THE VOLUNTEER.

John B. Bratton, Editor and Proprietor.

CARLISLE, THURSDAY, SEPT'BR. 2, 1847.

AGENCY.

☞ V. B. PALMER, Esq. is our authorized Agent for procuring advertisements, receiving subscriptions, and making collections for the *American Volunteer*, at his office, N. W. corner of Third and Chesnut streets, Philadelphia.

DEMOCRATIC NOMINATIONS.

FOR GOVERNOR,

FRANCIS R. SHUNK,

Of Allegheny County.

FOR CANAL COMMISSIONER,

MORRIS LONGSTRETH,

Of Montgomery County.

DEMOCRATIC COUNTY TICKET.

Senator,

ROBERT C. STERRETT, of S. Middleton.

Assembly,

JACOB LEPEVER, of Frankford.

ABRAHAM LAMBERTON, of N. Middleton.

Treasurer,

ROBERT MOORE, of Carlisle.

Commissioner,

JOHN MELL, of Carlisle.

Director of the Poor,

WILLIAM KER, of Westpennsborough.

Auditor,

PETER LIVINGER, of Monroe.

DEMOCRATIC MEETING.

A MEETING of the Democrats of the Borough of Carlisle, will be held at the public house of Col. John Coxman, on SATURDAY EVENING, the 4th instant, at early candle light, for the purpose of forming a Democratic Club for said Borough.

MANY DEMOCRATS.

Carlisle, Sept. 2, 1847.

Doing well.—Mr. Alfred Sponsler, the young man so seriously injured by the late accident on the rail road, (a short distance above Carlisle,) is, we are pleased to learn, in a fair way of recovery. His physicians consider him past danger.

The Evidence.—In our report of the Riot case, we do not pretend to say that it is a *full* report, or that it is entirely correct in every particular. Much of the evidence given we could not procure, but we think we give the most important points on both sides of the question. We have tried to give our readers as impartial a report as possible, and if we have not succeeded in doing so, to the satisfaction of all, it is not because we did not make the effort.

Get your likeness taken.—We call attention to the card of Mr. Bear. We have examined several likenesses taken by him and we are bound to say that "they are hard to beat." Mr. B will remain in Carlisle but a short time, and those wishing a true likeness must call soon.

OUR TICKET.

That excellent little Democratic paper, the "Valley Spirit," printed at Shippensburg, in speaking of the Democratic Ticket for this county, says—"There is but one opinion here in regard to the merits of our candidates. All agree that a better ticket could not have been formed. Shippensburg did not, it is true, get the man of her choice for County Treasurer; but she will pay a willing tribute to the merits of his successful competitor at the ballot box."

☞ Col. V. B. Piollett, of this State, who was recently appointed Paymaster in the army, left Harrisburg on Thursday last for Mexico. We wish him a *safe journey and the enjoyment of health.*

THE RIOT TRIAL.

To the exclusion of much other matter, we this week publish a condensed account of the Slave and Riot case, which was tried before our County court last week. This case excited great public interest, not only in our own borough, but throughout the county, and we need scarcely say that the verdict of the Jury, as rendered on Monday morning last, took every one by surprise. We invite attention to the evidence, as published in another column. With that evidence before them, how a jury of twelve men could declare several of the most conspicuous of the rioters "not guilty," is a *mystery* to us as it is to this community. We do not of course wish to be understood as doubting the honesty of the twelve jurors—far from it.—We are personally acquainted with several of the gentlemen who composed that Jury, and we know them to be men whose characters are unimpeached and unimpeachable—men who would shun the advances of any who might attempt to advise or control them in making out their verdict. No, we do not suspect the honesty of intention of the twelve jurors—it is their carelessness in rendering their verdict, we find fault with. After hearing the vast amount of evidence against certain persons named in the bill of indictment—after the able and clear charge of Judge Hepburn—after hearing the addresses of the several able counsel in behalf of the Commonwealth—after all this, we say, and then to return a verdict declaring one half of the rioters "not guilty," is most unaccountable. But the carelessness of the jury would not appear so palpable, but for the fact that several of the persons who were declared not guilty were the most prominent, the leaders, we may say, in the riot in June last; while on the other hand, several of those who were declared "guilty" by the Jury, were scarcely known to have participated in the riot at all, and against whom there was little or no evidence. One man declared "guilty" had taken no part whatever in the riot, *and his name was not before the jury at all!* We but speak the voice of this community—aye the voice of the people of the county—when we say that the verdict as rendered by the jury, has given dissatisfaction.—We trust our town may never be the theatre again of *so disgraceful a scene as the riot which took place* last June, and above all do we hope that a just punishment may be visited upon all those who may ever again attempt to produce a similar disturbance.

DEATH OF SILAS WRIGHT.

It is with unaffected sorrow that we are called upon *to record the death of that distinguished states*man and patriot, Silas Wright, of New York. He died at his residence in Canton, St. Lawrence county, of apoplexy, in the fifty-fifth year of his age. Mr. Wright has occupied many high public trusts, and has manifested in all an ability, a devotion to the truth and what he believed to be right, which secured him the respect of all parties.

As State Senator, Comptroller, member of Congress, U. States Senator, and Governor of New York, he exhibited abilities of the highest order, a disinterestedness the purist and loftiest, and an earnest devotion to the honor and welfare of his country.

As a debater he had few equals in the Senate of the United States; and in sound and far reaching statesmanship he undoubtedly stood at the head of the party of which he was a member. True to his party, Mr. Wright was never false to his country, nor gave up to faction the genius that was meant for mankind.

Death of an Editor.—*J. M. G. Lescure, Esq.* one *of the editors of the Harrisburg "Democratic Union," died at his residence on Saturday morning last, in the 45th year of his age.*

☞ Mrs. Ann Chase, the heroine of Tampico arrived in Washington city, *en route* for the North on Wednesday of last week.

A NATIONAL CONVENTION.

That a "*majority shall rule*" is a cardinal principle in the Democratic creed, and applies with equal force to party and to matters pertaining to a representative government. The decision of a fairly constituted nominating Convention, composed of the representatives of the various sections and interests of the people, we hold to be as morally binding upon the *whole party* as the laws passed by a majority of Congress are binding upon the *whole people*, and we look upon that man who refuses *to support* the nominee of such a Convention as being as much a traitor to his party, as he who would resist the laws of Congress would be to his country.

In selecting candidates for the Presidency there are many interests to be consulted, many prejudices to be overcome and many sacrifices to be made.—Each section has its peculiar interest and its favorite candidate. All cannot be equally gratified at the same time, for only one portion can furnish the candidate, unless we divide and suffer federalism to step in between us, when all would be lost without benefiting either division. Would it not be infinitely better for us and for the country, to sacrifice a little to each section and interest, than to sacrifice, by contentions among ourselves, to the federal party, all we gained by the hard fought battle of 1844?

The Democratic party occupy a peculiar position at this time. The liberal and enlightened policy of the party is yet to be fully carried into effect. The benefits arising from the wholesome acts of the last Congress have just begun to be realized by a grateful people. The Mexican war must be prosecuted with rigor to an honorable peace. And how are these things to be continued and carried triumphantly through, without a continuation of power in democratic hands, for let it be remembered that the federal party stand pledged to repeal the laws of the last Congress *and to withdraw our troops ingloriously from Mexico* just so soon as they get the power!

That there are at this time differences of opinion in the great democratic family on questions of *minor importance*, none we presume will deny. And the question among us should be:—How are these differences to be reconciled? What course can be pursued to harmonize the party and converge it to a unit?

In 1844, before the meeting of the Baltimore Convention, all was doubt and despair, disorganization and despondency throughout the entire party. That Convention met under any other than favorable auspices. But after a free, frank and cordial interchange of feeling and sentiment, the choice of that body fell *unanimously* upon the two distinguished individuals who now fill the highest stations in the gift of man. All will recollect the magical effect produced by the result of the deliberations of that enlightened body of men. The nominations were every where hailed with enthusiasm. Every body was satisfied, for all had been heard, their claims had been weighed, and the nomination made by mutual concession and compromise. "POLK AND DALLAS" resounded through the land like the voice of a "silver trumpet." All doubt instantly vanished—confidence inspired the democracy of the whole Union. The party rallied *under the banner so* proudly unfurled *as one man*, and went forth "conquering and to conquer."

Who can doubt that the party owes its success in the Presidential campaign of 1844, to the deliberations of a National Convention? None, we presume—no, not one. So would it be in 1848. And yet there are men in our ranks, who would *now* eschew a Convention, and palm upon us as candidates, men, whose political tenets are unknown to the great body of the people, and about whose democracy we may safely say there exists some doubt! Have these men reflected upon the consequences of their course should *they persist in it? Have they any guarantee*, that their favorite candidate would receive, or that his political principles entitle him to the support of the *entire* party of the Union? They must know, that it requires the united efforts of the whole party to keep down the common enemy, and that the only way to secure such efforts is by sacrificing our individual preferences upon the altar of our country.—And how are these sacrifices to be satisfactorily made without a Convention composed of the representatives of individual and sectional interests?

We have our favorite, but we are willing to drop him if the welfare of the democratic cause requires it. We have a preference before a nomination is made—afterwards *we know but the nominee*, for we have entire confidence in the wisdom, integrity and judgment of such men as are selected by an intelligent constituency, to represent them in a National Convention, and know to our own satisfaction, that they would present no man for our support, who would not, if elected, carry out the principles and wishes of the democracy of the Union.

We go in then for a National Convention, and we think we are safe in saying that nine-tenths of the party in Pennsylvania are with us in this respect.—We think too that the nominee of that Convention, *be he who he may*, will receive the twenty six electoral votes of the Keystone State. It is by adhering to Conventions and regular nominations that the party has been kept together and been so often victorious. This alone, in our opinion, will enable it to continue to act in harmonious concert, and to dispense the blessings of democratic government through future ages.

Let any man in the democratic ranks take a can*did and impartial view of this matter, and we think* he must arrive at the conclusion that a National Convention is not only proper, but actually necessary to insure success in the next Presidential contest.—That such will be the opinion of the great body of the party, and that a Convention will be held, we firmly believe. Let every man pledge himself to give to the nominee of that Convention a vigorous and hearty support. Let it meet in a spirit of "union, concession and harmony," and another bright and *glorious banner, like that of 1844, will be raised high* aloft under which to rally; which all "can see, read and understand;" and who is so blinded by preju*dice, so misled by individual preferences or sectional interest as to doubt the overwhelming triumph of the* democratic party under that banner, when thus so distinctly and honorably submitted to the consideration of the intelligent people of this glorious Republic?

☞ The Rev. Mr. M'Calla, who has made himself supremely ridiculous by undertaking to detail a private conversation with the President, which never occurred, is thus spoken of by the Boston *Atlas*, one of the most decided whig papers in the Union:

"He was an applicant himself for an appointment as chaplain, which the President refused to give him, and therein acted rightly. He is unquestionably a poor tool, and *the sooner he forsakes his profession the better.*"

PERRY COUNTY.

The Delegates representing the democracy of Perry county, met in County Convention, at Bloomfield, on Monday, the 23d of August, and placed in nomination the following ticket:

Assembly—John Souder, of Bloomfield.
Sheriff—James Stephens, of Penn tp.
Treasurer—David Lupfer, of Bloomfield.
Commissioner—George Titzell, of Juniata.
Coroner—John M'Kinzie, of Juniata.
D. of Poor—Peter Hench, of Tyrone.
Auditors—John Withrow (3 years,) Martin Mootzer, (one year.)

Even the Whigs praise him.—Hon. James Cooper who was a candidate for nomination for Governor on the Whig ticket, thus speaks of Gov. Shunk:

"HIS INTEGRITY HE HAD NEVER HEARD IMPEACHED, AND IN HIS SOCIAL RELATIONS HE WAS A KIND AND AMIABLE MAN."

Reported for the American Volunteer.

Proceedings of Court.

TRIAL OF THE RIOTERS.

The August term of the Court of Quarter Sessions of Cumberland county, commenced on Monday the 23d. The most important case for trial was that of the Commonwealth against Prof. John M'Clintock, of Dickinson College, and thirty-one colored persons, indicted for participation in a riot, in this Borough, on the 2d of June last, viz:

John Cleland, Jacob Garver, Ann Garver, Anthony Boon, Elizabeth Boon, Moses Jones, Clara Jones, William Hanson, Charles Turner, John E. Gray, Hiram Myers, Eli Butler, Amelia Butler, Anthony Bell, Nicholas Williams, Achilles Vandergriff, Valentine Thomas, John M'Clintock, John Hunter, Susan Hunter, Geo. Norman, Hall Holmes, William Fisher, jr., James Jones, Sophia Johnson, Rachel Cox, Augustus Coates, Henry Myers, Charles Marshall.

Owing to the large number of witnesses to be examined, the Grand Jury were occupied in finding a bill until Wednesday morning, when they returned a "true bill" against all the defendants. The Court thereupon proceeded to empannel a jury, and after some delay from "challenges" on both sides the following persons were selected:

John Brown, of N. Middleton; Samuel Woods, sr. Dickinson; Solomon Brindle, Dickinson; David Bloser, Frankford; John K. Kelso, Southampton; Jacob Foglesonger, Hopewell; Jacob Heck, Shippensburg; William Sprout, Hampden; Christopher Quigley, Monroe; Francis H. Fulton, Dickinson; Jonathan Holmes, North Middleton; Alexander Logan, Westpennsborough.

The 1st count was for a simple riot and breach of the peace.

The 2d count was for riotously assembling for the purpose of breaking the peace and for the additional purpose of rescuing three Slaves who were lawfully and peacably in the possession of their owners, and *actually rescuing two of these slaves in a riotous and* tumultuous manner.

The 3d count was for a riot and an assault and battery on James H. Kennedy and John Black and others.

After the reading of the indictment, the Prosecuting Attorney called Edward Hall, who testified that he came into the court room on the 2d of June last, just after Judge Hepburn had granted the writ of habeas corpus in the matter of the fugitive slaves; saw a colored man, named Clellan, endeavor to rescue the slaves who were in the prisoners' box; when the slaves were at length taken out of Court, and were being conducted to the carriage at the door by Messrs. Hollingsworth, Kennedy and Hale, he saw several black men throw stones at them; did not know who they were; the two women slaves got away, and although pursued by Mr. Kennedy, they succeeded in effecting their escape; and at Snodgrass' corner, Mr. Kennedy was struck by a black man whom witness did not know, and knocked down; he afterwards saw Valentine Thomas strike Mr. Kennedy with a large stone after he had been struck down.

Cross-examined.—Don't know that any white person struck Mr. Kennedy; struck Clellan in the Court House with a tip stave, because Guthrie called to me and said, "for God's sake look at him, he has a knife in his hand"; the knife was 3 or 4 inches long and an inch broad.

Samuel Frantz testified that he had seen Professor McClintock on the inside of the door of the Court room, talking to twelve negroes; that when the sheriff was ordered to clear the room, he again saw McClintock at the door with some negroes, whom he (witness) could not get at. Mr. McClintock said to them, "Boys, stand your ground; I'll see you through." He said more than this, but what it was witness could not recollect. Heard him say, at another time, when he stood by him, but whether it was out of the Court room or not he (witness) could not recollect, "Now's your time." Saw him once behind the criminals' box when he appeared to be very much excited—very angry—and made a great many motions with his hands. Saw John Gray, a colored man, in Oliver's tavern, and he remarked that he had drank three glasses of brandy, and was then ready—was prepared. Saw Mr. Kennedy after he had been knocked down; does not know who did it.

Cross-examined—At the time Gray made the remark the prisoners were coming down the stairs of the Court House. Saw Mr. McClintock for the first time in the Court room just after the sheriff had been ordered to clear it of the people. This was about the time the rush was made to release the slaves. Saw Mr. McClintock the next time at the door, and he remarked, "stand your ground, boys; I'll see you through." Don't know exactly to whom the remark was addressed. He made some other remark about it being unjust; it was wrong. Don't know what became of those people to whom Mr. McClintock was talking.

Willis Foulk being examined, said that after the decision of the Judge in relation to the habeas corpus, he walked till he got within 10 or 15 feet of the door, when he observed four or five colored women and several young colored men coming up stairs in Indian file, with a firm step and a countenance full of apparent determination; one of them was named Hannah Decker; she had a stick in her right hand, about 2 or 2½ feet long, which she held on the inner part of her arm so as to secure it as much as possible; shortly afterwards saw a scuffle and a woman getting out of the criminal box; thought he saw several colored men have hold of the woman, and were forcing her towards the door; called out "protect the man in his property;" directly afterwards Moses Scott, a colored man, and one of the slaves were getting out of the crowd in the direction of the door; were in the act of running against the witness, when he seized Scott by the collar and told him to desist from such riotous conduct; witness also seized the woman; remarked to Scott, "you ought to have your head broken for such riotous conduct;" McClintock replied "Mossy, you're right; if any body strikes you, I'll prosecute him and see you through;" he (witness) expressed his surprise, and told Mr. McClintock that he was encouraging the blacks; told him that he was about as bad as the blacks; soon after this the Court House was ordered to be cleared, and he, (witness) with many others, went down stairs and stood on the platform by the door for some time; saw a number of black persons that he knew standing around the carriage which was waiting to receive the slaves; recognized Jacob Garver, Buck or Boon, and Valentine Thomas. The witness here went into a history of the attack made by the mob on Mr. Kennedy and others, and enumerated the colored persons *whom he knew and saw on the pavement opposite the Court House.*

Cross-examined—Don't know whether Mr. McClintock knew, *when talking to witness in the Court room*, that Scott was endeavoring to rescue the colored woman.

Edward Showers stated that whilst the application for a writ of habeas corpus was being made, he was standing in the first box on the right of the Judge conversing with Mr. McClintock about the new law concerning fugitive slaves, passed at the last session of the Legislature. He (witness) remarked to him "this will be a good time to try your new law." Mr. McClintock then addressed himself to one of the counsel for the slaves, and he (witness) left the Court room, and afterwards met Mr. McC. on the steps of the Court House, who remarked that there had not been a particle of evidence brought against these persons to show that they were slaves. He said "they are as free as any of us, and no slaveholder shall take *them from Carlisle if I can prevent it.*" The carriage was then *standing in the street, and a few minutes* before the slaves were brought down he went away, and he (witness) missed him 8 or 10 minutes. After the *riot commenced*, and clubs and stones began to fly, witness got behind the stone pillars, and saw *very little of what took place after that.* [Here the Court took a recess.]

On the Court re-assembling, the examination of Showers *was resumed.* He deposed that he saw Jacob Garver and several other men, whom he did not know, on the ground. Know none of the women *except Mrs. Garver.*

Cross-examined—Saw her after Mr. Kennedy had been knocked down; Stewart appeared to be taking her away; did not see Thomas throw any stones or use clubs; saw one man, a stranger, with a club; have not seen him since; heard he was the husband *one of the slaves.*

Michael Holcomb, Deputy Sheriff, testified to his having assisted in bringing the slaves from the jail to the Court House; saw Mr. McClintock and Rev. Mr. Lilley conversing close to the bench at the time the general rush took place in the Court room; saw John Clellan very highly engaged; also Jacob Garver, John Gray, Hiram Myers, and several others whose names witness could not remember; when the slaves had been taken down stairs, he saw George Norman with a sword-cane drawn; it was about two feet long; didn't remember seeing Mr. McClintock down stairs; saw Moses Jones.

Cross-examined—Mr. McClintock and Mr. Lilley went up to the bench and spoke to the judge.

Wm. M. Penrose, Esq. deposed that when the habeas corpus was argued, he was in Court and heard Mr. McClintock say that the Legislature had passed a law which altered all the existing slave laws of Pennsylvania; among those who participated in the riot in the Court room was a man named Augustus Coates, or Coates; he was particularly active; Mr. McClintock, Mr. Showers and Mr. Caldwell had a discussion in the Court room, about the constitutional rights of the slaveholders; don't recollect what was said, for in the midst of the discussion the slaves were taken down to the carriage.

Three or four other witnesses were also examined, who testified, in the general, much to the same effect as those who preceded them.

Thursday, August 26.

The Court met this morning at half past 8 o'clock, when the trial of the rioters, growing out of the arrest of certain fugitive slaves in June last, was proceeded in.

Francis Noble being called on part of the Commonwealth, stated that, on the 2d of June last, he went to the Court room, to hear the arguments of counsel on the application for a writ of habeas corpus; that after remaining there some time he went home to dinner, and on his return into Jon Gray, a man with one arm, at Mr. Graham's office, Gray told the witness there would be a great fight at the Court House directly; that he was going back to take some steam to "raise his nigger," and to get the pistol which he had left in Mr. Morretts' bar-room. Witness proceeded to the Court House, and presently a carriage drove up in front of it, followed by a crowd of colored people. He then went on the portico in front of the Court-House, taking his stand at the south abutment, where he looked across the street, and saw Moses Scott, Jacob Garver, and another yellow man, who was a stranger to him, standing talking with Mr. McClintock, on the north portico. After the habeas corpus was granted, the slaves were brought out of Court and went towards the carriage. Mr. McClintock remained where he was, but Garver and the other men went in the direction of the carriage.—Hoffer and others were standing not far off. Mrs. Garver, very excited and clapping her hands said, "take hold, take hold." Jacob Garver shouted, "now's the time," and the riot commenced. Saw several persons throw stones, which seemed to have been concealed in their clothing. Mr. McClintock remarked to these men, "now you've got the ascendancy, hold on." Witness observed an old black man, named John Campbell, looking on, who called out, "fight on, children, you're a glorious cause." Saw Mr. Fisher, and others, endeavoring to take the linchpins out of the axletrees of the carriage. A number participated in the riot, but did not know them by name.

Cross-examined—When I reached the Court House it was about 3 o'clock; I stood in the same position from the commencement of the riot until Mr. Kennedy was knocked down; the riot began just as I got there; I heard the rioters exclaim, "kill him," "kill him;" Clellan was the most furious of the whole gang; the crowd went as far as Snodgrass' corner, when Jacob Garver struck Mr. Kennedy a severe blow across the pit of the stomach with a stick of lap wood, and a great number of stones were thrown at him, which struck him over the head; Anthony Boon alias Buckeye, threw the stick of wood that knocked Mr. K. down; I left my position and went in the direction where Mr. Kennedy was lying; found George Cart and other engaged in raising him up; he appeared to be dead at the time Dr. Myers came to render his assistance; some time elapsed, when I heard him say, in an under tone, he believed his neck, and also his leg, were broken; at the time Mr. McClintock said, "Now, you've the ascendancy, hold on," it was probably a minute after the first rush was made on the slave owners; when he made this exclamation, he was about midway between me and the rioters; I am certain that Garver was in the crowd and struck Mr. Kennedy; never heard the cry of "Kill the d—d rascally niggers;" Mr. Kennedy was about three feet over the curbstone of Snodgrass' pavement, when Jacob Garver struck him; a number of blacks were around him, and it was dangerous for whites to be there at that time; I can't tell whether the whites were driving the blacks down the alley, or the blacks the whites, my attention being drawn entirely to Mr. Kennedy.

Andrew Roberts stated that he was present in the Court House on the day the habeas corpus was granted; that a man, named John Hunter, passed him, when he tapped him on the shoulder, and told him to keep out of the scrape; he replied he would do no; witness saw Coates, Thomas and Turner in the Court House, but not Moses Scott; saw a colored man and woman, who told him that Mr. McClintock told them he would see justice done them.

George Bentz testified that he had seen George Coates and others outside the Court room door, when Scott remarked to the others, "don't go on;" Mr. McClintock says wait till the slaves go down, and "then's your time;" or he said, "go on," or something like it. Clellan and Coates, after this conversation, were standing at the door, in the street, with stones in their hands; witness also saw George Norman, who led on the attack, and claims to be the husband of one of the slaves.

David Leonard stated that he was in the Court room when the slaves were given up to their masters; that he had been down stairs, and hearing a noise up stairs, he returned to know the cause of it; heard Coates say that by heavens if there was any fuss, he would be in it; heard Mr. Foulk say to Scott "you deserve to have your head broken for having conducted yourself in so riotous a manner."

J. F. McFarlan deposed that he was in the court room on the day of the riot, and that before it commenced he saw in it Wm. Fisher, Garver and lady, Turner, Boon, Thomas and Coates. He saw Mr. McClintock on the corner of the street, near the Court House, talking with several colored men; appeared to be very much in earnest, laying it down with both hands. Witness observed to his shop-mate that Mr. McClintock was as bad as any of the niggers. When the talk was over, the negroes separated.

Cross-examined—I didn't hear what Mr. McClintock said to the negroes when he was conversing *with them.*

Joseph Fleming stated that he saw Mr. McClintock talking to several negroes, one of whom was Rich'd Johnson; the others he did not know. He seemed to be violent, and was making gestures.—This occurred between the fuss in the court room and the commencement of the riot. Mr. McFarlan called me out to look at Mr. McClintock.

J. C. Williams, examined. On the evening of the riot I was sitting in front of Mr. Winrott's hotel, between five and six o'clock. The cars were coming in, and I saw the colored man (Thomas) who waited at the hotel coming down the street in company with Mr. McClintock. They separated near the door of the hotel. I heard Thomas say to Mr. McC. "we'll have them clear." A few minutes after the man went into the house; he came out and ran up the alley near the court house, when Mr. McClintock came up to the court house with a paper in his hand. Hearing that there was some difficulty near the court house, I walked towards it, and there found assembled more negro women than men. When I got to the front of the building, I was attracted by seeing Mr. McClintock and Mr. Showers in conversation. A two horse carriage came to the door, and drove away again. I then went up to the court room door and found it locked. On going down stairs I saw the carriage standing in front of the court house, and the man slave in it. I saw a woman with a stick in her hand. I thought the conduct of Mr. McClintock when in company with Thomas was indicative of a great deal of familiarity.

James Colwell, Esq. testified—A short time before the slaves were brought down from the court-room, I was standing down on the portico, looking at the crowd in the street. M'Clintock was standing near me on my left hand; five or six feet from me was Mr. Showers, on his right, with his back to the street, facing some persons who were standing between him and the court house door. Mr. Showers was making some remarks which I thought not directly addressed to Mr. M'Clintock, but intented for him to hear. What they were I cannot state. I heard M'Clintock say that they had no right to take away the slaves. I dont know who that remark was addressed to, but I took the liberty of replying, they certainly had a right to take them away according to the constitution of the U. States. M'Clintock then stepped round in front of me and laid his hand on my shoulder, and said—"my dear sir, if you read the Constitution that way, you read it very differently from what I do." I then said, I understand the Constitution as interpreted by the Supreme court, and you as Gen. Jackson, to suit yourself. He then said there is no decision of the Supreme court to sustain your assertion, and you cannot show me it. To that I replied they have decided that slaves are property. I was going on to say something more, when he interrupted me, saying—"ah, that is a very different thing." Just then there was some commotion at the door, and it was said "they are coming down." I looked into the court house; I cannot say whether they were just coming at that moment, but they came down very soon. I did not see Mr. M'Clintock after that. I then looked at the colored persons as they were led off to the carriage, and when they got to the door of the carriage, I saw the crowd press in where they were, and blows given. When the stones were flying in the air, a part of the crowd pressed into the court house, to get out of the way of the stones; and on looking from the column nearest to Snodgrasses, I saw about mid-way between Snodgrass' store and the ally a colored man strike apparently at something, but my impression was that he struck at somebody, but only struck the ground. The man ran down the ally and another man struck twice on the ground. I knew neither of those men—I think there was a third, and I think I saw Robert Irvin pick up a saw, and Mr. Duly a stick. I then proceeded to the place where Mr. Kennedy was lying. I had told Mr. Biddle of some conversation having passed between myself and Mr. M'Clintock. One day last week Mr. M'Clintock called at my office, and told me he did know that he had made use of the word "slave." I told him I could not say anything else but that he had used those words.

Chas. W. Carrigan affirmed that on the day in question he had noticed that as Mr. McClintock was leaving the Court House the crowd seemed very incensed at him; some called out "Three groans for McClintock;" "Three cheers for McClintock;" "Turn McClintock out."

Dr. Mahon testified that he had examined the person of the late Mr. Kennedy. There were a great many bruises on his person. I don't recollect the exact number. There was one on the back of the neck, and head, and his arms, and on the right knee particularly. He died on the twenty-third day.

Friday, August 27.

The defence.

Mr. W. M. Biddle rose, and stated that he appeared specially for Professor McClintock, and not for any other person; and he would say here, in the outset, that there was nothing to conceal on the part of that gentleman; nor did Mr. McClintock himself uphold in any way, nor did he ever uphold, nor did he now, any violence, any riot, or any breach of the peace. That there had been a riot, and that there had been a degree of violence used, which probably nothing would justify, was true. But on the part of Mr. McClintock, he contended that he had nothing to do with it, from the commencement to the conclusion, that there was not one single act of his, from the time he came into the Court House, till the riot was over, that looked to any illegal proceeding, or any breach of the law of the land; that every thing he did, from the commencement to the conclusion, had for its object a legal investigation and trial of the rights of the persons held here as slaves—not by mob law, or by any violence, but in the mode pointed out by the laws of the land, and to be determined by His Honor upon the bench. Mr. B. after alluding to the disadvantageous circumstances under which Mr. McClintock came into Court, by reason of the numerous falsehoods put in circulation, and the publication of communications in the newspapers defaming his character, concluded his remarks by making a statement of the evidence he should be able to adduce in favor of Mr. McClintock, and in condemnation of those who sought to ruin and blast his character and reputation.

Mr. George Sanderson, Postmaster of Carlisle, examined.—On the day of the riot I went over to the Court house for the purpose of listening to the arguments on the habeas corpus. Seeing Mr. McClintock crossing the street, not far from the Court House, but going rather to the right of it, I called to him, and he stopped till I walked over. I said, "Professor McClintock are you not going to hear the trial up stairs?" Said he, "what is going on?" I replied, two or three slaves were being tried by their masters on a writ of habeas corpus, and the trial excites a great deal of curiosity on the part of the people. "Well," he rejoined, "I believe I will go and hear what is said too." He then went into the Court house and I went home.

Afternoon Session.

James Spottswood testified.—I was in the Court room on the day of the riot, and there saw Professor McClintock; I heard *some person speak disrespectfully* of him, in a low tone of voice, saying he was an Abolitionist; I heard some men at the foot of the Court house steps say that he was an Abolitionist, and that he ought to be rode on a rail; shortly after this, Mr. McClintock came down, and one of them cried out, "three cheers for Professor McClintock," but no cheers were given, I suppose because he did not take any notice of them; I saw a small crowd in the street, around Mrs. Garver, who said to Stewart, the officer, in whose custody she was, that she was *only looking for her husband*, to prevail upon him to come out of the crowd and go home; Mr. McClintock *came* up to Mrs. Garver, and said, "Don't be alarmed, I'll bail you."

The Rev. J. V. E. Thorne testified that after *leaving the Court House he had met Mr. McClintock and told him that the testimony in regard to the man* was satisfactory to his mind, but that it was not so clear as regarded the woman and the girl. Mr. McClintock asked him if he had read the law relative to fugitive slaves, passed at the last session of our *legislature. Witness said he had not. He then said* he *had done so very attentively*, and he added, "if your representation be correct as to what has passed, the woman and girl shall not be taken away without a further hearing or examination."

Samuel D. Adair *remarked that he was counsel for the alleged slaves upon the hearing of the habeas corpus case. Near the close of it Mr. McClintock came in and sat down in the bar; inquired of his colleague*, in an under tone, whether he had seen the late act of Assembly on the subject of slaves; he was answered that the pamphlet laws had not come to hand yet: *he (Mr. McC.) said he had a copy of the act.* He (the witness) stated to the Court that he would be *compelled to take out another habeas corpus, to try* the right of ownership to the slaves, as the *present* writ only tested the legality of their custody by the Sheriff. *That when they were discharged from the* custody of the Sheriff, he went down to prepare the *papers for the second writ and Mr. McClintock*, went home *for the law. Between the time that the* slaves were discharged from the custody of the Sheriff and the rush at the carriage in front of the *Court House, Mr. McClintock* was either absent to get the law or with the witness in the Prothonotary's office, or in sight of the witness, *excepting the time* when he was *conversing with the Rev. Mr. Lilley* and Judge Hepburn, in the Court room, after the *examination was ended, and some few other intervals.*

L. G. Brandebury, Esq. stated—I was *associated* with *Mr.* Adair in the discussion of the habeas corpus case, before Judge Hepburn, on the 2d of June last. *My* recollection is, that, after the case had been opened and the evidence heard, and a good many interlocutory arguments delivered, and the Court had intimated that the Sheriff's custody of the negroes was legal, *Mr.* McClintock asked me if I had seen the last act Assembly in reference to this matter.—I said I had not. I recollect two witnesses were examined, Squire Smith and some other person; and I suggested to your Honor that there was a new act of Assembly on the subject. Immediately after your Honor discharged the slaves from the custody of the Sheriff I left the Court House.

The Rev. *Mr.* Lilley said that he was in the Court house in the afternoon when the habeas corpus was taken out. *Mr. McClintock* and Gen. Foulk were talking together. *Mr. McC.* said that General Foulk said that *Moses* Scott ought to have his d—d head broke. The General denied that he had said certain things, and observed that any one who acted so should be knocked down, and he be d—d if he shouldn't. Witness recollected distinctly that *Mr. McC.* was with him, going down stairs, and they *went out of the house arm-in-arm*, together. Witness stood in front of the pillars a few seconds, and a brother in his church came along, and he went away with him. Went to that brothers house. Remembers there was a rush, or a commotion going on in Bedford st. Saw a black woman with a stone in her hand. *Mr. McClintock* was not excited whilst in his company—was certainly master of himself. His manner of speaking to Gen. Foulk was earnest; there was a calm, terrifying tone about it.

J. R. Smith, Esq. examined.—I came into the court room on the hearing of the habeas corpus, and took a seat among the counsel on the right of your Honor, but I gave it up to *Mr. McClintock*, who came in after me.

Cross-examined.—I saw *some one speaking to Mr. McClintock*; I don't recollect whether it was *Mr. Adair, or some one else*; some one had remarked, in talking about the writ of habeas corpus, that the *blacks would* not pay for any thing, when *Mr. McClintock made some remark to the effect* that he would see to defraying the expense of getting out the writ.

W. H. Allen, Esq. stated that *Professor McClintock* used a good deal of gesticulation, even in common conversation.

William Field said McCartney, the deputy sheriff remarked to Wingard and myself, that if he had known the slave law of this State, he would have shot down six of those negroes with his revolving pistol. He said he knew Mr. M'Clintock expected a pardon from the Governor, "but we will have that fixed." He said gentlemen, "our interests are the same, or identical with the slave owners, and we are bound to push it on." He told us President Emory came to the jail on the morning after the riot and inquired of him whether he had a warrant for Professor McClintock. He told him he had, and that if he were in Mr. McClintock's place he would give himself up.

Jacob Rheam stated that he had seen Mr. McClintock just before the carriage containing the slave, drove off, and he spoke to him about Mr. Kennedy having fallen (for he was not knocked) down and received personal injury as he lay upon the ground.—He replied that it was true, and he was sorry for what had happened to him. Garver did not strike Mr. Kennedy at all. Being a large and heavy man, and reaching forward to catch the *negro woman* and child, he was tripped up by his foot catching in some lumber and window frames. He was not struck on his stomach at all; but was hit twice on the side of the head by two negroes who ran past him.

Rev. Mr. Lilley being recalled, on information having been given that he was confined to his house by sickness, a commission consisting of one counsel from each side was deputed to take his further examination in writing, at his house. It was in substance as follows:—"that when I and Mr. M'Clintock walked down stairs together and stood on the Court House steps, (as referred to in my evidence before,) he made no such remark as that black men would be justified in taking the slaves from their masters. Mr. M'Clintock did not make use of such a remark, for if he had I am sure I would have heard it.

The evidence having been concluded on Friday evening, the jury was successively addressed in behalf of the prosecution by J. E. Bonham, Wm. H. Miller, L. Todd, and F. Watts, Esqrs. For the defence James R. Smith, L. G. Brandebury, S. D. Adair, H. Gallagher, and J. H. Graham, Esqrs. addressed the jury in behalf of their respective clients among the colored men, and Wm. M. Biddle, Esq. of Carlisle, and Wm. M. Meredith, Esq. of Philadelphia, in behalf of Prof. M'Clintock. The addresses of these gentlemen, several of whom have attained the highest professional distinction and eminence, were listened to with earnest and unwearied attention by the audience, a large portion of whom, on Saturday afternoon, were ladies.

The case was submitted to the jury after a forcible charge from Judge Hepburn, at 9½ o'clock on Saturday evening, and the Court then adjourned, to meet at 9 o'clock on Monday morning, with directions to the jury to seal and at that time return their verdict.

Monday, August 30.

The Court met on Monday morning to receive the verdict, which was handed in by the foreman. It finds a verdict of *guilty* against the defendants, John Cleland, Jno. Garver, Moses Jones, Augustus Coates, Anthony Boon, John E. Gray, Eli Butler, Achilles Vandergrift, Valentine Thomas, George Norman, Henry Myers, James Jones and Charles Turner.—The remainder of the defendants not guilty.

Immediately upon the rendition of the verdict, Judge Hepburn, with much warmth and feeling declared that the verdict was one to which the court felt compelled to declare its solemn *protest*, adding that had it been a civil case, the court would have instantly set it aside, as not being rendered according to the law and the testimony.

The individuals acquitted were then directed to be discharged, and those convicted to be sentenced at the Argument Court, on the 7th inst.

FROM MEXICO.

Arrival of the Galveston—Gen. Scott on the move at last—Order of march—Arrival of Gen. Pierce at Puebla—Escape of Maj. Gaines and Mid'n Rogers—Guerrilla Fights.

Richmond, August 27, 1847.

The Southern mail is in, bringing New Orleans papers of the 20th of August.

The steamer Galveston arrived at New Orleans from Vera Cruz on the 12th, touching at Tampico on the 14th and Brazos on the 15th. Her news is both interesting and important, and comes so direct, that its authenticity cannot be questioned.

Gen. Pierce with his command of 3000 men reached Puebla on the 9th. During the whole of his march from Vera Cruz he was harrassed by the guerrillas; but so judicious were his arrangements, and so prompt was he in anticipating and repelling the attacks of these roving banditti, that he did not lose any of his men, or a single article belonging to his train. He was warmly welcomed by General Scott.

The soldierly appearance of Gen. Pierce's command, when entering Puebla, is much commended by Kendall in his letters.

As soon as a junction was formed, with General Pierce, not a moment was lost by Gen. Scott to put his army in