Pittsburgh Gazette.

VOLUME LXXXIV. PITTSBURGH, SATURDAY, JULY 31, 1869. NUMBER 173.

FIRST EDITION.

MIDNIGHT.

THE CAPITAL.

The Mississippi Election—Judge Dent Will Not Decline—Correspondence Concerning the French Cable—Appointments—Revenue Decision—Brokers' Tax in New York.

[By Telegraph to the Pittsburgh Gazette.]

WASHINGTON, July 30, 1869.

UNFOUNDED STATEMENT.

The recent statement that Commissioner Delano had recently given orders to stop the distillation of spirits in New York until further orders, is pronounced untrue at the Revenue Bureau. It is believed the recent activity of officers in New York in ferreting out frauds led the offenders against the law to make the report.

THE MISSISSIPPI ELECTION.

Nothing has occurred to show that the President will interfere in the coming election in Mississippi; but he has expressed his determination that there shall be a fair one. The District commander will accordingly appoint in each county of the State a Board of Registers, composed of one Radical on each, a Republican, and one army officer.

A gentleman just from Mississippi, represents that the National or Conservative Republicans, similar to the Walker party in Virginia, are making accessions from the extreme Radical wing.

Rev. James Lynch, a colored minister from Mississippi, as he says, had a most cordial interview with President Grant this afternoon, in which he assured the President that the colored people of the State were rapidly improving in all that constitutes useful citizens; that they look to the Republican party as the fountain and bulwark of their recently conferred rights, and therefore they would sustain it, and that all classes in Mississippi responded heartily to his famous words, "let us have peace." President Grant expressed his gratification in learning that the colored people were improving, and said they should vote from the promptings of good judgment. He intimated a great desire to have the Fifteenth Amendment ratified.

JUDGE DENT DOES NOT DECLINE.

The following correspondence took place to-day:

Washington, July 30, 1869.—Hon. Lewis Dent—Dear Sir: Having seen certain dispatches to the New York press, renewing the report that you would decline this candidacy for Governor of Mississippi on the National Union Republican ticket, we desire to know whether you adhere to your previously expressed determination on that subject. For the purpose of putting this matter finally at rest, we trust you will favor us with an early response.

Very respectfully,
E. J. JEFFERDS.
GEO. MOOREMAN.

Washington, July 30, 1869.—GENTLEMEN: In reply to your communication, I beg leave to say that while I cannot decline what has not been formally proferred me, you are at liberty to say to the National Union Republican party and the people of Mississippi generally, that in the event of my nomination I shall certainly accept it. I have never authorized any person to say I would decline a nomination, if tendered me by the National Union Republican party of Mississippi, and again assure you my purpose to that end remains fixed and unalterable. I desire the restoration of the State, with constitutition and laws that will effectually secure the civil and political rights of all persons.

Very respectfully, &c.,
LOUIS DENT.

THE FRENCH CABLE—CORRESPONDENCE.

The following correspondence has just been made public:

Washington, July 16th, 1869.—Sir: I have the honor to address you on behalf of the *Societe du Cable trans-Atlantique Francais*, whose interests I represent in the United States. Having been informed, in the first instance by Mr. Thornton, H. B. Majesty's Minister, and afterwards by Count de Flourney, the French Charge d'Affairs, of the views of the United States Government as to its authority and duty regarding the proposed undertaking, I have lost no time in coming to Washington in order to confer with you upon the subject, and as the result of the interview which I had the honor of having with you this morning, in company with Count de Flourney, I beg to assure you that the French Cable Company agree to accept, as the basis upon which their operations are to be conducted, the provisions of the bill of which a copy was enclosed in your letter to Count de Flourney, or of such other enactment as may be passed during the approaching session of Congress, with a view to regulating the operation of telegraphic cable companies connecting the United States with foreign countries. The *Societe du Cable trans-Atlantique Francais* will, moreover, do their utmost to induce the government of His Majesty, the Emperor of the French, so far to modify the concession under which the company has been established as to permit the landing upon French soil of any cable belonging to any company incorporated by authority of the United States, or of any State in the Union. And they further agree on their own part not to oppose the establishment of any such cable belonging to any company incorporated by the authority of the United States or any State in the Union.

I have the honor to be, sir, your obedient servant,
[Signed] L. G. WATSON.

To Hon. Hamilton Fish, Secretary of State.

The Assistant Secretary of State replied as follows:

Department of State, Washington, July 23, 1869.—Sir: I have the honor to acknowledge the receipt of your letter of July 16th to the Secretary of State, assuring him that the *Societe du Cable Trans-Atlantique Francais*, which you represent, accept, as the basis on which their operations are to be conducted, the provisions of the bill which passed the Senate of the United States last winter, or of such other enactment as may be passed during the approaching session of Congress on connecting the United States with foreign countries, and further informing him that the *Societe* would do their utmost to induce the Government of His Majesty, the Emperor of the French, so to modify the concessions under which the Company is established as to permit the laying upon French soil of any cable belonging to any company incorporated by the authority of the United States, or authority of any state in the Union, and agreeing on the part of the *Societe* that they will not oppose the establishment of any such cable. In reply I have to say, in accordance with the verbal assurances already given you by the Secretary of State, that having received such representations and assurances from you, no opposition will be made on the part of the Government of the United States to the landing and working of the cable before the meeting of Congress in the approaching session.

I have the honor to be, sir, your obedient servant.
[Signed.] J. C. B. DAVIS,
Acting Secretary.

To L. G. Watson, Esq., Agent of the Societe du Cable trans-Atlantique Francais.

APPOINTMENTS.

The President has appointed P. R. Gray Collector of Internal Revenue for the Twentieth District of Pennsylvania.

The following Consular appointments were made to-day: William Spence Vermain, of New York, Consul at Ling Kiang; Edward O. Getty, of New York, at Gaspe Basin; Jacob J. Gamper, of Pennsylvania, at Ghent; and James M. Peebles, of Michigan, at Tresibond.

The President has appointed Gilbert Robertson, Jr. Assessor of Internal Revenue for the Fifteenth District, vice Philip H. Nehr, suspended; Pulver Heath, Assessor for the Eighteenth District, vice Alfred H. Palmer, suspended, and John S. Masters, Collector of the Fifteenth District, of New York, vice James Forsyth, suspended. There were no charges against the suspended gentlemen, but it was thought a change would be promotive of public interests.

Thomas L. Tullock, a clerk in the Treasury Department, was to-day appointed by the President Collector of Internal Revenue for the District of Columbia, in place of Mr. Flint, deceased.

REVENUE DECISION

Alexander Fulton, Supervisor of Internal Revenue at Baltimore, writes to the Internal Revenue Bureau, stating that parties in his district are engaged in purchasing from packers and dealers bulk meats or bacon and pork, which are merely packed in salt, but not smoked, also rendered lard in a crude state; that they have taken the bacon or pork from the original packages, smoked it and repacked it, some with their own trade mark and some without it, in which condition it is sold, and some of the pork, after smoking, they sell without packing, and the Supervisor wants to know whether such parties are liable to tax under section 4 of the act of March 31st, 1868.

The Commissioner decides such parties are engaged in the preparation of lard and bacon for sale, and they put up these articles for sale in packages with their own names and trade marks on them, and are therefore liable to the tax imposed by the section to which reference is made.

TAX ON BROKERS.

Commissioner Delano to-day received a telegram from J. F. Bailey, Collector of Internal Revenue for the Thirty-second District of New York, stating that all assessments against bankers and brokers, as a tax upon the capital employed by them in their business, had been collected except twenty out of two hundred and eighty, and these twenty do not exceed ten dollars each in amount.

RETURNED TO LONG BRANCH.

President Grant, accompanied by Gen. Porter, left Washington to-night on his return to Long Branch.

REVENUE RECEIPTS.

The Internal Revenue receipts to-day were over one million dollars.

Particulars of the Steamboat Riot—Six Men Killed.

[By Telegraph to the Pittsburgh Gazette.]

CHICAGO, July 30.—The following are the particulars of the bloody riot which occurred on board the steamer Dubuque, on the Mississippi river. One hundred and fifty raftsmen came aboard the boat at Davenport, and the clerk ordered two negro deckhands to stand guard at the gangway, and not let any one pass without his permission. One of the raftsmen tried to pass this guard and make his way to the cabin, when the deckhands ordered him back until his ticket was examined by the clerk. He not liking this, commenced to pitch into the deckhands, who got the best of him, when the raftsmen, to the number of over one hundred, came to the rescue, stabbing and beating the two deckhands till about dead, then throwing them into the river. They then made an assault on the rest of the deck crew, succeeding in killing three more of them and throwing their bodies into the river. One of the raftsmen was also killed, making six killed in all. As soon as Hampton, Mo., was reached, Captain Rhodes landed the boat, when the raftsmen drove the deck crew ashore, injuring several of them with stones. As soon as this was over they went aboard the boat and ordered the Captain to proceed up the river or they would burn his boat. He being in their power, and fearing they would carry their threat into execution, headed the boat up stream and in the meantime telegraphed to the Sheriff of Rock Island, who chartered an extra train and left with a large force of men well armed. They overtook the boat at Clinton and took possession of her and started for Rock Island. On their arrival at Rock Island there were over 5,000 people on the bank, together with the crew who were driven off the boat, and with their assistance they succeeded in recognizing forty-two of the men, who were taken to jail under a strong guard. A large police force is posted about the jail, and no further trouble is expected. Rock Island is full of raftsmen, who came ashore, but an extra force of policemen has been stationed about the city, and it is thought that all will be quiet for the night.

Latest from Cuba.

[By Telegraph to the Pittsburgh Gazette.]

HAVANA, July 30.—A meeting of the stockholders of the Havana Railway is to be held here next week to decide upon the future management of the road.

Advices from Las Tunas report the garrison there suffering from want of provisions, and anxiously looking for convoy with supplies from Puerto del Padre. The insurgents are committing great depredations in the Santiago, Puerto Principe and Trinidad jurisdiction.

SECOND EDITION.

FOUR O'CLOCK, A. M.

NEWS BY CABLE.

[By Telegraph to the Pittsburgh Gazette.]

GREAT BRITAIN.

LIVERPOOL, July 30.—The Cotton Supply Association have adopted a resolution looking to the speedy development of the railways of India in order to facilitate the exportation of cotton from that country. This course is taken in consequence of the insufficiency of the supply from the United States. The stock of American cotton is not large enough to keep the mills of Lancashire fully engaged.

LONDON, July 30—*Midnight.*—In the House of Commons to-night, Mr. Bruce, the Home Secretary, in reply to an inquiry, said Her Majesty's Government intended to introduce a bill concerning naturalization and allegiance at the next session.

The Marquis of Hartington, Postmaster General, replied to a question of Mr. Basley, that the subject of cheap postage between England and America would be brought under the notice of the Government as soon as public business permitted.

The House of Lords have dismissed the appeal of Miss Shedden, with a decision against the appellant.

James G. Burnett, Jr., has been nominated a member of the Royal Yacht Club.

SOUTH AMERICA.

LONDON, July 30.—Official dispatches from the allied army in Paraguay have been received at Rio Janeiro, stating that the final attack upon Asura, the stronghold of Lopez in the mountains, had been retarded by heavy rains. The Provisional government for Paraguay had been completed and installed at Ascunsion.

Reports from Paraguayan sources state that the Brazilians, during their recent advance, received a serious check and were thrown back upon their base, and that during their retreat their rear guard was defeated. It is also asserted that Lopez holds a strong position, and that Count D'Eu, Commander-in-Chief of the allies, had been baffled in every attempt to make a satisfactory reconnoisance of of his forces.

SPAIN.

MADRID, July 30.—The Carlist movement may be reported as having died out. Minister Sickles has gone to Lagrange to present his credentials as United States Minister to Marshal Serrano. John P. Hale leaves for America on Monday.

FRANCE.

PARIS, July 30.—It is reported the Emperor will issue a general amnesty for political offences on the 15th of August.

MARINE NEWS.

QUEENSTOWN, July 30.—The steamers England and Scotia, from New York, have arrived.

FINANCIAL AND COMMERCIAL.

LONDON, July 30.—Consols for money, 93½c. Five-twenty bonds quiet at 83⅝; Frankfort, 88½; Erices, 19¾; Illinois, 94; Atlantic and Great Western, 23.

LIVERPOOL, July 30—Cotton; sales during the week, 101,000 bales, including 16,000 bales for export and 18,000 on speculation. Stock on hand: 815,000 bales, including 167,000 bales of American. Quantity at sea: 650,000 bales, only 28,000 of which are American. Market a shade firmer; middling uplands 13¾d; Orleans 12¾@13d; sales of 12,000 bales. California white wheat 10s 6d; red western 9s 3d@9s 4d. Flour 23s 9d. Corn, mixed, 30s or old, and 29s for new. Oats 3s 6d. Peas 41s. Pork 100s. Beef 90s. Lard 70s. Cheese 62s. Bacon 62s. Spirits Petroleum 7d.; refined 1s 6d. Tallow 47s. Turpentine 27s. Linseed oil 33s 19d.

LONDON, July 30.—Tallow 46s. Sugar 39s 9d. Linseed cakes £10 5s. Calcutta Linseed 61s 9d. Petroleum at Antwerp 50¼f. Cotton at Havre 151¼f. Manchester market quiet and firm.

CHICAGO.

The Cheney-Whitehouse Injunction—Return of an Excursion Party—Gold Sales Ordered.

[By Telegraph to the Pittsburgh Gazette.]

CHICAGO, July 30.—In the Superior Court this morning Judge Jameson informed counsel in the Cheney versus Bishop Whitehouse injunction case, that he should not be able to render his decision before the early part of next week, probably on Tuesday. The Ecclesiastical Court have consequently adjourned until that date.

The Perry H. Smith excursion party, which left this city about five weeks ago for a trip to California and the Yosemite Valley, returned to-day to Chicago. The trip out was made via the Chicago and Northwestern Railroad, but the trip in from Omaha was via Chicago, Rock Island and Pacific Railroad. Like all others who visit the Golden Gate, they pronounce the trip one of rare pleasure.

Secretary Boutwell has authorized the Collector of Customs of this port to sell gold in the United States Depository here to importers, in such amounts as they may require to pay duties, at the current rates in New York on the day of sale. Consequently parties hereafter paying duties will ascertain the amount of gold required and purchase of the cashier of the Depository a gold certificate for that amount, which certificate will be received for customs.

Removal of the National Capital.

[Special Dispatch to the Pittsburgh Gazette.]

ST. LOUIS, July 30.—Quite an enthusiastic meeting of citizens was held at the Southern Hotel, to-night, to consider and discuss the question of moving the Capital to St. Louis. A number of speeches were made and various propositions discussed, but no definite action was taken, other than instructing the Chairman to request the City Council, County Court, Merchants' Exchange and Board of Trade to call a mass meeting of citizens generally to devise the best means to carry out the project.

POLITICAL.

Hon. Asa Packer's Letter Accepting the Democratic Nomination—Also Judge Pershing's.

[By Telegraph to the Pittsburgh Gazette.]

PHILADELPHIA, July 30.—Hon. Asa Packer has addressed the following letter to the Committee appointed to inform him of his nomination for Governor of Pennsylvania:

Gentlemen: At the first convenient moment I reply to your communication informing me of my nomination by the Democratic State Convention of the 4th inst. for the office of Governor of Pennsylvania. I desire to make due acknowledgment for this high evidence of the esteem and friendship of my fellow-citizens, and to say that I accept the nomination tendered me. Having at the solicitation of my friends, with unfeigned reluctance, been induced to permit the use of my name for nomination, my acceptance becomes a matter of course, if not of duty, but I announce it with a deep sense of the responsibility, assured that my reliance in accepting the position of candidate, and in agreeing to perform executive service for the people, is not alone upon my own strength or good intentions, but mainly upon the popular indulgence and generous support, and upon the superintending Providence which can bless the labor of public men. If I shall be placed by the votes of the people in the gubernatorial chair, I shall endeavor to meet the expectations of friends and all who have at heart the true interests of our Commonwealth. To this end I shall labor to secure those objects in which we feel a common interest and concern, and which are; the preservation of the State credit; a reduction of the expenses of the State to their lowest practicable point, thereby lessening the burden and taxation of the people; the encouragement of a liberal system of improvements for intercourse and trade, in order that production may be increased, labor more amply rewarded, and general prosperity secured; a just execution of the laws, involving a cautious and sparing use of the power to pardon offenders, so that good faith shall be kept among the people and crime be repressed; promotion of the education of our youth by the general system of organized schools and by special institutions of learning, so knowledge and virtue shall become more and more the solid foundations of our free political system; and lastly, the restoration of purity and character to our Government by the putting down or preventing of special and corrupt legislation and all improper uses or management of the public funds. To these general objects, however, should be added a careful attention by the Government to the interests of labor. Having earned my bread by the labor of my hands during many, and I may add the happiest years of my life, and owing whatever I possess under the Providence of God to patient and honest toil, I can never be unmindful of the interests of those with whom my entire life has been associated. Inasmuch as my pursuits and training have not qualified me for speech making, or for the solicitation of votes, it will not be expected I shall undertake the performance of active duties in the canvass about to begin. But my life, conduct and character are before my fellow citizens for examination, and they will afford them better means of judging of my fitness as a candidate for popular support than anything I could now say.

I am, gentlemen, very respectfully yours,
ASA PACKER.

Philadelphia, July 22, 1869.

Judge Pershing has sent the following letter accepting the nomination for Judge of the Supreme Court:

Philadelphia, July 22, 1869: To Hon. Charles R. Buckalew, Lewis Cassidy, Esq., and R. E. Monahan, Esq., Committee—Gentlemen: Your note of the 21st inst. has been received, informing me of my nomination as the Democratic candidate for Judge of the Supreme Court by the State Convention. This distinguished honor is the more valued as it has been conferred without solicitation. I accept the nomination, and should the action of the Convention be ratified by the people, shall endeavor to discharge the responsible duties of the position with impartiality and fidelity.

[Signed,] CYRUS L. PERSHING.

William Mielher, of Easton, has been appointed Chairman of the State Democratic Committee of Pennsylvania.

NEW YORK CITY.

[By Telegraph to the Pittsburgh Gazette.]

NEW YORK, July 30, 1869.

The brokers who recently pleaded guilty of usury are to be sentenced August 10th.

The Washington train, due here at 5 P. M., ran off the track a mile south of the Newark Depot. The cars were badly smashed and the track torn up for some distance. The mail agent was seriously injured. No others are known to be hurt.

Gen. Butler and the Virginia Test Oath.

RICHMOND, July 30.—The *State Journal* publishes a letter from Gen. B. F. Butler to a citizen of Virginia about requiring a test oath of members of the Legislature. Mr. Butler says: "My opinion therefore would be, and in that I am quite clear, that it is within the power of the Government, and within the requirements of the laws of Congress, if administered in their integrity, to set aside those men who cannot take the oath because of participation in the rebellion, and that men who did not so participate, and lost their votes of electors because of their adherence to the Union, should be admitted to their seats as being the choice of the only men voting who did not prefer a traitor to the Government to a loyal man for his Representative." Mr. Butler adds: "Congress is the only power which can remove the necessity of taking the iron clad oath."

—Two young men about eighteen years of age attempted to rob Mr. Eugene Underwood, near Waverley, N. Y., Thursday afternoon, in broad daylight. He was driving along the road in his carriage when they stopped him, presented a pistol at his head and demanded his money. They then attempted to escape, but were subsequently arrested.

—Reports from all sections of Georgia give very favorable accounts of the cotton crop.

OHIO PRESBYTERY.

Trial of Rev. S. P. Linn—The Testimony For the Respondent—His Protest—The Cleveland Slanders Refuted—The Bridge Affair Explained.

FOURTH DAY—MORNING SESSION.

Presbytery convened at half past nine o'clock and was opened with prayer by the Moderator.

SECRET SESSION DEMANDED.

Mr. Beacom stated that he desired to make a statement to the Presbytery before entering upon the proceedings of the morning.

In consequence of the disorder exhibited yesterday, he would move that the remaining sessions of the Court be secret, admitting only in addition to the members, the corresponding members and the reporters.

The motion was not seconded.

The minutes of the preceding meeting not having been present at the opening of the session and having since been brought in, were read.

THE RECORD WRONG.

Mr. McElwain objected to the wording of the motion or resolution closing the prosecution. He said as the matter now appeared on the record, it would seem as though the court had compelled the prosecution to bring the case to a close which was not the fact. He thought it should be so worded as to express the facts in the case, that the prosecution had signified their readiness to close.

Rev. Mr. McKaig also offered objections to the wording of the resolution.

Rev. Mr. Carnahan offered the following as amendatory to the minutes:

The prosecution here stated that they had exhausted their testimony and examined all the witnesses accessable, it is therefore resolved by the court, that the prosecution close and the defense be permitted to proceed.

Dr. McKinney objected to the amendment on the ground that it was a false statement and did not express the facts in the case, and offered an amendment the object of which appeared to be to leave the impression that if they could have been permitted to bring in certain testimony which had been excluded by the court, the result would have been different, and intimating that the court had arrested the prosecution.

Mr. Linn objected to the passage of Dr. McKinney's amendment.

Rev. Mr. McKaig had no objection to Dr. McKinney's amendment if he would add that the prosecution had not asked the Presbytery to adjourn to hear the witnesses.

After some discussion, Mr. Beacom moved to lay all the amendments on the table. Adopted.

Rev. Mr. McKaig moved to amend the record as follows:

The prosecuting committee having signified that they have no further testimony to offer etc.

Dr. McKinney amended by adding—as far as witnesses were in court, but that there were a number of important witnesses absent.

Rev. Mr. McKaig again objected unless Dr. McKinney would add that the prosecution had not desired the Court to hear these witnesses.

The Clerk here rose to a point of order. He held that the Court had no right to alter its proceedings further than to amend them wherein they were incorrect. That the minutes could only be made to correspond with the proceedings.

Mr. Linn at this point arose and objected to the action of Dr. McKinney, who was endeavoring to smuggle through a resolution which had been voted down.

The Moderator called Mr. Linn to order.

Rev. Eels said that the Court had a right to amend its minutes. The scribbling of the Clerk was not the record of the Court.

Some further amendments were made by Dr. McKinney, and Rev. Mr. McKaig, after which, on motion of Dr. McKinney, the whole matter of amending the minutes was laid on the table.

The Moderator then stated that if there was no objection the minutes would stand approved.

Rev. Mr. Eels objected, and Dr. McKinney moved to adopt the minutes as read. The motion was lost by a vote of seven to six.

Mr. Linn moved that the minutes be so amended as to read "The prosecution having closed their testimony in chief, the defence was allowed to proceed."

Dr. Jennings, one of the persecutors, desired to amend as follows: "for the reason that the prosecution could not get into Court at this time witnesses that they expected to have present."

Mr. Beacom objected to the amendment. If the record with that amendment went before Synod, that body would return the case on the ground that Presbytery had not completed the case.

Mr. Linn objected, because it did not present the facts in the case.

Rev. Mr. Eels—All these amendments are out of order. The Court could add no new matter, but only demand such matter as was decided by the body to be incorrectly recorded.

Mr. Carnahan called the previous question. Not entertained.

After some further discussion and explanations, Mr. Beacom moved that the amendments to the minutes be laid on the table. Adopted.

Dr. Marshall then offered an explanatory resolution to the minutes which was adopted. The minutes as amended were adopted.

Mr. McElwain, another of the persecutors, offered the following resolution:

Resolved, That Presbytery will now adjourn a further hearing in this case until ——day, and that the Committee are authorized to find other witnesses and to cite again those witnesses who have not appeared.

The Moderator decided that the resolution could not be entertained without the resolution of yesterday was reconsidered.

Dr. McKinney moved to reconsider the resolution.

Considerable discussion was made on the question of reconsideration.

Mr. Linn made a forcible appeal to the Court against a further continuance.

Dr. McKinney then desired to state on what charges he wished to call witnesses, and was permitted by the Court to retail the scandalous charges before the house. He had proceeded some length of time when Mr. Linn arose to a point of order. He must protest against those scandalous imputations against his character.

Moderator—What is your point of order, Mr. Linn?

Mr. Linn—I protest against these false and slanderous accusations.

Moderator—You must take your seat, sir.

Mr. Linn—Mr. Moderator, I appeal from your decision. [Applause by the audience.]

Moderator—You must take your seat. Order was here restored.

After some further discussion, Dr. McKinney proposed to proceed with reading the slanders against Mr. Linn, which action Mr. McKaig protested against.

Dr. Marshall thought it was strange that Dr. McKinney did not object to the matters now at issue when the resolution was first introduced, and he regretted that the good Doctor would insist upon retailing these scandals and intimating that he could prove things against the accused which he had not proven. He would therefore move that the motion to reconsider the action of yesterday be laid on the table.

The motion was adopted.

THE DEFENSE.

Mr. Linn, in a few remarks, offered the protest against being tried on the presentment preferred against him, which paper had been presented at the opening of the case, but ruled out by the Court:

MR. MODERATOR AND BRETHREN: The accused has not objected, and does not now object, to a fair and proper investigation of his conduct as a minister of Christ, by your body, of which he is a member, but he does most earnestly, solemnly protest against being tried on the presentment submitted by the prosecuting committee.

First. Because the presentment *now* before the Presbytery is different from the one ordered to be presented by the Presbytery, at their last meeting. (*a*) The names of new witnesses are attached, contary to the Book of Discipline, ch. IV, sec. 7. (*b*) One of the witnesses (Dr. Jacobus) has been dropped. (*c*) The wording of the presentment is in some instances changed — of Dis., ch. V, 8.

Second. Because the charge—"unministerial conduct" and "indiscreet and immoral conduct," are vague and indeterminate—appealing to impure imaginings and suspicions. Ch. III, 5. Baird's Digest, Book III., p. 67.

Third. The presentment is so drawn as to deprive the accused of the advantages of a defense according to the Book of Discipline. [A.] The names of the witnesses are not appended *to each* charge. See R. ch. IV., 5. The *names* of the witnesses to the gravest accusation (Item 4, specification 2, charge II.) are not given at all. Book Chap. IV., 5, 8. There are no specifications of "time place and circumstances" as required by the book, Chap. IV., section 5, as to the following items in the presentment, viz: Charge I., specification 1, items 2, 2, 3, 4, 5, 6, 8. Item 7 gives only the place. Charge II., specification 1, items 1, 2, 3. Specification 2, items 1, 2 and 3 give no time, and item 4 no time or place. Specification 3, item 1 gives no time, place or circumstance; item 8 no time; thus obliging the accused to defend his whole life.

Fourth. The presentment is so drawn as to be an argument instead of a charge, worded in such qualifying terms and phrases, as to suggest the greatest offences against the laws of chastity, purity and veracity, thus in effect to prejudge the whole case, see charge II., words following "conduct;" also items 5, 6 and 8, under specification 2, charge I., specification 2, charge II., and also item 4, specification No. 8, item 2.

Fifth. Because the presentment traverses acts beyond the jurisdiction of this Presbytery. In canvassing the conduct of the accused in matters consisting of trivial import, when they occurred and charged to have taken place in four different Presbyteries, within three different Synods, during seven years. Book of Discipline, chapter V, sections 3 and 4, chapter X, sections 1 and 2, Digest Book, section 53. In ignoring limitations of time, chapter XI, 5, Digest Book III, section 63. In citing witnesses from beyond the jurisdiction of this body, contrary to the Book of Discipline, chapter V, section 3, and chapter X, sections 1 and 2, in instances as follows:

From the Presbytery of Western Reserve, Synod of Sandusky, Ohio, on charge I., items 1, 2, 3, 4, 5 and 6 in part; on charge II., specification 1, items 1 and 3; on charge II., specification 2, items 1 and 2. From the Presbytery of Redstone, Synod of Pittsburgh, charge I., item 7, in part. From the Presbytery of Allegheny City, Synod of Allegheny, on charge III., specification 1, item 2; on same charge, specification 2, items 3 and 4; on same charge, specification 3, item 8, beside others which cannot be located at all.

Sixth. The presentment is *inquisitorial*, as appears by the admission of the prosecuting committee's first report, in which they admit that little was *said* in Presbytery concerning the accused when the committee was appointed, and that little was known by the majority of the committee against the accused when they began to inquire into his conduct; all of which is contrary to the instructions of the book (see chap. III V. 5,) and the decisions of the highest church—Digest book III, section 162.

Seventh. The respondent further protests because the specifications have been introduced into the presentment, wherein certain ladies are mentioned as having been aggrieved by the accused; and yet these ladies have never been personally waited upon, nor at any time nor in any way consulted with in reference to this trial by the prosecuting committee.

EIGHTH. The respondent further protests because the presentment seems to him to be based on a false issue. Leading members of this judicatory have so pronounced it; the general public so regard it, the consultution of the Committee of Inquiry and Prosecution does discountenance the inference, and the first and second minutes of your records admit it.

For these reasons, and others, which the accused does not wish to enumerate, he respectfully protests against being put on trial on the present presentment. If the reasons herein stated are deemed by your body inadequate to bar proceedings, he asks that the protest be placed on record.

Your fellow presbyter,
S. P. LINN.

Mr. Linn moved that the protest be entered upon record preceding the plea of not guilty.

Dr. McKinney moved to strike out the latter portion of the motion.

After some discussion the matter was adjusted by permitting it to be entered upon the records with the explanation that it had been offered at the opening of the proceedings and ruled out.

After some introductory remarks, in which the line of defense was stated, he read a letter from a Mrs. Davis, the lady alleged to have been insulted on the St. Clair street bridge, and moved that a committee be appointed to take her testimony. The motion was adopted and

(Continued on Eighth Page.)