in the Southern States. The principal fact adduced in his deiense is his acting in subordination to superior officers on board the Chesapease. He (counsel) states that pardon is due to him as much as to other beliggerents.

He, moreover, avers that at the instance of our Government some of his associates on the Chesapeake—a second lieutenant and some seamen—were arrested, and subjected to a thorough and impartial examination, and then discharged,

and impartial examination, and then discharged, their conduct not being deemed capitally reprehensible. The prisoner also claims that his case is covered by the amnesty proclamation of President Lincoln and the subsequent proclamation. mation of President Johnson.

District Attorney Silliman answered in an ingenious argument, the gist of which was the following:-That he was unwilling to deny any man prosecuted for a criminal action an oppor-tunity to procure all necessary evidence in his detense, but the ground on which the demand was made for an adjournment of the case was irrational, as the United States had not recognized the so-called Confederate Government, and such a confederation could not be a cloak to any crime done under the same.

Commissioner Newton said that he could not give an opinion in a case of so much national importance at this preliminary examination, but would grant the customary sejournment. The District Attorney said that he had wit-nesses present who were scalaring men, and whose presence was temporary, and he wished

to take their evidence then.

The opposite counsel not objecting, James Johnson, witness for the prosecution, was called and testified in effect that his calling was that of an engineer on a steam vessel; when serving in that capacity on board the Chesapeake, under Captain Willitts, she was captured by a party of men who came on board as passengers, one of whom was the prisoner; before her capture she was running between New York and Portland; during the encounter several of the crew and officers were inhumanly murdered, in which butchery Braine acted a conspicuous part; they compelled him to run the vessel until her recap-ture; two men with loaded muskets stood by his side, as a precaution against his doing the vessel any injury; the men who took the vessel numbered lifteen, including the prisoner; they were armed with revolvers; the Chesapeake's crew were not srmed during the afray, nor did he know of any on board who had arms. The party who captured her came on board at New York, ostensibly to take passage to Portland. Neither Braine nor any of his party had a uniform on.

Samuel H. Seaman, a New York merchant, testined as to the ownership and object of the vessel. She was the sole property of H. B. Cromwell, a resident of Brooklyn Daniel Henderson, second mate of the Chesa

peake when she was captured, reiterated substantially the testimony of Johnston. Captain Willitt substantiated the evidence of

both in his examination.

At the conclusion of the evidence District Attorney Sillman said that he was un willing to grant an adjournment of the case to procure further testimony, which might be found inadmissible, but if the counsel wished further time to confer with his client, he would cheerfully

Mr. Croft said he thought twenty days was as little as he could call for, but as the opposite counsel had spread this testimony through the press of the country to the prejudice of his

client, he thought thirty days little enough.

The further bearing of the case was postponed until October 8. We append the following Constitution and By-Laws of the secret order to which the prisoner belongs, and which, mirabile dictu, is in existence to-day. Some of his friends are at large, and attended the hearing of his Who knows what mischief may be im-BY-LAWS OF THE K. A. FOR THE BETTER BULE AND

GUIDANCE OF THE ORDER.

Headquarters Knights of Araha—Office of Grand Commander, 1866.—These laws must be strictly abided by, by all Encampments, Companies and all K. A.'s in good standing
By order of the Hon. G. C. K. A. and the Hon. G. Coun. K. A.

1. No man can become a K. A. unless sound in mind and body (except by special permission of the tion G. C. K. A. or the tion. G. Coun.) for the better preservation of our Order, and the attainment of the grand ebject of the Order.

2. We as K. A.'s, pledge ourselves to aid, comfort, and protect all K. A.'s, especially those who may be wounded or disabled in obtaining or achieving our grand object.

3. Great care must be taken that no unbeliever or coulsider shall gain any insight into the mysteries or

3. Great care must be taken that no unbeliever or our sider shall gain any insight into the mysteries or secrets of the order; but all K. A.'s will use their best endeavors towards the advancement of the grand objects, by procuring candidates who are good and tried men. Candidates will have to be vouched for by at least two brother K. A.'s, and balloted for. Five black balls will reject a candidate.

4. The candidate will have to pay one hundred dollars (cash) is the cantain of the company or the secretary of the same; and the candidate will receive from the secretary a K. A. bond for one hundred dollars in gold, with ten per cent, interest, payable ninety days after recognition of — by the United States or any other dovernment.

ten per cent. Interest, hayable ninety days after recognition of — by the United States or any other Government.

5. All K. A.'s will be entitled to one hundred acres of land; location of said land to be drawn for by loglery. Each K. A. will, as soon as practicable, receive a land warrant to that effect. A description of land and climste can be had of any officer of the order. The products are coffee, sugar, tobacco, and cotton.

6. All secretaries and captains will report weekly to beadquariers. All moneys collected will be remitted weekly to headquarters. All captains and secretaries will report weekly to the colonel of their regiments. Implicit obedience to orders will be required of all K. A.'s to all orders from headquarters and from all officers of the order. The Hon G. C. K. A. trusts that all K. A.'s to all orders from headquarters and from all officers of the order. The Hon G. C. K. A. trusts that all K. A.'s to all orders from headquarters and from all officers of the order. The hon could be required of all K. A. sto all orders from headquarters and from all officers of the order. The hon G. C. K. A. trusts that all K. A. sto all orders from headquarters and from all officers of the order. The hon G. C. K. A. trusts that all K. A. sto all sealed which will be their authority for initiating and entisting candidates; without which any encampment will be furnished with a charter, duty signed and sealed which will be their authority for initiating and entisting candidates; without null and void.

8. Thirty days' notice will be given to all K. A. sifor final (work), and promptness is expected; without it, we can do nothing.

9. The use of initiation fees will be explained by appli-

can do nothing

8. The use of initiation fees will be explained by appli-

cation to any officer of the order.

10. All candidates will be required to take the K. A. 10. All candidates will be required to take the K. A. oath.

11. All laws, rules, and regulations adopted by any encampment must be regularly encorsed and approved at the headquarters.

12. All encampments will have to furnish a fund for the private expenses of their own individual encampment. Silver badges of the order can be procured by application to headquarters.

13. The Hon. Grand Council will be comprised of all the Colonels of the K. A., or at least three Colonels, who shall have full power to appropriate moneys and make laws for the good of our Order, sanctioned by the Hon. G. C. K. A.

14. No moneys shall be expended or laws passed without the sanction of the Hon G. C. E. A. and the Hon. G. Coun K. A.

By order of the Hon. G. C. K. A. and Hon. G. Coun. K. A.

ANOTHER CASE OF CHILD FLOGGING. A Little Girl Whipped to Death.

The Kingston (C. W.) correspondent of the New York and, under date of the 15th, relates the following horrible story:— Another case of fatal child flogging, if possible

more revolting in shocking details than the recent Lindsley child murder in Medina, N. Y. occurred at Sarma, a few miles from this city, on Wednesday last, the victim in this instance being a little girl five years of are, named Kate Sibley, the illegitimate daughter of Schuyler Sibley and a Miss Kate Davis, and the alleged provocation leading to the cruel act being the refusal of the child to say its prayers. From the evidence elicited at the inquest on the body of the child, it appears that on the night in ques-tion the mother had beaten the child with a raw hide for nearly an hour, and when rendered in-sensible by pain and loss of blood, thrust it into a chair, and went to bed. For a time the child was heard to moan as if in intense azony, but soon became quiet, and nothing more was heard until near morning, when a servant entering the room found the child dead, and immediately

Upon litting the child from the floor, where it had fallen, a most revolting sight was presented. The head, face, and shoulders were scarred and discolored from the terrible blows of the raw hide, while the body, from head to foot, pre-sented a shockingly mangled and bloody ap-pearance. Old scars, scarcely healed, were also

visible upon the body, testifying to former cruel floggings. The medical evidence showed that the injuries of the flogging were alone sufficient to produce death, but that serious internal injuries, the result of kicks or blows, had previously been received; and the entire absence of food for many hours had also something to do yiously been received; and the entire absence of food for many hours had also something to do with the result. The murderess, in being examined, confessed that a few days previous to the fatal act, the father of the child had admintered to it a most unmerciful beating for not saying its prayers, and ordered her to do the same whenever it refused. The jury returned a verdict, criminating both parents, whereupon they were both committed to prison to await trail for murder.

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