

WASHINGTON, December 4, 1856.

In the Senate, Mr. CONGER, the new member from Delaware, appeared and took the oath and his seat.

The motion to print 30,000 extra copies of the Message was defeated by Mr. FIZPATRICK, of Ala. He thought the political discussion was out of place; that the President was right in deriding his Message to a political harangue; that the North ought to stop talking, and thereby stirring up the South; that agitation ought to stop; and finally, that posterity would award the meed of praise now denied to President Pierce.

Mr. WADE (Ohio) would not commence agitation, nor shrink from it when commenced by others. The President was responsible for the discussion, having provoked it by using half his Message for a political discussion of Slavery. The President had libeled a large majority of the people of Ohio. Was he to shield himself behind a constitutional privilege, and thence slander, traduce and abuse a majority of the people of the Free States? Mr. Wade proceeded to show that Mr. Pierce was dropped by his party because of his course with Kansas, and therefore Mr. Buchanan's success was not an indorsement but a desertion of the Administration. He exposed the "Buchanan and Free Kansas" swindle in Pennsylvania, and pointed to the defeat of Mr. Richardson for Governor of Illinois as the true popular sentiment there on the Administration.

Mr. BUTLER (S. C.) had resolved not to discuss such questions, but would reply to Mr. Wade. The men of the South were loyal to the Union as any other body, but the time might come when dissolution would be desirable. When the North overpowered with numbers, and exclude slaveholders from the Presidency, then South Carolina would leave. He endeavored to show that the Slave States were flourishing; that the devil of Slavery was not so black as the North-pained him; and he would like to know who wrote an article in the Edinburgh Review exhorting the slave system of the South.

Mr. REEK (Ark.) charged that the Republicans had changed their program; that the wounds of bleeding Kansas had been staunch, and now Union saving was the order of the new party. He thought the Union ought to be preserved only so long as it secured equal privileges to all the members thereof.

Mr. FLEISCHER (Me.) then made a splendid defense of the Republican party. He showed the narrow sectionalism of South Carolina, in voting time and again for her own exclusive candidate for President rather than unite with any national or great party. He assured the Senate that inflexible opposition to the extension of Slavery into Free Territory, was, and is, and will be the cardinal principle of the Republican party; and that it would be fought through to the bitter end, if bitter the end must be.

Mr. BENJAMIN (La.) got the floor, and moved an adjournment until Monday, which was carried.

In the House, the SPEAKER announced the Standing Committee, which are nearly the same as during the last session.

The matter of the Kansas Delegate occupied the House all day. Nothing was effected.—Adjourned.

Friday, Dec. 5, 1856.

The Senate was not in session yesterday. In the House, it having been ascertained that the friends of Mr. Whitefield as Delegate from Kansas had a majority in the city, a call of the House was voted by one majority. On the call, 218 members answered to their names.—Question was then taken on the motion to lay on the table the motion of Mr. Grow, reconsidering the vote denying the seat to Mr. Whitefield. It was decided not to lay the motion on the table.—Yeas 108, Nays 111. An attempt was then made to vote Mr. Whitefield straight in, but finally the whole subject was postponed to Tuesday next. The members then drew for seats, and the House adjourned to Monday.

(Correspondence of the Pittston Gazette.)

Taken from the Log Book on the First Trip via North Branch Canal Extension.

ELMIRA, Nov. 20, 1856.

MR. RICHARD:—Dear Sir: Tuesday morning (Nov. 11,) before daylight two deck boats loaded each with 25 tons of Pittston Coal left the outlet lock, bound for the farthest point of navigation up the North Branch Canal, and, if possible, to Elmira. It was soon discovered that we should breast no "lofty surge," but instead, about twenty-five inches of water, the berme and tow-path, like Seylla and Charybdis, staring at the mariners from either side, between which it was necessary to steer with the utmost care. This depth of water increased gradually in our progress when we reached McKue's lock three miles above Butternut Falls, at midnight, a distance of fourteen miles of the Canal, being delayed some hours, and separated from the other half of the "Fleet" by break in the Harris narrows. We wish here to thank Mr. Elliott for his kindness and attention, without whose aid we should have been stranded.

At McKue's the water was nearly three feet. From this we passed smoothly along to Tunkhannock aqueduct, on Wednesday, where to our surprise we were greeted by the Band of that place, followed by a procession of people, and coming on deck the band struck up a martial air, which seemed to send inspiration into those shadowy and everlasting hills of Tunkhannock—echoing and re-echoing and cheering on the progress of the first boat through their midst via the North Branch Canal. Being late in the season—the old story—the old promise of the completion of the Canal, so long listened to, but so often broken to the hope—"the sixth age" about "shifting into the last scene of all" the sight of a boat freighted with coal, floating up the channel, inspired an irresistible feeling of gratification, and I heard a man with grey hairs say "Well, I have lived to see a loaded boat come up the North Branch Canal."

Our boat went on the same night around that wild Horse Neck to the Dam. Next day, Thursday, we passed the slack water, the village of Meshoppin, Skinner's Eddy to Laceyville, where we were presented with the "Stars and Stripes." At night we brought up at the long town of Brownstown, and waited patiently for the arrival of the rest of the "Fleet," from which we had been so long separated, and which might have been, for anything we knew, shipwrecked or the horse knocked down. We could, for depth of water, have unloaded one boat into the other at Tunkhannock. The night wore off, and the East was turning grey before the Chesapeake hove in sight—moving towards us more like a ghost than anything else; and indeed she was ominous like a ghost,

for she brought a sudden reversal of my good fortune. It was necessary to unload her cargo into the rival boat just now overtaken.—The Captain of the pioneer boat, impatient of delay and an advancing rival—the other obstinate as though it was a virtue—the Mules pleased with the exhibition of so much obstinacy, their favorite quality—with all this the day breaking in the East betokened nothing pleasant—the common lot of all explorers!! For a time no commands, no appeal, no threats no entreaties availed; but at last the unloading was effected and the pioneer boat, Tona-wanda, set sail once more in four feet of water, winding through the rich flats of Wyalusing, where the people came out to greet us with a cannon's fire and its rolling echo. They placed the cannon on our deck, and we made it answer back our thanks for their kind welcome. This cannon we took with us to Elmira.

Passing along the Ferrytown narrows we fired over to the resounding shores to give some of the people of that place an opportunity to reverse their long declared opinion on the impossibility of navigating the North Branch Canal. All went on smoothly with the exception of the lock-tender at lock No. 12,—growing odd in the service,—who, in his anxiety to lock the first boat through in style, had put across the lock a temporary bridge, and wailing down all the boards but one, on which in crossing, by the "prevaricance of matter" he stepped, and fell some twelve or fourteen feet into the raging canal. But his excited state of mind acknowledged no injury excepting a pretty hard twist of the neck. We passed on to Standing Stone Friday night, Mr. B. Laporte, Mr. Simon Stevens and others receiving complimentary shots from our deck.

Next day, Saturday, we passed through the pleasant flatlands of Wyo.—the canal in the finest order—occasionally rolling the cannon's echo along its vales. I heard Mr. Babu tell of a lock-tender not to give us more than 32 feet of water. Here we wish to thank Mr. Rubin, (Sup't of the upper half of the Canal, under Mr. Maffet,) for his assistance, notwithstanding he had taken no sleep for three nights previous. Soon the village of Towanda appeared in sight, the cannon announcing our approach. On the burnt bridge, now under speedy repairs, a crowd had gathered to welcome us across the pool. Tying two four lines to one skiff, and shooting them to the bridge, the crowd drew us in fine style to their hospitable shore. Declining any further demonstration which was offered, we went on to Tioga Point, the Packet Boat passing us at Ulster, and its Captain receiving a complimentary fire from our deck.

The next day was the Sabbath. With an eye to the spiritual welfare of our crew, we hesitated about proceeding on that day; but as the good Clergy in that region, for the last two or three months, has recognized a political religious excitement we thought there might be such a thing as a North Branch Religious Extension feeling, and that a crew which had courage to navigate up a canal for years consigned by the general voice of the people along its whole length, to its grave, and placed with the list of projects never to be revived,—that such a crew was sound in the doctrine of a resurrection. In this frame of mind we passed silently and reverently along the beautiful country around Tioga Point, braving the stillness of the sacred day by no cannon's echo, nothing save an occasional blast of the horn to warn a drowsy lock-tender of our approach.

When we reached the residence of Mr. David Shearer, (Sup't of the Junction Canal,) Capt. May sounded the horn with a true boatman's endence, and shortly Mr. Shearer came on deck in high glee saying, "Ah, I knew that Juniata horn." He was formerly engaged on the Juniata Canal, and for some years has been in this region "waiting for the moving of the waters" in the North Branch Canal. "As the mind is pitched the ear is pleased," and if any music ever fell pleasantly on the ear, the sound of that Juniata horn awakened joy in his heart. Monday morning we were one mile from Elmira, when we received word to stop and wait for a welcome. An extra was issued by the Daily Gazette, calling on the citizens to escort the first Boat Load of the Black Diamond of Wyoming Valley into their city. Meanwhile our Boat was prepared with flags—the mules caparisoned, and true to their natures in compliance to such honor they presented the most indelible indifference. At 2 o'clock a procession formed before Haight's Hotel, (a Hotel and a landlord not to be surpassed,) and led by Wisner's Band, proceeded to the Boat filling the deck to overflowing. A gun manned and drawn by horses followed, shaking the air, and answered back by our gun, which was loaded by the citizens and fired by our cigars. The Boat stopped at the Junction of the Chemung and Junction Canals, where Col. G. S. Hathaway, addressed the crowd in an eloquent speech, welcoming the Boat to their borders, as the harbinger of another tie of brotherhood, and another means of intercourse between the Keystone and Empire states complimenting Mr. Maffet for his industry and perseverance. The Boat passed on to the Basin, when the procession re-formed and returned to Haight's Hotel, where cheers were given for Mr. Aroot, Mr. Hollenback, Mr. Maffet, Mr. Shearer, Wyoming Valley and Captain May. And the citizens of Elmira may be assured that such a welcome as they gave us will be gratefully remembered by the people of Wyoming Valley.

So ends my Log Book. Grateful for escaping the dangers of a perilous navigation, and thankful for the welcome we received and to Mr. Maffet and his Superintendants, Messrs. Elliott and Rahn, I think of taking a farewell to Boating, and the first train of cars home.

Yours, truly,

J. R. P. S.—Above Tunkhannock, the Canal is in fine order. Below to Pittston some repair is only necessary to make it, another season, capable of floating all the Boats that can get into it.

SHOT HIMSELF.—VALENTINE STIER, a machinist by profession, and a resident of Susquehanna Depot, lost his life a few days since by the accidental discharge of his gun. The Pennsylvaniaian says, "he and a friend were out in pursuit of game; it appears deceased was passing over some logs, when his foot slipped and he fell, his gun striking on the hammer of the lock with force sufficient not only to discharge the load, but to break off the hammer. The ball took effect in his throat fracturing the lower jaw in several places, passed through the posterior part of the mouth, the base of the brain, and lodged within the skull at the back of the head, causing instant death. The deceased was a German by birth, and highly respected."

The Wrightsville Star mentions the serious illness of Col. REAR FRISER, of Lancaster, Pa., caused, it is supposed, by over excitement in money and political matters.

Bradford Reporter.

E. O. GOODRICH, EDITOR.

TOWANDA:

Thursday Morning, December 11, 1856.

TERMS.—One Dollar per annum, invariably in advance.—Four weeks previous to the expiration of a subscription, notice will be given by a printed wrapper, and if not renewed, the paper will in all cases be stopped.

CLIPPING.—The Reporter will be sent to Clubs at the following extremely low rates: 6 copies for \$1.00; 15 copies for \$1.75; 10 copies for \$2.00; 20 copies for \$3.00.

ADVERTISEMENTS.—For a square of ten lines or less, One Dollar for three or less insertions, and twenty-five cents for each subsequent insertion.

JOBS.—Executed with accuracy and dispatch, and a reasonable price—with every facility for doing Books, Blankets, Hand-bills, Ball tickets, &c.

Money may be sent by mail, at our risk—enclosed in an envelope, and properly directed, we will be responsible for its safe delivery.

Latest from Kansas.

Several of the Free-State prisoners confined at Tecumseh have made good their escape; they are pursued, however, and may be retaken. On the other hand, Hays, the murderer of Buffum, whose arrest by Gov. Geary after he had been released on bail was the cause of the recent quarrel between that functionary and Judge Lecompte, has once more been set at liberty by the Judge, in defiance of the Governor. It is said that the latter submits quietly to this new demonstration on the part of Lecompte. He is also about to lose his assistant in the arrest of Hays, as Col. Titus, the great border-ruffian leader, who rendered that service to the Governor is about to leave Kansas for the more congenial fields of Nicaragua. A free passage from St. Louis is promised to whoever wishes to take service under Walker. Gov. Geary has been denounced at a meeting of Border Ruffians at which Mr. Surveyor-General Calhoun occupied the chair. The occasion for this seems to have been found in Geary's dispute with Lecompte and Donaldson, and in the fact that several Pro-Slavery men have now at last been indicted by the Grand Jury.

WASHINGTON, Dec. 6, 1856.

A special messenger has arrived from Kansas bringing despatches from Gov. Geary relative to the release of Hays, and other matters in issue between himself and Judge Lecompte, which are submitted to the consideration of the Administration. Gov. Geary reiterates the peaceful condition of the Territory.

The following is an extract of a letter from Mr. Hurd, Secretary of the Kansas National Committee, dated Chicago, Nov. 27:

"Gov. Geary, we learn from reliable sources, is being driven over to our side, in a measure. The settlers' rights were being observed at the land sales. Relief was arriving and allying the suffering. The confidence that Kansas would be made a free state was strong. About 80 Border Ruffians came down the river on their way home, in the same boat that Prof. Daniels, of Wisconsin, came down in.—Kansas will be a free state; the tide has turned in our favor."

THE LANCASTER BANK.—The Lancaster Intelligencer learns from a reliable source that there is a strong probability of this institution being put on its feet again, by a new subscription of stock to the amount suggested by the Directors in their report to the meeting of stockholders. This project, if carried out, will give the bank a cash capital of \$300,000 to commence with, and enable it to pay its depositors in one, two and three years. Of course the old stock is all sunk, and will prove a dead loss to the stockholders unless the doubtful and bad assets of the institution should turn out better than the directors anticipate. Since the suspension the Bank has redeemed over \$65,000 of her notes in payment of debts due the institution, thus discharging her liabilities to that amount.

HEALTH OF DR. KANE.—It is stated that letters from London received in New-York by the last steamer, bring the most discouraging accounts of the health of Dr. Kane, the brave Arctic navigator. He was very pale—much reduced in flesh—and his night sweats are "terrible." His cough also was alarming. His physician had enjoined him to leave for a warmer climate as soon as possible, and he was accordingly to sail on the 17th of November for St. Thomas and Havana.

ANOTHER PARDON.—Daniel J. Neff, a young lawyer of Hollidaysburg, Pa., recently convicted of the manslaughter of Samuel Hewitt, jr. and sentenced, on the 25th ult., to two years' imprisonment in the Western Penitentiary, was on Monday last pardoned by Gov. Pollock.

APPOINTMENT.—Col. T. A. MAGUIRE, of Cambria county, Pa., has received the appointment of Prothonotary of the Supreme Court of that Territory of Kansas. Col. M. has been for many years clerk of the State Senate of Pennsylvania.

ACQUITTAL OF HOPPLE.—The trial of A. F. Hopple, who was the conductor on the executive train on the North Pennsylvania Railroad, last summer, when a collision occurred, through which it will be remembered so many children were killed, was brought to a close by a verdict of Not Guilty. He was indicted for manslaughter, but it seems the jury did not consider the evidence strong enough to convict him.

The Legislature of this State will meet at Harrisburg on the 6th of January next. On the 13th both houses will assemble in Convention for the purpose of electing a United States Senator in the place of the Hon. R. BRUNNEN, whose term expires on the 4th of March next.

Local Intelligence.

TRIAL OF JAMES MITCHELL & WM. HENRY WHITE.

In the Oyer and Terminer of Bradford Co.

The trial of JAMES MITCHELL and WILLIAM HENRY WHITE, indicted at the present sessions for the murder of EPHRAIM BOARDMAN, was taken up on the 4th inst.

For the Commonwealth, District Attorney MORROW, and ELWELL.

For defence, Messrs. ADAMS, MERCUR and D'A. OVERTON.

The following jury was empanelled— George A. Johnston, Stephen D. Barkness, Eben Kendall, Abel Wheaton, Abram Stacy, Lorenz Wings, J. B. Wright, James Merritt, Jr., Solomon Stevens, Chaucey H. Cobbin, Henry Gaylord, J. M. Watkins.

The case was opened by the District Attorney very elaborately, and the evidence on the part of the Commonwealth called. We have condensed the testimony, endeavoring to preserve the material facts.

EVIDENCE FOR THE COMMONWEALTH.

J. M. Smith sworn.—Testifies that he saw Boardman the day before the County Fair.—Saw him have a \$1 bill, and two \$5 bills, and a roll of bills as large as my three fingers. Found with him to Mr. Russell's, where he bought half gallon of whiskey and paid for it.

Henry Russell.—Testifies to selling the whiskey to Boardman, as above, and to seeing the money.

Francis Porter.—Resides at Rome.—Boardman stopped at his tavern on his way to the fair, and bought some liquor. Saw him have some change, and a roll of bills which he displayed.

A. R. Coolbaugh.—Was employed at the Fair grounds. Saw White with Boardman during the afternoon and evening. About 8 o'clock in the evening saw them together in front of Moore's store. White said to Boardman, "come this way if you want to go to the river." Boardman said this is not the road. Boardman acted as if very much intoxicated.

John Britton.—In the evening came along with a lantern by the corner of Montanyes' store, where White and Boardman were standing together. White said, old man, come here, I know you well—come, I've got something good. He walked a little ahead, and I and Boardman went together; when we came to the corner of Barstow's building, next to the meeting house; White said I've got a jug—a full gallon in it. He handed me the jug, and I drank; it was whiskey. After that White took a drink and handed it to Boardman, and told him he must drink. They then went through towards Mercers' store, on their way to Patton's drug store, to get a bottle.

E. W. Hale.—Saw Boardman during the afternoon. After we had closed for the evening, Boardman and White came to the gate and wanted to come in. Boardman said he wanted to get his Jack and take it over the river where his horses were. I told him that it was too late—that his Jack was taken care of—that he had better let it remain where it was. White said, you'd better let it be, I guess, it is safe where it is; and they went off together.

I saw them again about 8 o'clock in the evening in Patton's drug store. White came in first—Boardman after him. Boardman appeared to be very much intoxicated and came near falling against the glass. White did not appear to be, but bought an empty bottle and they went out together.

H. M. Southwell.—About 8 o'clock on the first evening of the Fair, Boardman and White came into my saloon, in the basement of Patton's Block, and called for some oysters. They ate two dishes apiece, and Boardman asked what the bill was. I told him one dollar, and he gave me a \$5 bill. I had not change, and asked him if he had anything smaller than that. He looked at some bills, and said he had none smaller. I took the bill and gave him in change two \$2 bills. He had several bills in his hand; I did not see how much any of them was, nor any other money in his wallet. They went away.

They came again that evening, and Mitchell was with them. Just as they came in, I went to supper. When I came back they were sitting by the stall, and had been eating oysters. There were a great many in the saloon that evening, and I thought I'd like have them set back, as I wanted to use the stall. They got up and came out and sat upon a settee.—Boardman wanted to know what his bill was. The man tending for me, told me the bill was seven shillings. Boardman put his hand in his pocket and handed me a quarter of a dollar and a five cent piece. I told White he ought to foot the rest of the bill. He said he had nothing for nothing, and he'd pay for nothing. I took them some one must pay; and Boardman took out his wallet and gave me a dollar bill, and I gave him back the change. I told him I'd go to the drawer and give him a shilling. White jumped up and said we won't have it in change, we'll have it in segars. They got the segars and went out. In the place where he took out the bill there was one or two bills—and in another part of the wallet another roll of bills. Boardman was intoxicated; don't think that White was intoxicated; Mitchell was a good deal intoxicated.

Think White said let us go take care of the Jack or horses. Am not sure which said it; it was talked of amongst them. Said the horses were over at Whalon's. (Witness identifies the wallet shown as the one he saw in possession of Boardman.)

A. M. Warner.—Testifies to seeing Boardman with the defendants in Southwell's, and substantially corroborates Southwell's testimony as to the money.

Joseph McCabe.—Saw Boardman and defendants at Southwell's, early in the evening, and later at Langhlin's. Corroborates Southwell's testimony as to paying their bill.

Samuel Sullivan.—Saw the parties at Southwell's, the last time they were there and saw Boardman pay the bill. Mitchell got up and said let us go and take care of those old horses over at Whalon's, and White said come, and Boardman got up and started. About 15 minutes after, word came that the old man was drowned.

Theron Hayward.—Was in Southwell's about 8 o'clock, when Boardman, Mitchell and White came in. White said if you are going to buy that pie, buy it now. Boardman called for the pie. Lament was tending bar, and asked if he had any money. White said you need not be afraid of him, for he's got lots of money. Corroborates Southwell as to Boardman's paying the bill, and having other money. White had a bottle in his hand when they came in, about half full. Did not see any marks of violence on Boardman.

Stephen Felton.—White came into my store not far from 7 o'clock, and wanted to buy a quart of whiskey. Told him I could not sell it to him because he was under age and besides my license did not allow me to sell less than a gallon. He then went out and brought in a man with light colored coat and green specs, and inquired if I had any jugs to sell. I sold him a jug and a gallon of whiskey. It came to five shillings, and he gave me a \$2 bill in payment. He took out his wallet. He had a gold dollar and a \$5 bill, and one or two small bills—in all \$8 or \$9 in bills—this he laid out on the table. Think from what I saw of the wallet there was nothing more in it. White spoke about going over the river, and Boardman did himself, to take care of the horses, and asked how they could get over.

Mrs. Phoebe Connally.—Lives on the river bank just above the Bridge. I went home about 8 o'clock in the evening, and after a little while went to bed, when I heard an awful struggling, just as though some one was holding another's mouth; heard quite a struggle for a minute or so, and heard some one say God—n your soul, and heard some one singing on the other side of the river. A little while after this heard a skiff rowing and some loud talking, and got up and went to the door and saw a light under the bridge.

James Halley, Edward Saut, and Jesse Brown.—Testify substantially alike as regards crossing the river in a boat, and hearing deceased fall from the bridge. They, with Francis Hall, and Michael Kennedy started from the other side of the river to come over. Halley's testimony is that they passed through the bridge between two piers, second space from the east side. Had a lantern in the boat which was placed under the seat. The boys were singing most of the way until the boat got on the town side of the bridge. Told the boys they had better not sing any more. Shortly after that we heard a splash in the water. Kennedy spoke up and said there was somebody overloaded into the water. I thought it was a man because I heard a noise—grunt—just as he struck the water. I sprang to the oars, as quick as I could. After I'd taken the oars, I heard a man upon the bridge, say, hurry up there is a man overboard. At that time I heard some steps made on the bridge, as one starting to run. The light was held up, and I saw on the Bridge Mitchell and White.— Mitchell stood right over where the man fell in—right over where we found his hat and handkerchief. White stood, as near as I can guess, about 20 feet towards this end of the bridge. White then came up where Mitchell stood. Mitchell kept telling me where to come with the boat where I could find him. Jesse Brown got the hat. Frank Hall said Oh! White I know you are coming some of your smart tricks; you are trying to fool us. White said no, he was not; there was certainly a man fallen from the bridge. On the other side of the skiff was his handkerchief. We staid around until we saw no signs of any one coming up, and then came ashore.

When I came on shore White and Mitchell came round down to us. I asked how the man came to go off, and Mitchell said that the man was on the bridge, that he put his foot up on the railing, and pitched right off. Mitchell said they had a jug on the bridge, and the old man had just taken a drink and handed the jug to him, and he'd taken a drink and set it down by his own feet. He said here is the jug now; he had it in his hand. We then went on the end of the bridge, and he put his leg up on the railing to show how he went off. I caught him for fear he'd fall off, he was so much intoxicated. By that time there was quite a crowd gathered around. White went on to say how the man went off. He seemed to be considerably frightened. White said he was on this end of the bridge when Mitchell said this man had fallen, and then he started and went that way to see. Afterwards I heard him say that he was pretty close to him when he went off; said he was near enough to see him—saw his heels as he was going over.

White said Boardman was going down to the bridge to take care of his horses, and he told him he couldn't go over the bridge, and the old man said he guessed he could. Said he tried to stop him, but couldn't, he was bound to go. Said Mitchell tried to stop him, and they got into a scuffle and he started away. This conversation was on the side walk at Patton's block, after I had left the hat and handkerchief at Snalley's.

Samuel Walbridge.—Had conversation with White and Mitchell at the river and on the corner of Patton's block, of the same import as the above.

October 3, I was searching for the body, and found it in the morning. Jere Collins was along with me, rowing the boat, and I was dragging

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Mrs. Phoebe Connally.—Lives on the river bank just above the Bridge. I went home about 8 o'clock in the evening, and after a little while went to bed, when I heard an awful struggling, just as though some one was holding another's mouth; heard quite a struggle for a minute or so, and heard some one say God—n your soul, and heard some one singing on the other side of the river. A little while after this heard a skiff rowing and some loud talking, and got up and went to the door and saw a light under the bridge.

James Halley, Edward Saut, and Jesse Brown.—Testify substantially alike as regards crossing the river in a boat, and hearing deceased fall from the bridge. They, with Francis Hall, and Michael Kennedy started from the other side of the river to come over. Halley's testimony is that they passed through the bridge between two piers, second space from the east side. Had a lantern in the boat which was placed under the seat. The boys were singing most of the way until the boat got on the town side of the bridge. Told the boys they had better not sing any more. Shortly after that we heard a splash in the water. Kennedy spoke up and said there was somebody overloaded into the water. I thought it was a man because I heard a noise—grunt—just as he struck the water. I sprang to the oars, as quick as I could. After I'd taken the oars, I heard a man upon the bridge, say, hurry up there is a man overboard. At that time I heard some steps made on the bridge, as one starting to run. The light was held up, and I saw on the Bridge Mitchell and White.— Mitchell stood right over where the man fell in—right over where we found his hat and handkerchief. White stood, as near as I can guess, about 20 feet towards this end of the bridge. White then came up where Mitchell stood. Mitchell kept telling me where to come with the boat where I could find him. Jesse Brown got the hat. Frank Hall said Oh! White I know you are coming some of your smart tricks; you are trying to fool us. White said no, he was not; there was certainly a man fallen from the bridge. On the other side of the skiff was his handkerchief. We staid around until we saw no signs of any one coming up, and then came ashore.

When I came on shore White and Mitchell came round down to us. I asked how the man came to go off, and Mitchell said that the man was on the bridge, that he put his foot up on the railing, and pitched right off. Mitchell said they had a jug on the bridge, and the old man had just taken a drink and handed the jug to him, and he'd taken a drink and set it down by his own feet. He said here is the jug now; he had it in his hand. We then went on the end of the bridge, and he put his leg up on the railing to show how he went off. I caught him for fear he'd fall off, he was so much intoxicated. By that time there was quite a crowd gathered around. White went on to say how the man went off. He seemed to be considerably frightened. White said he was on this end of the bridge when Mitchell said this man had fallen, and then he started and went that way to see. Afterwards I heard him say that he was pretty close to him when he went off; said he was near enough to see him—saw his heels as he was going over.

White said Boardman was going down to the bridge to take care of his horses, and he told him he couldn't go over the bridge, and the old man said he guessed he could. Said he tried to stop him, but couldn't, he was bound to go. Said Mitchell tried to stop him, and they got into a scuffle and he started away. This conversation was on the side walk at Patton's block, after I had left the hat and handkerchief at Snalley's.

Samuel Walbridge.—Had conversation with White and Mitchell at the river and on the corner of Patton's block, of the same import as the above.

October 3, I was searching for the body, and found it in the morning. Jere Collins was along with me, rowing the boat, and I was dragging

along with books, which caught his vest and suspender. The body was about 25 or 30 feet below the bridge, and about two-thirds of the way from the abutment to the first pier. Th water there is some 26 or 27 feet deep; from the top of the railing to the water is 23 feet. The railing is 2 feet 11 inches high from the floor of the bridge. The body was put in the skiff, and Collins and I staid with it until the Coroner's jury took it—and no one touched him. His spectacles were on his forehead.

Dr. C. K. Ladd.—Was present at the examination of the body, Oct. 3, after being taken out of the river. The examination took place out on the river in a ferry boat. In the vest pocket was found a watch, and a pair of spectacle cases. In the right-hand pant-pocket found a wallet, in all his pockets found \$1,41; a gold dollar and 41 cents in change. His clothes were all taken off then. His specs were on his forehead. On the examination of the body we found the left eye swollen, and some little discolored. Found also a small cut across the bridge of the nose where the specs would naturally come. Found a bruise on his left arm half way between his elbow and shoulder. There were also three marks or indentations on the right side and lower part of the abdomen. The swelling of the eye was produced by force, and I think a little time before death. My opinion is that he came to death by drowning. The wound in the abdomen might have been made after death.

Dr. E. H. Mason and Dr. C. M. Turner corroborated the above testimony, as to the appearances of deceased, and his death by drowning.

A. J. Noble.—I arrested the defendants at the corner of Patton's Block, the same night of this occurrence. I had no warrant. Asked them how it happened. (Their account as given by this witness, does not materially differ from that previously given.)

James Prince and Philander Sauton.—Testify to hearing White give an account of the occurrence from the window of his cell.

William Boardman.—I am a brother of the deceased; he was 49 years old the day he was taken out of the water.

EVIDENCE FOR DEFENCE.

Dr. D. S. Pratt.—Was present when the body was unclothed. The eye was swollen and discolored—looked as though it had received a blow on it, and was blood-shot. The latter appearance may have been received by breaking a blood-vessel. Saw the wound on the nose. If it had been done before death, it would have been open. The arm was slightly discolored. I noticed some marks on the abdomen. Think they were done while the body was lying in the water.

Cornelius Coleman.—Boardman's horses were kept during the Fair across the river at Wyalonia's.

Geo. E. Fox.—Saw Boardman when he purchased the whiskey at Felton's. Asked me if he could get across the river. Said he had a team across the river, and wanted to go and take care of it. I staid within two or three feet of him. I thought he had a mark on the eye. It appeared as though he had run against something, or had a blow upon the eye. When I first saw the man taken out of the river, I looked to see if he had a mark upon him.

James Elliott.—I have been acquainted with James Mitchell seven or eight years. His reputation is that of a harmless, inoffensive man.

Jesse Woodruff.—Have been acquainted