START

PART

4

LD

MRD-2 7666

C-A 77

Box - 7

Box 7: Mar. - Nov. 1852 (Folders 680-704)

Copy

Executive Committee Chambers
San Francisco March 2d 1852

J C Peers Esq Dear Sir

Your favor dated Jany 9th came duly to hand, and I have been compelled to delay answering in consequence of a suit commenced against some members of our Committee for trespass in searching the house of a Sydney man, supposed to have stolen goods in his possession; the suit was for 5000 $ damages; the jury brought in a verdict of 6 cents and all the suits against members have been discontinued.
I was ordered by the court to bring up all the books & papers of the Committee of Vigilance together with the Constitution, and I immediatly gave them to a member and told him not to let me Know what he did with them, so that I might go into Court and swear that I did not Know where they were; this is my excuse for not answering sooner.

Enclosed you will find a copy of our Constitution, and a blank Certificate of membership of the Committee of Vigilance of San Francisco.

I have the honor to remain
Your Ob Servt
Isaac Bluxome Jr
Secretary

H. H. Bancroft Collection
Bancroft Library

Minutes of Executive Committee March 13. 1852
Mr S C Woodworth in the Chair
Minutes of former meeting read & approved

On Motion of G R Ward
That the following Gent be appointed as a qualification Committee
Jas C Ward. Jas Dows, Jas DeLong
G W Ryckman, Capt Hanton

A I Alma, F Panton, W Bromley never having been present Mr G R. Ward made a motion that the seats of the three Gent be declared vacant and that the Qualification Com elect 3 Gent to serve in their places

On Motion of F I C Smith
that the Secy call a meeting of the Gen Committee, on the evening of the 17 at the , and that a Com be appointed to select men G W Ryckman, F I C Smith, Jas Dows
The Qualification Com Reported the names of G W Ryckman S C Woodworth & Isaac Bluxom Jr

On Motion of Jas F Curtis
That a Certificate be presented to Mr Sanwin with a letter from Com — without Charge

On Motion of Jas C Ward
That a Com of three be appointed to wait upon Messrs Austin & Burritt and request them to make their bills a little less effecting a Compromise
Jas C Ward

H. H. Bancroft Collection
Bancroft Library

On Motion of G P Ward
that the Ex Com shall report through the Qualification Com the names of suitable members to fill the vacancies occasioned by the expired term of six months -

On Motion of Jas F Curtic
That the office of Secretary shall cease to be an office of pay hereafter
Carried -

On Motion of G P Ward
Adjourned
Isaac Bluxome Jr
Secy

March 13 - 1852. Dep. Sent -

On Motion of G R Ward
that the Ex Com shall report through the Qualification Com the names of suitable members to fill the vacancies occasioned by the expired term of six months—

On Motion of Jas F Curtis
That the ~~office of~~ Secretary hereafter shall cease to wear offices of pay—
~~Office without pay~~— carried—

On Motion of G R Ward
Adjourned

Isaac Bluxome Jr
Secy

[March 13. 1852]

B. B. Bancroft Collection
Bancroft Library

Committee of Vigilance
&
Members of the Executive Committee

San Fr.co March 1852

Gentlemen & Friends -

Since the beginning of our worthy association, you have honoured me with the title of Treasurer, confidence which I have highly appreciated & tried to fulfill to the best of my ability

Business calling me to Europe & not expecting to return before end of present year I give you notice of my Departure in order to enable you to elect an other treasurer.

I beg also leave of absence wishing to remain an honary member of your Society during my absence

I cannot omit Gentlemen to thank you for the most friendly manner which you always shewed me during my sojourn among you

Wishing you success in your noble enterprise, believe me Gentlemen one of your warmest members & friends

Yours Respectfully

Treasurer

H. H. Bancroft Collection
Bancroft Library

On Motion of G W Ryckman

Resolved, that leave of absence be granted to the within applicant and that the Secy address a letter to Mr Delassert

Copy March 5 2

[illegible] receipt of your letter of the 3rd inst. in which you tender your resignation as Treasurer of the Company, and ask a leave of absence during your intended visit to France. I [illegible] have instructed to express in your name the satisfaction with which the Directors have received your communication, and to say that in accepting the resignation, they have also had in view the manner in which you have performed the duties of your office. The Directors also wish to express their [illegible]

H. H. Bancroft Collection
Bancroft Library

-ber. the important assistance you have
exerted in behalf of the Committee, the
subscriptions you have obtained, & the do-
-nations you have made, and above all
the [illegible] you have extended at times
[illegible] to our exertions. - Always prom-
-pted, your active & whatever contributed
to the best interests of the Association,
and of the Public which it represented:
accepting willingly those responsibilities
which fell so heavily upon the individuals
composing it; & cordial and kindness in
the discharge of the duties of your office;
the announcement of your approaching
departure was heard [illegible]

Assuring you of their es-
-teem, your colleagues wish for you
[illegible] prosperity which
you so well deserve, and for themselves
an early reunion with one whose
worth they have proved, and whose ex-
-cellent qualities they cannot too high-
-ly appreciate..

I am dear Sir,
Respectfully
Your obt. Servt.

Secretary of the Exec
-utive Committee of
the Committee of
Vigilance

San Francisco March 1852.

B. H. Bancroft Collection
Bancroft Library

B. H. Bancroft Collection
Bancroft Library

C L Cornell Subscription
C L Baker do
R Jones mills collect 100 $
679 D N Chancey wants certificate
154 John M Coughlin " "
135 A L Tubbs ... for cr " 8 pd
I A A Rinson for cr 5 pd

Pais Delisert 102 50

Minutes of Gl Com March 17 56
Mr Selim E Woodworth in the Chair

The President stated the object of the
meeting and read the extracts of the
journal of the Executive Committee -
Report of the Secy of the Executive
Committee accepted -

Report of Treasurer
accepted

On Motion J B Hume, Resolved
Vote of thanks to Mr Delisert -
by Gl Com -

Finalfications Com Report the fol-
-lowing Gent as members of the Ex
cutive Com to serve for 12 months
from the 17th of March 1852

Carried

Mr Delisert & Mr Payran Certificate
on Parchment -
On Motion G R Ward
Any Member of Com who shall not
obtain a Certificate within 30 days his
name shall be stricken from the roll

B. H. Bancroft Collection
Bancroft Library

√ Polarki Jacks ✓
√ Capt Wm A Howard ✓
√ Capt Wm Mc Michael ✓
√ James Murray ✓
√ E. Thibaut ✓
√ Eugene Hart ✓
√ John S. Ellis ✓
Joseph E. Dall ✓
Joseph E. Sweetser ✓
S. R. Gerry ✓
E. M. Earl ✓
Noah Ripley ✓
Geo H. Hossefross ✓
C. R. Story ✓
R. Hochkofler ✓
A. M. Ebbetts ✓
M. Rindsdale ✓
~~[illegible]~~
I. P. Corrigan ✓
Robt Lamotte ✓
B G. Lattimer ✓
D W Hawley ✓
~~[illegible]~~
~~Milo J. Goff~~
~~[illegible]~~
Charles G. Scott ✓

Elected
Genl Com
March 17, 1852
Secy notifies

2 Charles Griswold
3 R. M. Jessup
1 E. Gorham
~~[illegible]~~
W Oscar Smith
Wm Reviere
Dr H.M. Gray
R D W Davis

E. M. Earl Collection
Bancroft Library

Polarki Jacks
Capt Wm A Howard
Capt Wm Mc Michael
James Murray
E. Thibaut
Eugene Hart
John S. Ellis
Joseph E. Dall
Joseph E. Sweetser
S. R. Gerry
E. M. Earl
Noah Ripley
Geo H. Hossefross
C. R. Story
R. Hochkdfler
A. M. Ebbetts
M. Rinsdale
I. P. Corrigan
Robert Lamotte
B G. Lattimer
D W Hawley
Charles G. Scott
Elected
Genl Com
March 17, 1852
Secy notifies

2 Charles Griswold
3 R M Jessup
1 E. Gorham
W Oscar Smoth
Wm Reviere
Dr H M Gray
R D W Davis

San Francisco March 19. 1852

Isaac Bluxome Jr. Esq
Secretary of Executive Committee of Committee
of Vigilance -

Sir. -

Yours of March 18th was received informing
me of my election as member of the Executive
Committee of Committee of Vigilance -

I regret that I am not able to serve
as my family are with me and I am compl-
-elled to be with them as much as possible

Respectfully Yours
Joseph C. Sweetser

Excused from serving on Com

B. H. Bancroft Collection
Bancroft Library

Minutes of Executive Committee March 24. 1862
Mr Selim E Woodworth in the Chair
Mr I Bluxome Jr be appointed Secy of the meeting
On motion of Mr G R Ward
that the Secy be requested to notify the mem-
-bers of the Com that there will be a meeting
on Wednesday evening next at ½ past 7 oc
that Officers will be elected &c

On Motion the meeting

Adjourned

I Bluxome Jr
Secy

H. H. Bancroft Collection
Bancroft Library

R Hoofler

Present

Vigilance Com Rooms
San Fran. 25 March 52

Sir

On the 17th Inst you
were unanimously elected
a member of the Execu-
tive for the ensuing
year.

A meeting of the
Committee will be held
on Wednesday next at
7½ P.M. at the rooms
on Market & Battery
which you are requested
to attend

By order
Isaac Bluxom Jr
Secy

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

C Thibaut Esq

Present

Vigilance Committee Room
Nov 25. 1852

Sir

On the 17th Inst you were unanimously elected a member of the Executive for the ensuing year

A meeting of the Executive will be held at their rooms on Montgomery St. on Wednesday evening next at half past 6 o'clock which you are requested to attend

By order

Isaac Bluxome Jr
Secy

B. H. Bancroft Collection
Bancroft Library

B. H. Bancroft Collection
Bancroft Library

Committee Rooms
San Francisco March 15

Sir

You were unanimously elected a member of the Executive Committee of Committee of Vigilance on the evening of the 17th of the present month to serve for one year from the 17th of March

There will be a meeting of the Executive Committee on Wednesday evening next at their Chambers at the corner of Sansom Sacramento St over Middleton & Smiley's auction room. You are requested to be present.

By order of
Committee
D Blumm Jr

H. H. Bancroft Collection
Bancroft Library

Minutes of Executive Com March 31. 1852
Mr Selim E Woodworth called to the Chair
Mr I Bluxs appointed Secretary

On Motion of G R Ward
That a meeting be called for Friday evening
next, the 2d of April at ½ past 7 oc

On Motion Adjourned

I Bluxome Jr
Secy

H. H. Bancroft Collection
Bancroft Library

Minutes of Executive Committee April 2d. 1852

On motion G R Ward
Mr G W Ry Rmm elected president

On Motion of G R Ward
Selim E Woodworth elected 1st vice P

On Motion of
E Delisser 2d vice P

On Motion
Geo R Ward Treasurer

I Bloxome Jr Secy

Mr Dows
Mr Ebbets
Mr Emily
Mr Earle
Mr Jacks
} Finance Com

Dr Stout
Mr Murray
Mr Darling
Mr Sammis
" Scott
} Qualification Com

On Motion S E Woodworth
That a Com three be appointed to wait upon the Proprietor of Jenny Lind & American Theatres and ascertain at what price the Theatres can be had for a benefit for Com of Vig
Com S E Woodworth, E Delisser, Capt W A Howard

On motion of Capt W A Howard
Capt C Gorham elected to fill the vacancy of Mr I C Sweatser

On Motion of S E Woodworth
That the Secy advertise the watches found on Spies
On Motion of S E W
That a Com of two be appointed to waite upon Mr Robst and inform of the Jewelry found upon Spies,
Com S E Woodworth & I D Emily

Chas Scott

On Motion, adjourned

Grace Bloxome Jr
Secretary

On Motion of I D Emily
That the Secy addrss a note to John C Hays and state that Misp I Dows has resigned S E Woodworth and empowered by the Committee of Vigilance to have the lien recorded in their names

[April 2, 1852 Dup]

E. H. Bancroft Collection
Bancroft Library

Resolved that the Chair appoint a Committee of five to negociate with one of our respectable Theatres, for a Benefit for the relief of the Sufferers by the Virginia Conflagration, and report to Ex Com

Selim E Woodworth Alderman

E Gotham E N Ryckman Stout Delmont S E Woodworth

H. H. Bancroft Collection
Bancroft Library

[April 2, 1852]

Minutes of Executive Committee April 7. 1852
Mr S B Woodworth in the Chair.
Minutes of former meeting read & approved

Report of Theatrical Com -

On Motion of S B Woodworth
That the resignation of Noah Ripley be accepted
and that Chas Grimold be appointed in his
place.

On Motion of S B Woodworth.
That the Secy report to the Marshall of Lmrs
of the proceedings of the Committee

On Motion of Geo R Ward
That the outstanding dues of the Com be
refered to Com on finance and that the whole
matter Com have full power to settle the
amounts of delinquents

B. H. Bancroft Collection
Bancroft Library

Isaac Bluxome Esq
Secretary

San Francisco, April 7th 1852

Isaac Bluxome Jr. Esq
Secretary of Committee of Vigilance

Dear Sir

Expecting soon to visit the Atlantic States, I hereby tender my resignation, as member of the Executive and Finance Committees, and respectfully request leave of absence from the General Committee of Vigilance for an indefinite period.

Resp. Yours
Pulaski Sacks,

granted
and a letter be written him by the Secy

H. H. Bancroft Collection
Bancroft Library

To the President of the
Executive Committee

San Francisco April 7, 1852

Mr President and
Gent of Execution Committee

I hereby beg leave to tender my resignation as secretary of the Com-mittee, as it is impossible for me to attend to the duties of the office

Very Respectfully
Your Ob't Servt
Isaac Blanpied Jr

H. H. Bancroft Collection
Bancroft Library

Minutes of Executive Committee April 15. 1852
Mr Selim E Woodworth in the chair
Minutes of former meeting read & approved

Report of Theatrical Com.
Rep[o]rt accepted
On Motion of J C & Wadsworth
That the Secy address a letter of thanks to Mr & Mrs Thorn Mr Mestayer, Mr Smith & Madam Eleanor.
On Motion of Jas C Ward
that the Com on Theatres have full power to make contracts with actors

On Motion of J Bluxome
That Mr Jas C Ward be appointed to act in the place of Capt W A Howard on Theatrical Com who is absent.

On Motion J R Ward
That the Chair have power to call the finance Com together on monday next the inst at 12 o'clock and lay before them the state of the funds of com and that they shall have power to act.

On Motion Jas Dows,
J Bluxome Jr

On Motion Jas Murray
that R M Pettis be elected to fill vacancy of Mr Lack, on Ex Com & also on finance Com

H. H. Bancroft Collection
Bancroft Library

Chambre du comité de Vigilance
San Francisco 15 Août 1852

Madame,

Dans la dernière séance du Comité de Vigilance il a été décidé qu'une lettre de remerciments vous serait adressée pour l'offre aimable que vous avez bien voulu faire de contribuer par votre talents à la représentation qui devait avoir lieu au bénéfice du comité de Vigilance.

Les soussignés s'empressent avec plaisir de vous témoigner la reconnaissance du Comité et ayants appris avec regret votre prochain départ, ils vous prient d'agréer leurs souhaits pour votre voyage et votre prospérité

Agréez, Madame, l'assurance de notre considération distinguée.

Madame Eleonore Florentine

Cgal 27 Lieut 109

H. H. Bancroft Collection
Bancroft Library

Mr Isaac Bluxome Jr.
Sec'y of Vig: Committee of
San Francisco
Ca.

H. H. Bancroft Collection
Bancroft Library

Mokelomne Hill April 19th 52.

Mr Isaac Bluxome Jr

Sir:- I herewith bring to Your notice the case of Two Brothers named Rathgaeb from whom has been Stolen the Sum of Twenty one Hundred Dollars. they are Miners & discovered their loss this Morning They called immediately on our Committee & from circumstances given us in a hearing to-day, Suspicions rest very Strongly on one Beiber, who is said to have left this place on Friday last & it is presumed has made his way to San Francisco

One of the parties who have been robbed, named John Rathgaeb is going to San Francisco in pursuit. And, in accordance with an action of this Committee I have given him a Letter of introduction to your notice. If the robber has not succeeded in making his escape from San Franc^o This may be the means of re-storing an amount the loss of which is truly a Misfortune for the parties in this case to sustain.

Beiber is a Native of Switzerland, about 35 yrs of age, 5 ft 6 in high, light complexion, light hair & grey eyes is Stout built.

I have the honor to remain
your obt Servt
Wm. L. Tuber Secretary

H. H. Bancroft Collection
Bancroft Library

Mokelumne Hill April 19th 1852.

Mr. Isaac Bluxome Jr.

Sir:- The Bearer of this Wm. Dolhgach is a party of two Brós from whom has been Stolen about Twenty one hundred Dollars out of their Tent between last Tuesday and this morning. The Bearer has had a hearing before this Committee & in accordance with his evidence he suspects one Beiber as the person who has Stolen the money. He (73) left this place on Friday morning 16th Inst and it is presumed that he has probably made his way to San Francisco

Beiber. Is a Native of Switzerland 5 ft 6 in high. Light complexion, light hair & grey eyes. Stout built.

any attention you may deem this Mans case worthy of will be properly appreciated by this Committee.

I have the honor to remain

Your Obt Servt

Wm. L. Zuber

Secretary

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

Minutes of Ex Com May 5. 1852
Jas C Ward in the Chair
Minutes of former meeting read & approved

One bill from Herald for 12 $
" " " Alta California " 14. $

On Motion ~~I C d Wardsworth~~
~~Inot~~
On Motion of Jas C Ward
That a meeting of General Committee be called for ~~the~~ Wednesday evining next

On Motion of Jas C Ward
That a Committee be appointed to procure a building for the meetings of the General Committee and that they notify the City of time & place
Mr Jas Dows, Jas Ward & M Ruddsdale

On Motion
Adjourned

H. H. Bancroft Collection
Bancroft Library

Minutes of General Committee May 12. 185

Mr Tilim E Woodworth in the Chair

Mr E M Eagle stated the object of the meeting to be to collect money for

On Motion of Jas C Ward

That each member of the Com present call on the Secy and giving in their names for the purpose of ascertaining those present

On Motion Jas C Ward

Re That the members of the Com patrol the City and report all disorderly houses & suspicious persons to the Ex Com — carried

On Motion G W Ryckman

That a Com be appointed by the Chair to

On Motion Mr Delessert

That on the 9th of June a Grand Dinner be given by the members

H. H. Bancroft Collection
Bancroft Library

A Vote of thanks to Capt Chaves
for use of room
and his address this Citizen

Resolved - That the members of the
Committee patrol the city and report all
disorderly houses & suspicious persons to the
Ex. Com: - -

[May 12 '52]

R. H. Bennett Collection
Bancroft Library

Brig Guttyman
Sydneymen
30 days coming.

The Executive Committee
of Vigilance
San Francisco

San Francisco May 12th 1852

To the Executive of the Committee
of Vigilance

Gentlemen / By name, doubtless
I am known to you all, though my personal
acquaintance extends only to a few of your
General Committee. From the first formation
of your honorable body, (though not a member)
I have taken an active part in your promul-
gated measures, and as Marine Reporter for the
Alta California, gave every information in my
power to those members of your Committee appointed
to inspect vessels arriving from Sydney. On my
recent visit to the Australian Colonies, I felt
it my duty to defend the Vigilance Committee of
this City, from the tirades of abuse and slander
hurled against them, and having now returned
with the intention of making California my
home, would wish to assist you in your
praiseworthy object, should you consider
me a fit and proper person to be associated
with you. It has been stated by an anonymous
writer of a paper in this City (now defunct) that
I am the son of a Sydney convict and born in
the Colonies. From papers, however, in my pos-
session I can shew that I was born in London
England, that far from my father being a

B. H. Bancroft Collection
Bancroft Library

convict, he was never in the Colonies, that I emigrated with my mother and Uncle to South Australia in the year 1839, that having lost my Mother in Adelaide in 1842, I proceeded to Sydney there completed my servitude as an apprentice to the Printing business, and subsequently became Marine Reporter for the Sydney Morning Herald, which situation I resigned to come to this Country. Almost immediatel on my arrival I declared my intentions of becoming an American citizen (now upwards of two years since) and can shew from a certificate from the Proprietors of the Alta California, that I conducted myself with honesty and ability during the eighteen months I was connected with them. I am now connected with Messrs Southgate & Co.

In conclusion I beg to say, that I believe I can give you much information & assistance if you place confidence in me, and beg to subscribe myself

Your obedient Servant
Thomas Hinijam

H. H. Bancroft Collection
Bancroft Library

R & Tibbs 7 mos
L & Corrigan 8 mos
M R Roberts 4 mos

Minutes of Ex Com May 26. 1852
Mr G W Ryckman in the Chair

The meeting was notified that the building now occupied by this Com was about to be pulled down and that it was is necessary for the Com to move from the building

On Motion of I Blux Jr
That a ~~meeting~~ Com be appointed to select a proper room and attend to the moving of the furniture
Com Jas Murray & I C V Wardsworth

H. H. Bancroft Collection
Bancroft Library

Deposition of
Chas. Talbot
Relative to Charge of
"Arson." Nov. 25th 1852
By Mr. Ryan

Chas. Talbot. 21 Years of Age. Native born
by birth. born at "Charters" I am in the
Employ of Valliant & Brassier, Wine and
Liquor Merchants in Merchant Street.
Mr Brassier was the last person in the
Store, I left at 6 P.M. and did not return
again to the Store, until I heard the Alarum
of Fire, I started at the first tap of the
Bell— Mr Brassier was at the door
of the Store when I reached there, and
he opened the Door— I live in the
same house with Mr. Valliant, I see him
Every day— I saw him in the afternoon
of the same day in the Store, he came
in to change his shoes, having a pair of
new ones in his hand, and requested
~~Charles~~ to take the old ones to his house
Mr. Valliant is still associated with Mr Brassier
but has been Sued, and their difficulties
are still in Litigation — Never have heard
any threats of violence from Mr. Valliant
towards Mr Brassier.

San Francisco
Nov. 25th 1852

Witnessed by

Charles Talbot

B. H. Bancroft Collection
Bancroft Library

B. H. Bancroft Collection
Bancroft Library

San Francisco
Nov. 25th 1852. —

My name is Jule Decase: am a Frenchman
24 Years old, born at Bordeaux —
I arrived in this country in Sept. 1851.
on board French Ship Alcion from Bordeaux
I was employed by Mr. Brasier on Wednesday
the 24th Inst at 2 P.M. for a few hours only
to arrange things about the Store, — I left —
the Stor about 6 P.M. I do not Know who
set fire to the Store. — I have known the person
Called Charle Talbot as the only employe about
the Store of Mr Brasier for about 6 Month
I am employed at the Manufactory in "Stockton
Street" — The only time I heard the subjet
I fore mentioned, was in the Evening a few
minute before my leaving the premises. Mr.
Brasier was drinking Absent with some friend
lately arrived in the French Schooner Independen
I observed that I thought I smelt something
burning — some one replied it is
only a "piece of paper" which I have lighted
my Segar — there was a Candle burning
at the time near the Door. — Charles & myself
left about 6 P.M. leaving Mr Brasier and his
friends inside the Store, they consisted of
four passengers and himself Mr Brasier, —
When I left, they were smoking Segars and
the Candle burning — It is quite practicable
to pass from the adjoing Store to the Store
of Mr Brasier by means of the Windowes
in the rear — or by the Cellar. —
When I heard the Alarm of fire I was eating
my dinner at Mr Bezard's Restaurant in Pacific
Street. Charles started before getting half through
his dinner, to go see where the fire was I remained
and finished my dinner

H. H. Bancroft Collection
Bancroft Library

Deposition of
Jule Descure
Witness against Chas Talbot
Arrested for Arson Nov 25th
By Sheriff

The Bancroft Collection
Bancroft Library

Minutes of Executive Committee Nov 26. 1852

Mr G W Ryckman in chair

On motion of J C Woodworth.
Mr G W Ryckman was elected President of Ex Com

On Motion of Capt Hy J Brown
J Bluxome Jr was elected Secretary

On Motion Mr J A Woodworth
R B Hampton was elected Treasurer

On Motion J C Woodworth
That a qualification & finance be ~~committee~~ appointed by the President

R B Hampton Chairman of Com on rooms reported ~~that~~ a room over Mr Ivan Ripley for 50$ or two rooms for 100$.

On Motion J A Woodworth
That not further action be had in the matter of hiring a room, and that the Com on rooms be empowered to obtain the use of one of the Engine Buildings

E. H. Bancroft Collection
Bancroft Library

On Motion of J C Woodworth.
That a vote of thanks be given to Mr Geo R Ward for the faithful performance of his duty as Treasurer of the Committee

On Motion adjourned — J Bluxome Jr

Box 7: Accounts (Folders 705-719)

Committee of Inquiries

Papers of the late

Treasurer

W Salmon

Month of June

1847

H. H. Bancroft Collection
Bancroft Library

A

Dr

Private Subscriptions collected by him $913.00 ✓
" " 10.00 ✓
2 Initiation Fees " 494.47 ✓
Cash from Sergt at Arms " 254.50 ✓
" " " " "
$1671.97

Cr

Paid Sergt at Arms as $50.— ✓
" Expenses to Angel Island " 50.— ✓
" Rent " 400.— ✓
" Expenses to Angel Island " 36.50 ✓
" Sergt at Arms on Acct of his Salary " 100.— ✓
" Expenses of Water Police " 479.24 ✓
" Advertising Herald " 30.00 ✓
" Carpenter on Acct " 400.— ✓
" 1 anchor lost " 12.75 ✓
$113.68
$1671.97

R. H. Bancroft Collection
Bancroft Library

Duplicate of Salmon Rept. Omit-

Dr
DR.

Private Subscriptions collected by him	$913.00
2 Initiation Fees	10.00
Cash from Sergt at Arms	494.47
" " " "	254.50
	$1671.97

Cr
CR.

Paid Sergt at Arms as	50.00
" Expenses to Angel Island	50.00
" Rent	400.00
" Expenses to Angel Island	36.50
" Sergt at Arms on Acct of his Salary	100.00
" Expenses of Water Police	479.24
" Herald	30.00
" Carpenter on Acct.	400.00
" 1 anchor lost	12.75
	113.68
	$1671.97

Duplicate of Salmon's Report —
Dcut —

U. C. Bancroft Collection
Bancroft Library

Conference Committee
Documents House Reports
7 Dec 1837

[illegible]

[illegible]

Dr. J W Salmon Treasurer in Account Current with the Vigilance Committee Cr.

	To Private Subscriptions collected by me		913	"	1	To paid Sergeant at Arms as per order	50 "
	" 2 Initiation fees		10	"	2	" " to Capt Wakeman " " " Waterpolice	50 "
	" Cash handed me per Sergeant at Arms $ 498.97		494	47	3	" " Rent " " "	400 "
	" " " " " " " " " "	255.18	254	50	4	" " Expences to Angel Island " "	36 50
					5	" " Sergeant at Arms " " " a/c of salary	100 "
					6	" " Capt. Wakeman " " " Waterpolice	479 24
					7	" " Herald's a/c Handbills " " "	30 "
					8	" " Carpenters on a/c " " "	400 "
					9	" " 1 Anchor lost " " "	12 75
					10	" " profit & loss cash short in Change	1 "
					11	" " Cheque f/ of my successor C Delessert Esq	112 48
		$	1671	97			$ 1671 97

E. E.
San Francisco 7 July 1851
J W Salmon
as Treasurer

B. R. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

$50

J W Salmon Esqr
Treasurer

Please pay to A J Moore
Allan Duffie Sergeant at Arms
Fifty Dollars, to be appropriated
for them.

June 11th 1851

No 1

Committee on Finance
R. S. Watson

H. H. Bancroft Collection
Bancroft Library

$36.50

The Treasurer is authorized to pay the sum
of Thirty Six 50/100 Dollars & pences for four
boatmen and refreshments for Sen of Committee
to Angel Island

San Francisco 19 June 1851

$36.50/100

No 4

Wm A Jones
A J Moore
Finance Committee.

B. H. Bancroft Collection
Bancroft Library

$400-

Rec'd of J W Salmon Four Hundred
Dollars for 1 months rent of committee rooms
in the Store of Bullivs Patrick & Dow

H. A. Cheever
B Hall

San Francisco June 17/51.

No 3

H. H. Bancroft Collection
Bancroft Library

$100

J W Salmon Esq
Treasurer

Please pay to A J Moore
Duffie Esq Sergeant at Arms One hundred
Dollars on acco of his services

$100.

No 5.

June 26th 1851

R. S. Watson
Appt Mand
Wm A Jones
Committee on Finance

H. H. Bancroft Collection
Bancroft Library

order for Angel Island
$36.50

B. H. Bancroft Collection
Bancroft Library

order for S. of A.
for $100

Received the within
amt of One Hundred Dollars
of S.W. Salmon Treasurer
June 26th 1855
A. Jagger on McDuffee

B. H. Bancroft Collection
Bancroft Library

order for $50.
for S. of A.

B. H. Bancroft Collection
Bancroft Library

Receipt for Rent
$400.

-2018-

B. H. Bancroft Collection
Bancroft Library

Boat hire No 5

Sunday	Boarding Bk Chief & going down the Harbour	5.00
Monday	A cruise to North beach and to the Polk during night	10.—
	White Squall do " " "	10.—
Tuesday	2 Cruises	8.—
Thursday	all day & all night	32.—
Friday	" " " "	32.—
Sunday	One Cruise	15.—
Sunday night	11 boats	176.—
Monday "	7 boats	112.—
	Rent of Schooner for 2 days	32.—
	Provisions for Schooner actually used	50.24
	Sundries expended at various times	10.—
		$479.24

San Francisco 23 June 1851 Received by Cheque
Recommended by Finance Committee on James King of Wm
by E. W. Aperman E. W. Akerman
Capt of Water police

Approved. R. S. Watson
W. H. Jones
Finance Committee

B. H. Bancroft Collection
Bancroft Library

HERALD JOB OFFICE.

We have attached to the Printing Office of the Herald a full and complete JOB OFFICE, and are prepared to execute all orders for

Posters, Handbills, Circulars, Billheads,
BLANKS, CARDS,
CATALOGUES, &C.,

IN A STYLE UNSURPASSED IN THIS CITY AND AT REMARKABLY LOW RATES.

San Francisco June 25th 1851.

M. Vigilance Committee

To SAN FRANCISCO HERALD, Dr.

OFFICE, CLAY STREET,

Three doors below Montgomery, North Side.

(7)

24	8,000 Notices	$30.00
08	Rec'd Payment	
	Nugent & Co	
	per Moulton	

B. H. Bancroft Collection
Bancroft Library

Pit Salmon

Mr Lefroy leaves to night at-
to Clark in the C Mr Weber

E Waterman
Forbestown
Sept 9. 48

[Salmon]

B. H. Bancroft Collection

San Francisco, June 26 1851.

Mr. W. W. Baker For the "Committee of Vigilance"

No 9

Bought of BUCKLEY & MORSE,

Blacksmiths, foot of Clay Street.

DEALERS IN IRON, STEEL, CABLES AND ANCHORS, INVOICES BOUGHT.

	85 lb Anchor 15 cts	@	12.75
	Recd Pay't Buckley & Morse		
			No 7

Approved by W. W. Baker

The Treasurer will please
pay the within
June 24 1851
Geo. R. Ward,
J. C. L. Wadsworth

Com. on Pensions

Assistant Treasurer

Dt.	Eng.	Debtor to Treasurer in a/c		with the Vigilance Committee		Cr.
July		do. Amt rec'd from Sergeant at arms	$ 200			
		" do do do	903	11		
		" " " " J W Salmon	112	45		
		" " " " Sergeant at arms	663	50		
		" " " " " "	291			
		" " " from the Executive Ctte	25			
		" " " do do	50			
		" " " Jas Randell	185			
		" " Donation from Ch[ar]s Roberts	100			
		" " Charles Gutheim	100			
		" " Roberts & Co	5			
		" " Payran	50			
		" " D[r] Cattus	50			
		" " " MacDuffee	163	69		
August		" " " do	86	15		
		" " " do	150			
		" " " do	100			
		" " " do	117			
		" " " do	100			
		" " Dewey collecting Dues	130			
		" " "	112	25		
		" " "	66	50		
		" " "	55	--		
		" " "	25	--		
		" " "	30	--		
		" Voluntary contributions	145			
		" Fantin 251.	10			
		" A G Cornell Collect[r] cents	276			
		" " "	219	50		
		" " "	216			
		" " "	160			
			4897	18		

B. H. Bancroft Collection
Bancroft Library

B. H. Bancroft Collection
Bancroft Library

1851		Dr.					1851				Cr.		
		To Amt Rec'd from Dessey		4897	18		July	1	By Amt paid to J.W. Salmon		1	50	
		" " " A.G. Connel		140			"	2	" " " " Mangot & Stamps		10	—	
		" " " " Cash		236	29		"	3	" " Tower Club. ab & Note		50		
		" " "		50			"	4	" " Boat hire " " "		12	2	" "
		" " " Amt Sale C.C.		247	63		"	5	" " passage A. Wright, Camas Spa		100	"	
		" " " " " lumbers		72	60		"	6	" " Exp. to Sacr: as C. Bill		25	"	
		" " A.G. Connel		200			"	7	" " Expenses in Sacramento for the use of C. Hays		109	"	
		" " A.G. Connell		45			"	8	" " Steam Tug &c. use of Boats		160	"	
		" " " J. Bluxome Master		10			"	9	" " H.A. Cheever & Bullett. for rent		400	"	
		" " " do Dues		5				10	" " Expenses of Rider Reynolds & Mr Duffee		196	50	
		" " " "		15			"	11	" " Expenses to Sacramento		10	"	
		" " Certificate J.H. 349 237		15			"	12	" " a/c & from Rocklin to C. Howard & Oakes		36	50	
		" " Passengers Collected		134	50		"	13	" " Co Clark & Compson, three saddle horses		15	"	
		Argentic Cert		5			"	14	" " Co O. Oaksmith		17	"	
		Passengers Cert		5			"	15	" " Co James R. Shaw &c: carriage hire		16	"	
		Wards & Bro.		10			"	16	" " Mr Duffee, services rendered		150	"	
		Certificate 320 127		10			"	17	" " Pacific Star		33	75	
		Dues		10			Aug	18	" " Gerald		21	"	
		Certificate		35			July	19	" " Grover &c. towing Picayune		32	"	
		do 127		5			"	20	" " To Lee. Shaw & Co		60	80	
		Dues		7	50		"	21	" " " " Gay & Mellert		46	50	
		Hart 45 Cert		5			"	22	" " " Eberley & Bayley		31	50	
		Geo. G. Ward Collected		176			"	23	" " " Cook & Co Account		17	25	
		do do		26			"	24	" " " Mayhem &c. & Passengers fees		24	"	
		J. Bluxome		79			"	25	" " " Isaacs & Mr Cahill		116	"	
		C. Martin		10			Aug	26	" " " " Wardwell		195	"	
		Charles Case. Certf		5			July	27	" " " Gorman Elliott Carpenter		201	84	
		J. Bluxome		230			"	28	" " " Cook & Co Account		22	"	
							"	29	" " " R. Meaberg. Fooding Cattle		12	"	
							"	30	" " " " Boat hire		17	50	
							"	31	" " " Clark & Compson. carriage		25	"	
				$ 6622	75						2314	64	

B. H. Bancroft Collection
Bancroft Library

B. H. Bancroft Collection
Bancroft Library

28		Eug Delessert Treasurer in													
						$	6622	75						6572	85
Feb.	12	To Cash Rec'd of J. A. Ward					30	—	94			Sergeants at arms		25	—
"	"	" " " J. Bluxome					12		95			Wellington & Hitchcock Steam Eng		125	
"	26	" " " J. R. Ward & Elliot					221	—	96			Pickaxe & Shovel		14	50
"	"	" " " do do do					60		97			Record & Pen &c		50	
"	"	" " Polarski Jacks -					225	—	98			E. Oakley. Sergt at arms.		100	
	27	" " do do do					50		98			" "		71	
	"	" " do do do					50		98			" "		45	67
	"	" " do do do					55		98			" "		50	
	"	" " Oakley " "					45	67	98			" "		40	
	28	" " To by Bluxome					12	50	98			" "		50	
									98			" "		150	
		Brought over					7383	92	98			" "		20	
									98			816 Service up to 24th Jan'y		252	50
									98			" Bluxome		12	50
									99			Wadsworth Supts Sent'y		42	—
									100	March		Water Bill		16	75
		Due to the Treasurer					317	88	101	"		Gray & Mullins		44	"
		" Different Lawyers	1500	—					102	"		Clark & Lecumbel		20	"
		Bills. Ellis	100	—											
		" Bluxome	100	—											
		" "	50												
		Due	$	1750											
						$	7701	80						7701	80
												Due to the Treasurer			

Allowed & Ordered Paid
Geo. B. Ward

B. H. Bancroft Collection
Bancroft Library

B. H. Bancroft Collection
Bancroft Library

2

Eug Delessert Treasurer in a/c with the Committee of Regatta &c

	Brought over		$ 383	92	103	11	Brought over	$ 77	00
							Parchment Certf.	20	
	G. Wardle		25		Mar	20	1 Book Binder	20	
	No 345		60			25	Rent	50	
	E Bluxame		102	50					
	Balce due Delessert		220	38					
			$ 791	80				$ 791	80

San Fco 1st April 1852

Eug Delessert
Treasurer

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

| Dr | The Committee of Vigilance | | |

	To Amount Brot over	$	270 38		By Amount Brot over	$	280 00
June 2	" Cash pair Rent to date	"	25 00	May 19	" 93 Counties due to 1 May	"	10 00
17	" " " Mrs S C Cole		15 00	"	" C W Sloat " " 1 "		5 00
		$	310 38	June 21	" C Kukes Credit not paid	×	5 00
				July 14	" Balance due Treas		5 38
						$	310 38
July 14	To Balance due Treas	$	5 38	Sept 25	" D B Cole credit	$	5 00
Oct 7	" Cash pd J Manning Jr			Nov 24	" J H Stevens credit		5 00
	expenses of Moving	"	10 00		" C M Veit "		5 00
	" " not paid by C Kukes						15 00
	on Credit of June 21	××	5 00				325 00
		$	20 38				340 00

7191 80
325
811 6 80

H. H. Bancroft Collection
Bancroft Library

Friend after friend departs
Who~ hath a friend ne~ one that~ I'd love

H. H. Bancroft Collection
Bancroft Library

No.					
1	By Cash paid	Salmon late treasurer for Books		1	50
2	" " "	Committee of Vigilance seal		10	00
3	" " "	Liquors &c on board ship Adirondack		58	00
4	" " "	Boat hire " " " "		192	00
5	" " "	passage to Sidney of A Wright		100	00
6	" " "	Witness from Sac in Stuarts		25	00
7	" " "	Waren & Carrigan's expenses to Sac		109	00
8	" " "	Steam Tug use of boat		100	00
9	" " "	Rent " " "		400	00
10	" " "	Traveling exps of Rider Reynolds		196	50
11	" " "	J.W. Cartwright to Sac city		10	00
12	" " "	Geo H Howard & Cakes to Stockton		36	50
13	" " "	3 saddle horses " "		15	00
14	" " "	A. Bakersmith for Canes Exhibd		17	00
15	" " "	Carriage hire for Mrs Hogan		16	00
16	" " "	Mac Duffie's fees		150	00
17	" " "	Pacific Star advertisement		33	75
18	" " "	Herald do do		21	00
19	" " "	Sacramento Evening Picayune		52	00
20	" " "	G W Shaw & Co candles &c		60	80
21	" " "	Gay & Mellus. Coffee Brandy &		46	50
22	" " "	Shirley & Bayley Tumblers		31	50
23	" " "	Cook & Lecount taper &c		19	25
24	" " "	Masham & Co Daguerrotype		24	00
25	" " "	Shaffer & Mc Hill Blankets		116	00
26	" " "	A. Bradwell Lamps &c		195	00
27	" " "	Elliot Carpenter $400 paid in June		201	84
28	" " "	Cook & Lecount Stationary		22	00
29	" " "	Medbery hosting Bills		12	00
30	" " "	Boat hire J.C. Ellis		17	50
31	" " "	Clark & Simpson Horses		25	00
32	" " "	Clark & Simpson do do		25	00

H. H. Bancroft Collection
Bancroft Library

1863 33	By cash paid	Boat hire		20 00
34	" " "	Herald 200 large Posters		30 00
35		passage money of Geo Hopkins		100 00
36		Barrel of oil &c		43 50
37		Servants fee		50 00
38		H Millers expenses to Sacramento		100 00

H. H. Bancroft Collection
Bancroft Library

Duplicate
omit

Bills paid

Committee of
Vigilance

No.		
1	1	50
2	10	
3	58	
4	192	
5	100	
6	25	
7	109	
8	100	
9	400	
10	196	50
11	10	
12	36	50
13	15	
14	17	
15	16	
16	150	
17	33	75
18	21	..
19	52	-
20	60	80
21	46	50
22	31	50
23	19	25
24	24	
25	116	
26	195	
27	201	81
28	22	
29	12	
30	17	50
31	25	
32	25	
33	20	
34	30	
35	100	
36	43	50
37	50	
38	100	
39	234	44
40	135	-

H. H. Bancroft Collection
Bancroft Library

No.	41	160	
	42	50	
	43	225	
	44	300	
	45	10	
	46	20	50
	47	25	-
	48	18	
	49	200	
	50	10	
	51	100	
	52	37	
	53	52	40
	54	180	
	55	20	
	56	17	32
Commission	57	163	50
Boat	58	275	-
	59		
	60		
		4880 65	

B. H. Bancroft Collection
Bancroft Library

Committee of Vigilance
Bills paid

EUGENE DELESSERT
21 + 25

H. H. Bancroft Collection
Bancroft Library

Committee of Vigilance.

Dr to. Mardot,

For 1 Stamp & accessories $10.--

San Francisco July 10th 1857.

Rec'd Paym't

Mardot

Kearney St

COMMITTEE OF VIGILANCE — SAN FRANCISCO

EUGE.E DELESSERT
No 2

H. H. Bancroft Collection
Bancroft Library

For 1 Stamp & accessories $10.--

Paid 10 July 1857

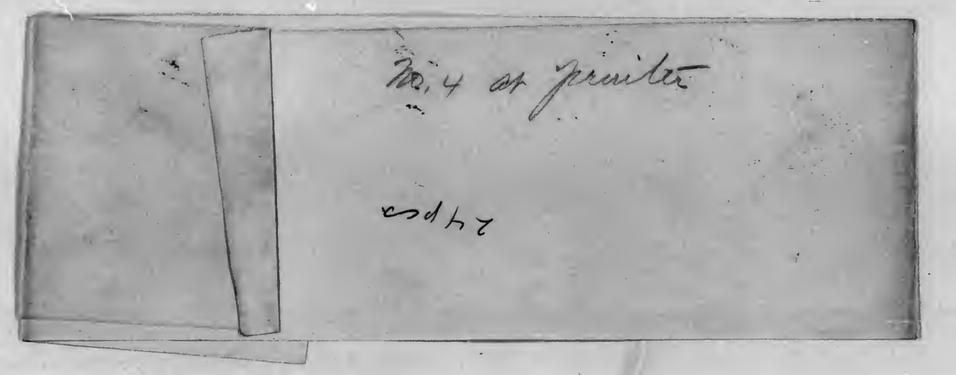
Mardot

For 2 Seals 12.50

Eug.E

EUGENE DELESSERT
No 2

H. H. Bancroft Collection
Bancroft Library


No. 4 or Jennifer
24pcs

No 4

EUGENE DELESSERT 4

Committee of Vigilance

G. L. Hellman Dr

For Boat Hire

Lenny Lind	3/4 day	$	12.00
"	3 Trips		15.00
Stag Hound	1 trip		5.00
Empire State	2 "		10.00
do	do 1 day		16.00
do	do 1 trip		5.00
Typhoon	1 day		16.00
American Boy	1 Trip		5.00
"	1 "		5.00
Two Brothers	1 "		5.00
American Boy	1 "		5.00
Typhoon	1 "		5.00
			~~$ 100.00~~
As per Curtis Bill Provision &c &c Expedition to "Tamalones"			63.00
For Refreshments Boat Hire &c			25.00
			$ 192.00

Edgar. W. Herman

San Francisco July 14th 1851

Approved

Wm Tell Lewis

Geo. D. Oakes

Geo. L. Collins

Received the above amount 192 Dollars

John Sullivan

H. H. Bancroft Collection
Bancroft Library

[No. 5]

Received San Francisco July 14th 1851 from the Vigilance Committee, through the hands of Mr N. Oakes Smith, One Hundred Dollars, for the passage of Alexander Wright, above named, to the Port of Sidney N.S.W.

$100 00/100

P. H. White

H. H. Bancroft Collection
Bancroft Library

$25.-

No 6

EUGENE DELESSERT 6

Committee room San Francisco July 19th 51

Please pay Edwin Lewis Twenty five dollars, being amo. passage money of a witness from Sac. city & back in Stuarts Case -

G. W. Ryckman, Pres. pro tem

J. E. Delessert Esq

Treas - Comm of Vigilance

Geo. D. Oakes

Geo. L. Collins

Secty pro tem

H. H. Bancroft Collection
Bancroft Library

No 7

EUGENE DELESSERT 7

Vigilance Committee

San Francisco July 19th 51

$109

No 7

T. Haven & Corrigan Dr

Expenses to Sac City for the arrest of J B Reab & Thos J. Haven paid by him 57.

P Corrigan Dr 52. $109.-

5 days duty

By order of the Committee

H. H. Bancroft Collection
Bancroft Library

San Francisco July 14th

Vigilance Committee

To Steam Tug Co Dr

Use of Boat

$100.00

Rec'd Payment

Miller Griffith

EUGENE DELESSERT 8

H. H. Bancroft Collection
Bancroft Library

No 9 No 9

EUGENE DELESSERT 7

San Francisco July 16th 1851

Members Vigilance Committee

To H. A. Cheever & Butler Patrick Hondo

Rent of Lots 1 Month in advance

to August 16th 1851 $400.00

Rec'd Payment H. A. Cheever

for H. A. Cheever & 13 Pt Bow

H. H. Bancroft Collection
Bancroft Library

San Francisco July 19/51

The Vigilance Committee

of San Francisco

To J. W. Cartwright,

No 11 For Incidental Expenses on Ship to

Sacramento & back 3 $10.—

No 11

J W Cartwright

EUGENE DELESSERT 17

H. H. Bancroft Collection
Bancroft Library

Expenses of Rider Reynolds & McDuffee

Special Duty

Fare of 5 to Stockton	$10.—
6 Meals & extras on board	13.75
1 Pr Handcuffs	1.00
Bill at Stockton House	11.50
Wisconsin House	1.50
Dents Ferry	8.50
Chinese Camp	5.00
Wood Diggins	16.00
5 Suppers at Sonora	4.50
5 Breakfasts	5.75
Lodgings	2.00
Dinners	4.00
Horse Keeping Pendens	6.00
Bill at Dents ferry	8.00
Stockton House	5.00
Horse & Carriage	66.00
Fare down	20.00
2 Suppers	5.00
	$196.50

Correct

Wm B Graham

Sheriff & Ex Committee

Received the above

R. J. McDuffee

No 10

No 10.

H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT
No 10

$196.50

EUGENE DELESSERT
10.

H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT
No 12

San Francisco July 19th 1851

Vigilance Committee Dr

To expenses incurred by Geo. W. Ford & Geo. J. Baker to [illegible] Stockton by order of the Vigilance Committee $36.50

Approved
Geo. J. Baker
Wm. Tobey

Rec Payment
Geo. J. Baker

No 12

H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT
No 13

Fort Stewart

1851 Vigilance Committee

July to Clark & Simpson Dr
Saddle Horses @ $5 $15

Approved
A Bryant
Wm. Tobey
Geo. J. Baker

Rec'd Payt
Clark & Simpson
by Clark

No 13

H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT
No 14

San Francisco July 23rd/51

Vigilance Committee

No 14

For Oaksmith Dr

For following disbursements made for boat on Yreka Expedition -

July 17-	2 Boilers	6.00
18.	Provisions & refreshments for 2 Parties	7.00
19. to 20	do do	4.00
		$17.00

The above party were on duty five days and five nights and consisted of six men -

Rec'd Payt
J. Oaksmith

H. H. Bancroft Collection
Bancroft Library

RECEIVED DEC 15 1856

No 15

Captain King
To James C Travers Dr
1851
July 19th To Carriage Hire . ~~$10 00~~
For Mr Hogan
$16 —

~~Assessment~~

Recd Payment
J. C. Travers

John Coyle Travers
Paid by MacDuffie

H. H. Bancroft Collection
Bancroft Library

Amt

~~Cash~~ Cash of Mr Graham 200.
~~as Cash~~ Bill of Pacific Star 35.75
Herald 21.00
Bowie & Co 52.00
G H Shaw & Co 60.80
Gay & Mellus 46.50
Shirley & Bailey 31.50
Cook & Lecount 19.25
Marsh & Co 24.00
Tafft & McCahill 116.00
A Waldwell 195.00
J Elliott 201.81
Cook & Lecount 22.00
E Medbery 12.00
$1095.61

No 17

H. H. Bancroft Collection
Bancroft Library

RECEIVED DEC 15 1856

No 16

$150.

San Francisco July 4th 1851. Recd. from E Delessert Treasurer One Hundred and fifty Dollars for account of Services rendered the Committee of Vigilance
$150.

No 16

J. C. Jackson
Wm T Coleman
Thos H Selby
Jackson M Duffie

H. H. Bancroft Collection
Bancroft Library

RECEIVED DEC 15 1856

No 17

Vigilance Committee

To Advertisement (Vigilance Committee Room) Pacific Star Dr
" " Printing Circulars 5.62½
Payment $28.12½
Rutherland Rust & White $33.75

The above amount is presented by the Pacific Star Office towards the completion of the County Prison.
J. R. W.

H. H. Bancroft Collection
Bancroft Library

RECEIVED DEC 15 1856

No 18

HERALD JOB OFFICE.

We have attached to the Printing Office of the Herald a full and complete JOB OFFICE, and are prepared to execute all orders for

Posters, Handbills, Circulars, Billheads,
BLANKS, CARDS,
CATALOGUES, &C.,

IN A STYLE UNSURPASSED IN THIS CITY AND AT REMARKABLY LOW RATES.

San Francisco, Jan 28th 1851.

Committee of Vigilance

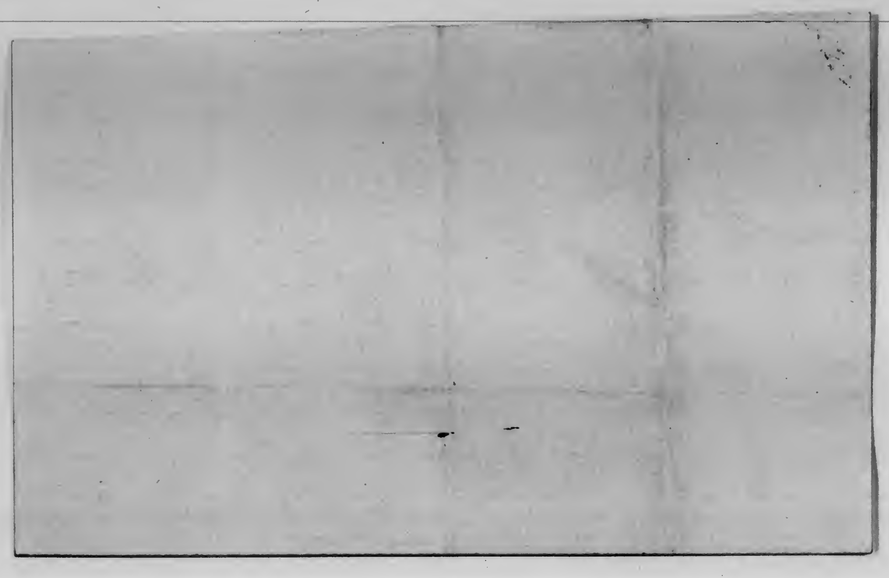
To SAN FRANCISCO HERALD, Dr.

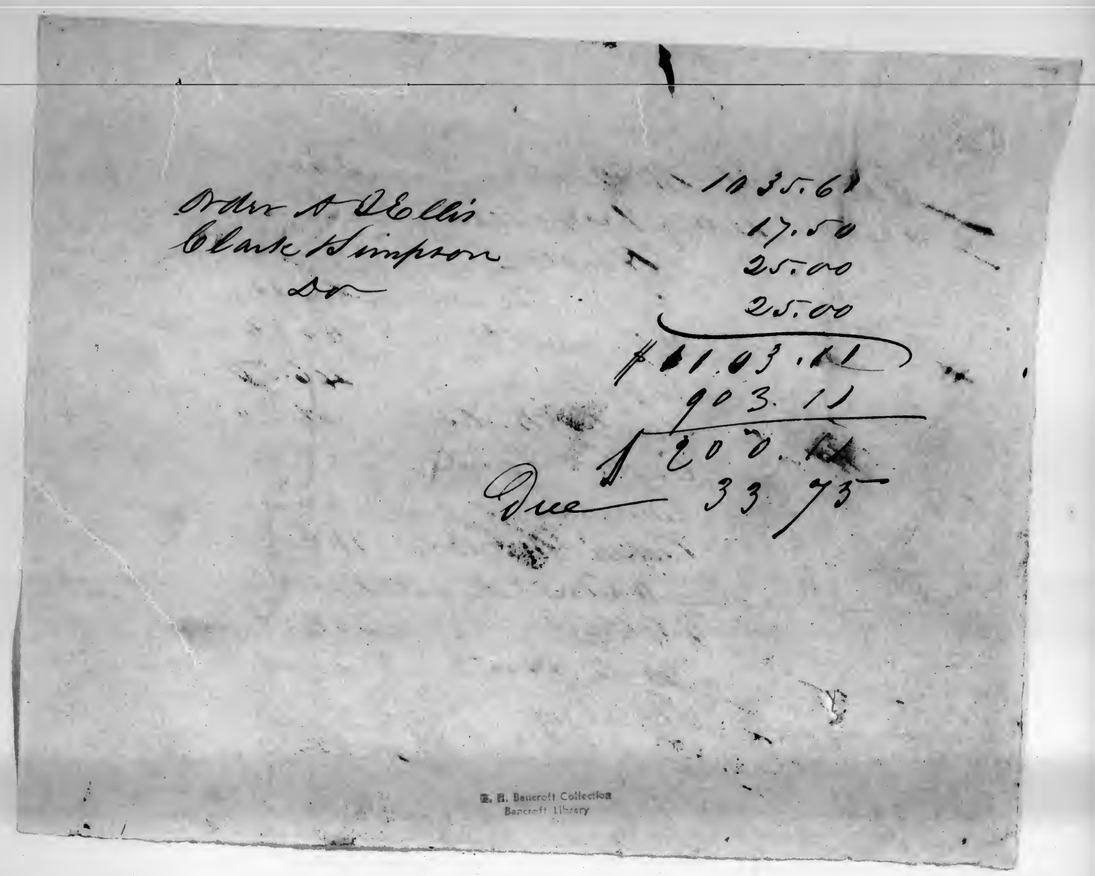
OFFICE, CLAY STREET,
Three doors below Montgomery, North Side.

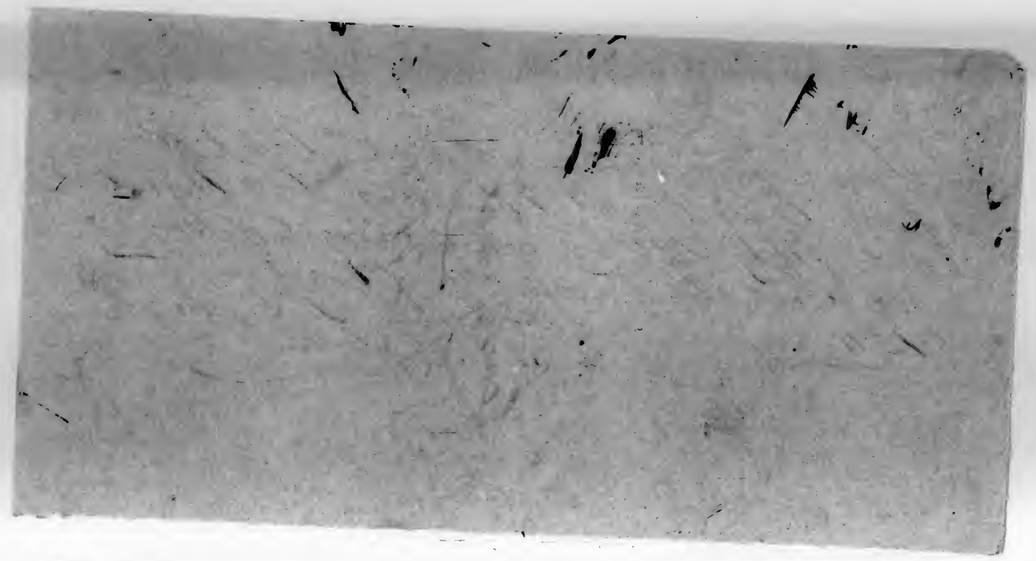
Jan 25	To Cash	3/4 pr			2 25
" 28	" Notice to Members	2/4	3 times		4 50
					$6 75
July 4	To Cash Members	2/4			2 00
" 9	" Resolutions &c 2 do 3 times				12 00
					$21 00

Recd Payment
Wright & Co
per Monteith

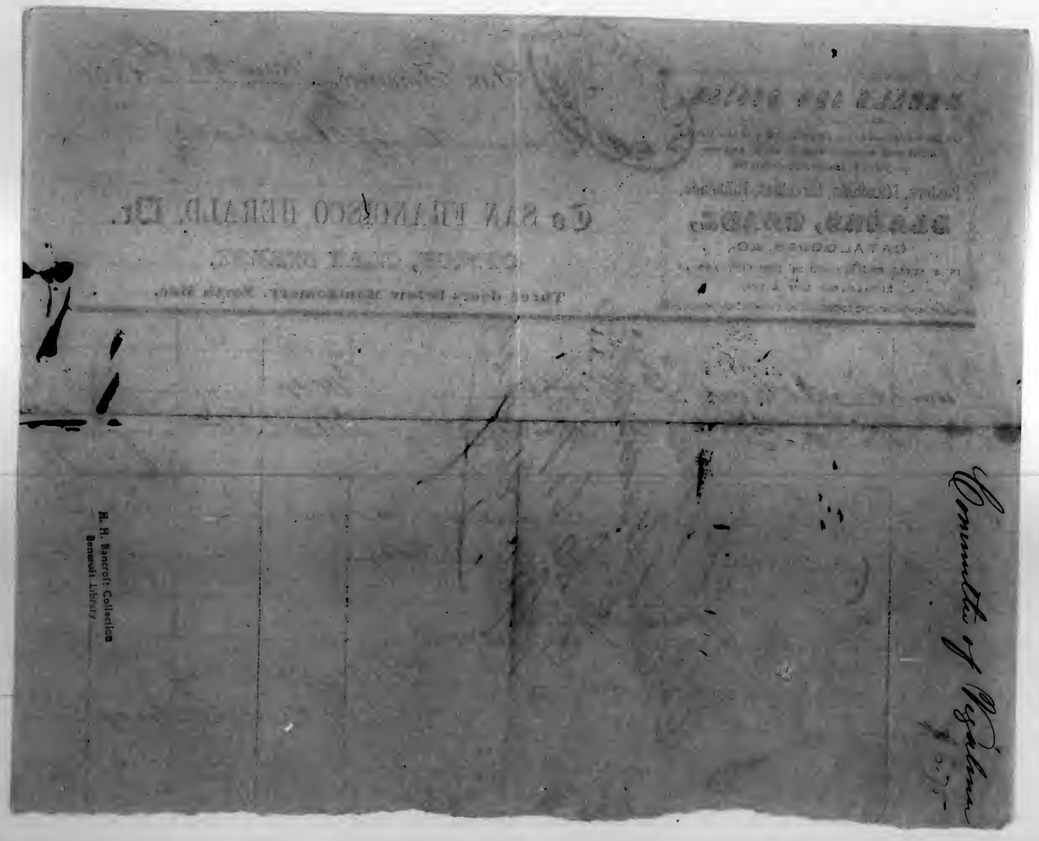
H. H. Bancroft Collection
Bancroft Library




Order A. A. Ellis
Clark Simpson
Do
1035.61
17.50
25.00
25.00
1103.11
903.11
1200.
Due 33 75
B. H. Bancroft Collection
Bancroft Library



Regulars Committee
B. H. Bancroft Collection
Bancroft Library


Committee of Regulars
B. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT No 19

San Francisco, July 1851

Committee of Vigilance

PAMPHLETS, LAW BLANKS,
CARDS, CIRCULARS,
Bill Heads, Bills of Lading, Tickets, Labels,
Handbills, and every description of
JOB PRINTING,
Executed with despatch, in the most elegant manner, and at greatly reduced prices.
☞ Advertisements payable in advance. Job Work payable when ordered.
W. A. GROVER, D. S. BIDEN.

Co GROVER & CO., Dr.

EVENING PICAYUNE OFFICE,

CORNER CLAY AND MONTGOMERY STREETS.

July 5	Ad. Notice of Meeting	1 Sq. 1 t	$ 2 00
" 7	" " 1 Resolution	2½ " 1 t	5 00

To be Published in full - and to be Charged to Prison

Rec'd Payt

E. B. Bancroft Collection
Bancroft Library

EUGENE DELESSERT No 21

San Francisco July 3. 1851

Rec'd Payt

E. B. Bancroft Collection
Bancroft Library

EUGENE DELESSERT No 20

Committee of Vigilance

1851

July 5	6 Boxes	Candles	25 lb	40 ¢	$ 28.80
	10 Lbs	Crackers		12.00	20
					$ 48.80
					12 —
					$ 60.80

Rec'd Payt for Geo Shaw & Co
per E. Bills

E. B. Bancroft Collection
Bancroft Library

EUGENE DELESSERT No 22

"CHINA HALL."

GOODS PACKED SAFE TO GO TO ANY PART OF THE MINES.

San Francisco, July 8th 1851.

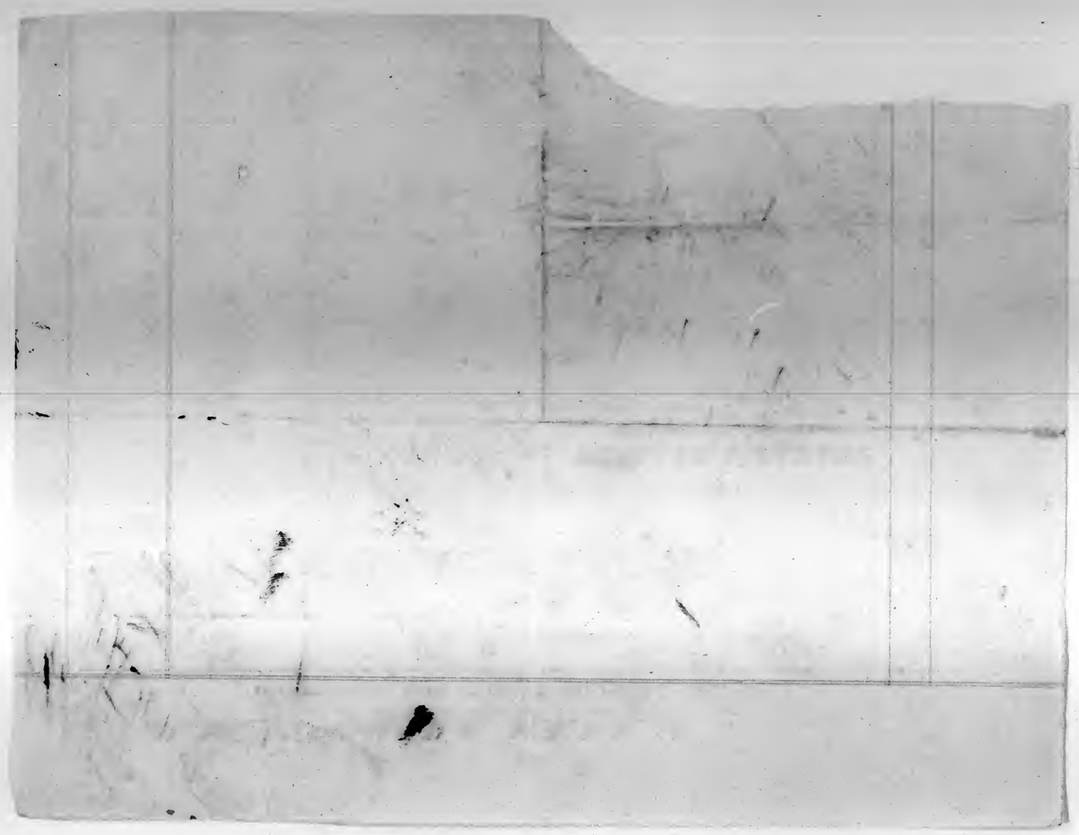
Vigilance Committee

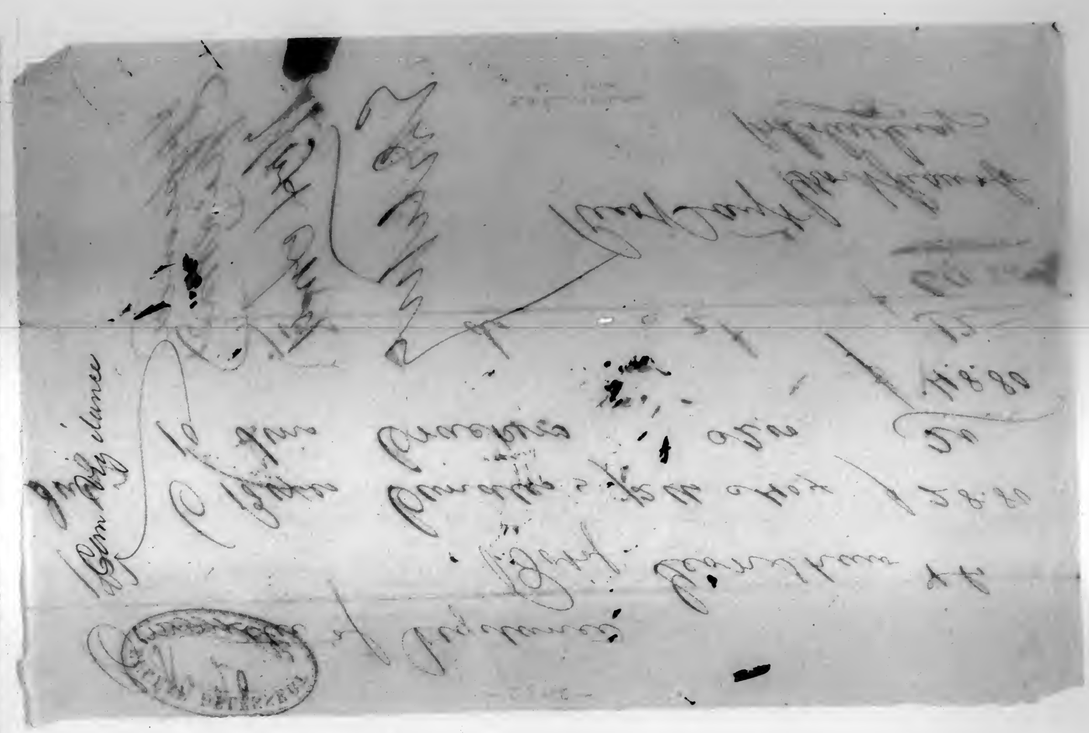
Bought of **SHIRLEY & BAYLEY,**
Montgomery St., Near the corner of Washington.

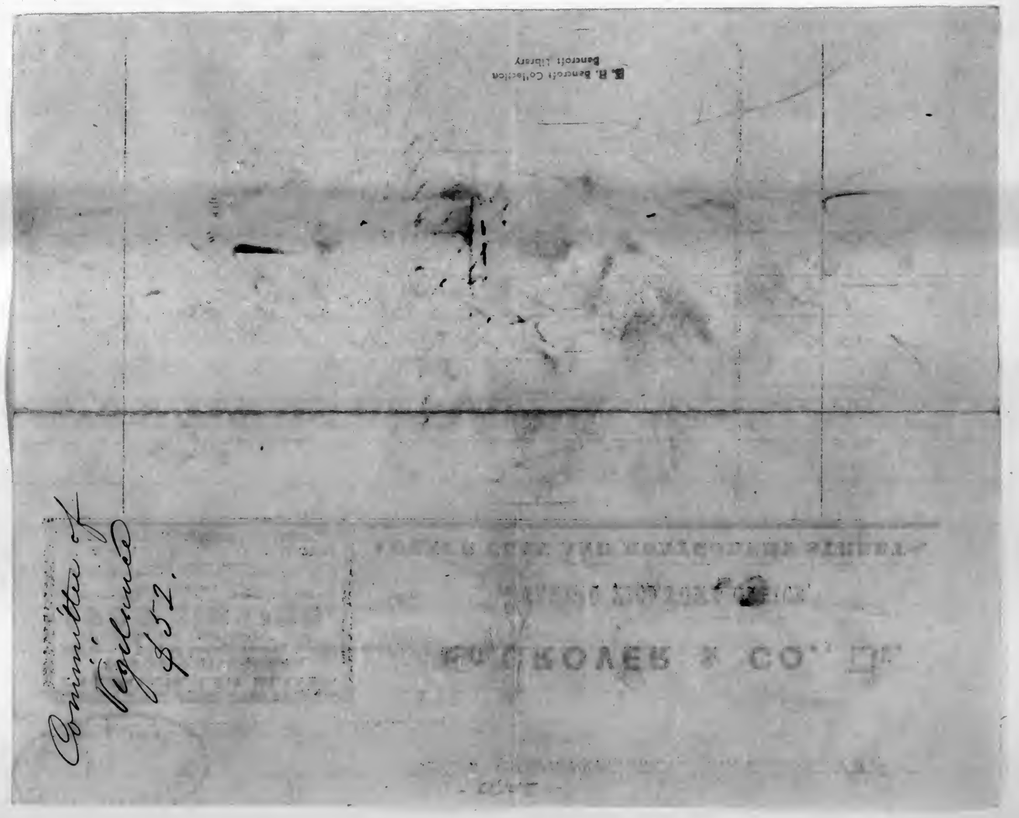
2	Covers & Basins	Rec'd Payment for Shirley & Bayley	$ 12.00
½	Sq Tumblers	July 14 1851	2 50
2	Water Pitchers		8 00
1	Sq Coffees		7 00
½	" Plate		2 —
			$ 31.50

Rec'd Payment

E. B. Bancroft Collection
Bancroft Library






B. Bancroft Collection
Bancroft Library

EUGENE DELESSERT
№ 23

San Francisco July 10. 1851

The Vigilance Committee

To Cooke & LeRoy Dr

2 Rms Cap paper	@ $7.	$14.00
4 Mems Books	" 75	3.00
1 " "		.75
1 doz lead pencils		1.50
		$19.25

Rec'd Payment
Cooke & LeRoy
per Edmund Bolton

Approved
Wm Garnett
Wm Holmes
Jr
E. Gallagher

H. H. Bancroft Collection
Bancroft Library

Rec'd from Mr Delessert on Account
Fourteen Dollars Compte of the
Vigilance Committee in full —

$116 00

Jas Taaffe McCahill

San Francisco July 11th 1851

EUGENE DELESSERT
25

H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT
№ 24

Vigilance Committee

Dr. Mayhew & Co Dr

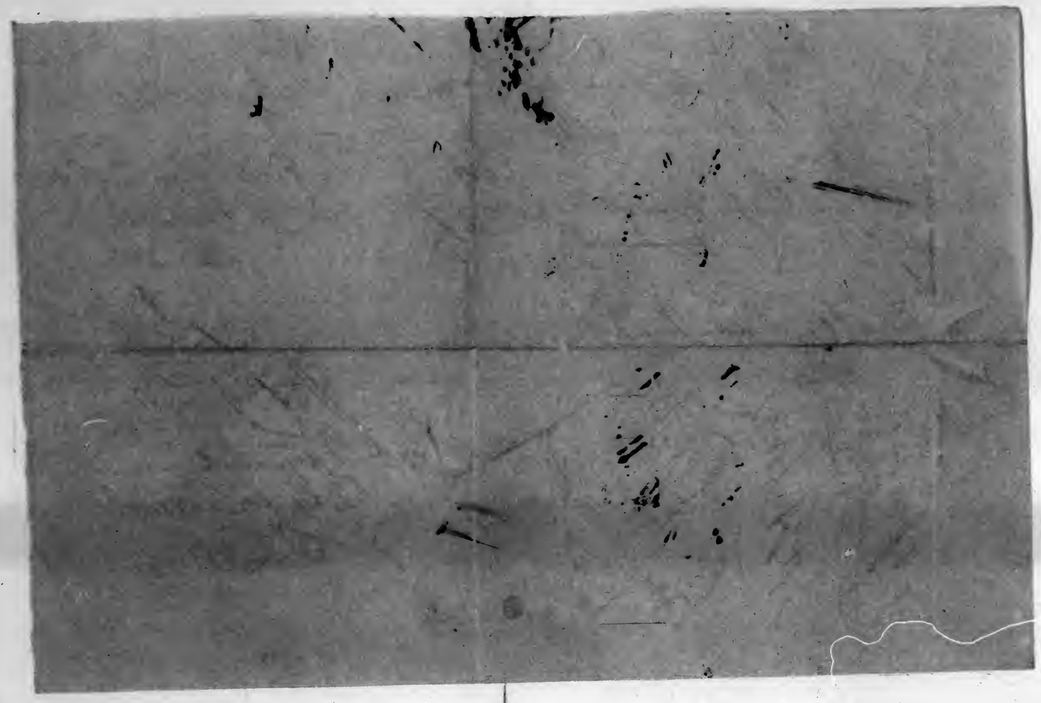
To Four Daguerreotype Miniatures		24.00

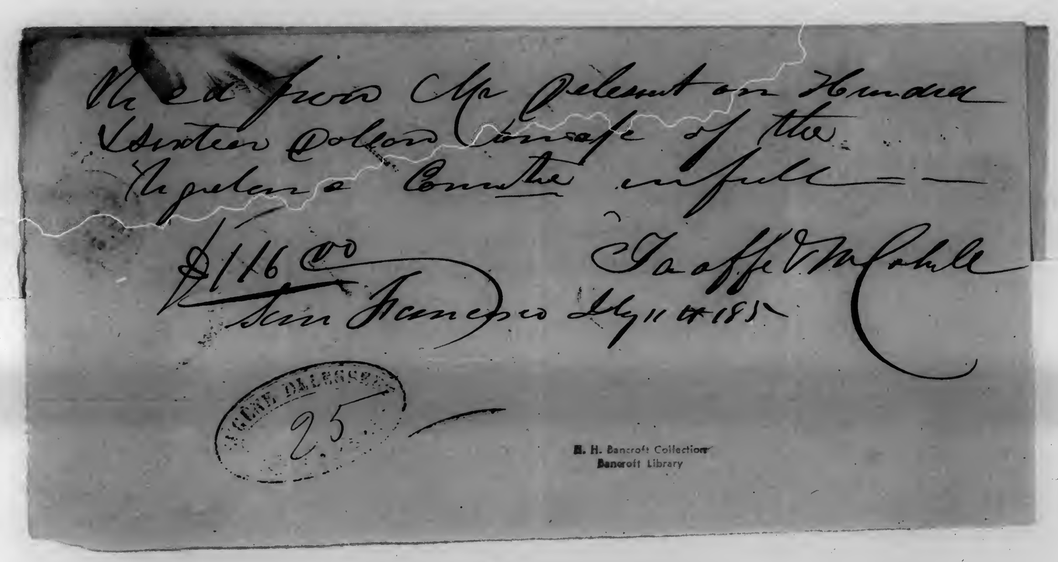
San Francisco July 8th 1851

Approved
Gen'l Ward
Wm A Jones
Geo T Baker

per Mayhew & Co

H. H. Bancroft Collection
Bancroft Library




Rec'd from Mr Belcourt on Monday
Nineteen Dollars Damage of the
Napoleon Counter in full
$19 00
San Francisco July 11th 1851
25
H. H. Bancroft Collection
Bancroft Library

Marysville 3-

San Francisco, July 10th 1851

Committee of Vigilance.

Bought of TAAFFE & McCAHILL,

IMPORTERS OF AMERICAN AND ENGLISH

Dry Goods, Clothing, Boots and Shoes,

Montgomery Street, corner of Sacramento St.

...ths, Cassimeres, Satinetts,
SHEETINGS & SHIRTINGS,
TABLE LINEN,
...rpeted Table Covers, Win...
...Curtain Damasks,
...s, Quilts, Counterpanes,
A GENERAL ASSORTMENT OF
DRY GOODS,
...ools, Steamboats, and the Oregon and Mexican Trade.

45	Pairs	Blankets
		@ 46 00 00
		$1035 00

Received Payment
per Wells Fargo & Co's Express
July 25

H. H. Bancroft Collection
Bancroft Library

EUGENE DELASSERT 26 & 50

Committee of Vigilance
Bills paid

H. H. Bancroft Collection
Bancroft Library

San Francisco June 25th 1851

Vigilant Committee. to Gardner & Elliot Dr

1851					
June	17	For	6 days work & fitting up room & Bonded Cellar @$1000		60 00
"	"	"	1892 ft of Lumber.	@5 3/4 cts	10406
"	"	"	3 Doors.	@$350	1050
"	"	"	1 Cask of nails.		801
"	18	"	1 days work.	@$10,00	7000
"	"	"	704 ft of Lumber	@5 4 cts	3872
"	"	"	3 Locks.	@$350	1050
"	"	"	1 Bell & fixtures.		525
"	"	"	3 Pairs of Butts.	@25cts	75
"	19	"	3½ days work on table & Desk &c.		3500
"	"	"	1 Handle & Latch Butts & Hooks.		125
"	"	"	264 ft of Lumber	@5½cts	1452
"	21	"	3½ days work.	@$1000	3500
"	"	"	1167 ft of Lumber.	@5½ cts	6418
"	"	"	1 Door.		350
"	21	"	3 days work on Rooms & Privy.	@$1100	3000
"	"	"	3½ " " at shop & Benches	"	3500
"	"	"	3 Carting.	@$150	450
"	"	"	2 Doors 1 Lock & Handle & Latch	@$550	1150
"	"	"	873 ft of Lumber	@5½cts	4801
"	"	"	20 ft of Joist.		110
"	"	"	1 Window		300
"	"	"	20 lbs of wrought nails	@25cts	500
"	25	"	¼ days work putting up spout.		250
					$601 84

Rec't Payment

Received on ap Four Hundred dollars
In full 2 July 1851
Finance Committee G. Elliot 201.84
Rec'd payment in full G. Elliot

approved R S Watson
Geo. R. Wats
Engineer

H. H. Bancroft Collection
Bancroft Library

No 126

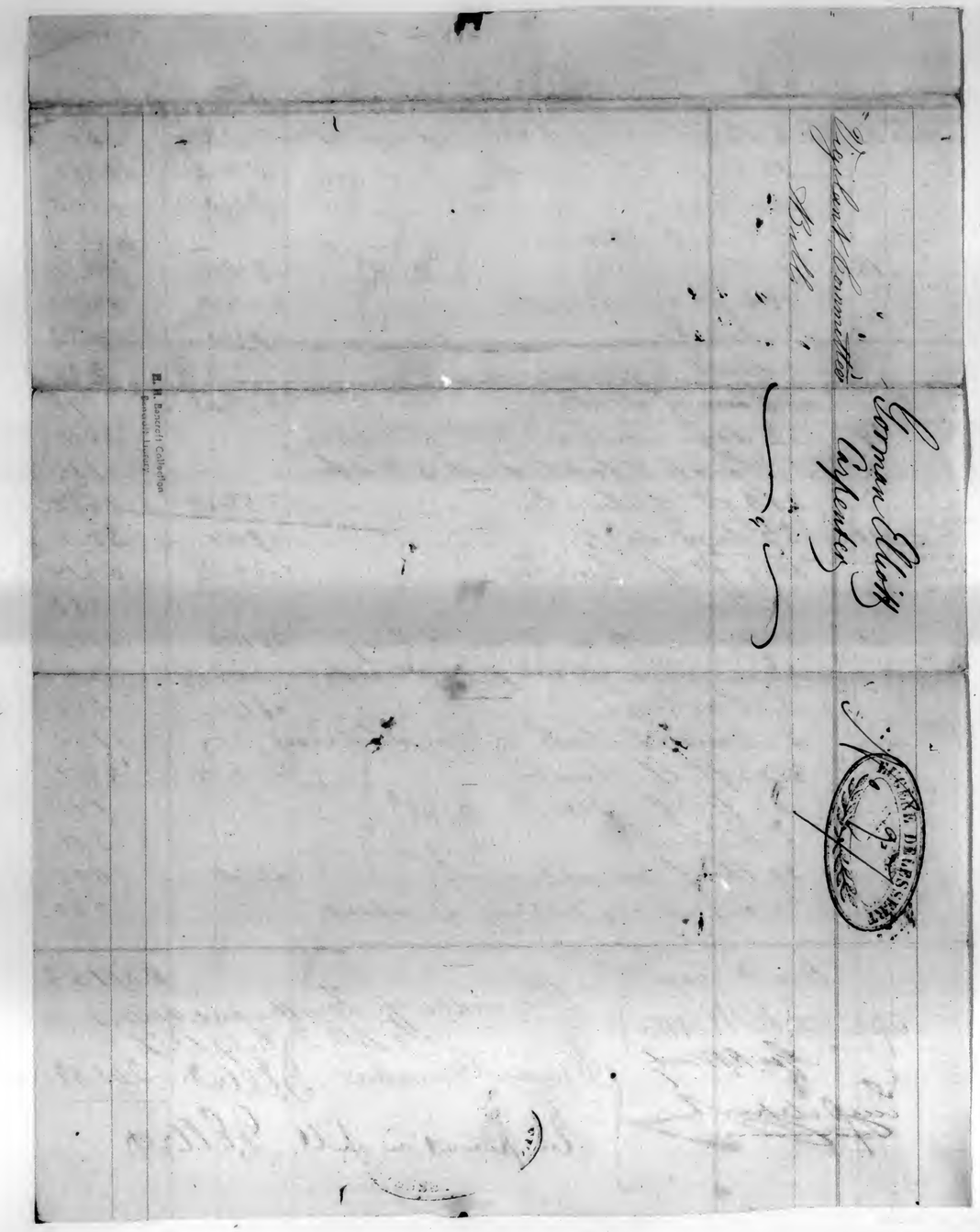
The Com of Vigilance
1851
June To S Wardwell Dr
To One Arm Chair 60.00
2½ doz Solar Lamps @$42 105.00
Use of Furniture 30.00
$195.00

Rec'd Payment
S Wardwell

McDuffee

Approved
Geo. R. Wats
Wm T Sherman
Geo T Parkes

H. H. Bancroft Collection
Bancroft Library

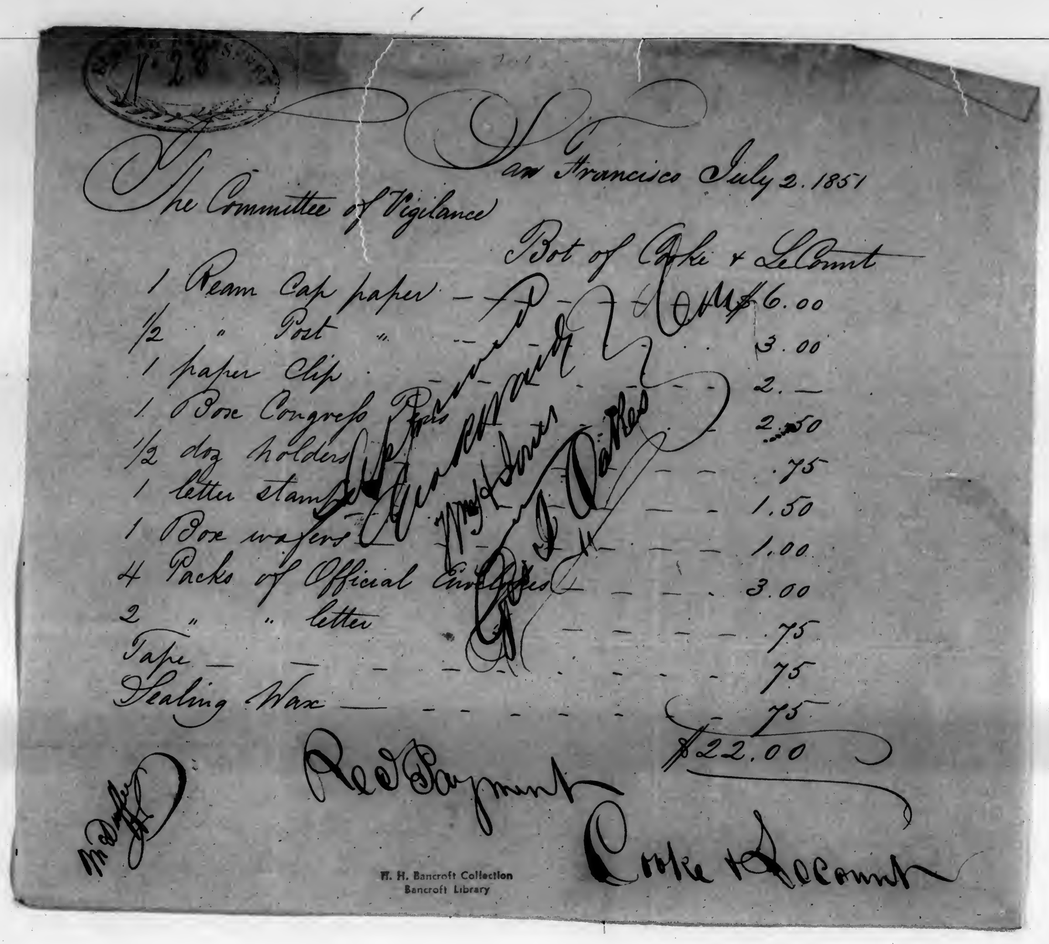


Vigilant Committee

Bill

Gorman Ellis & Carpenters

E. R. Bancroft Collection
Bancroft Library



San Francisco July 2. 1851

The Committee of Vigilance

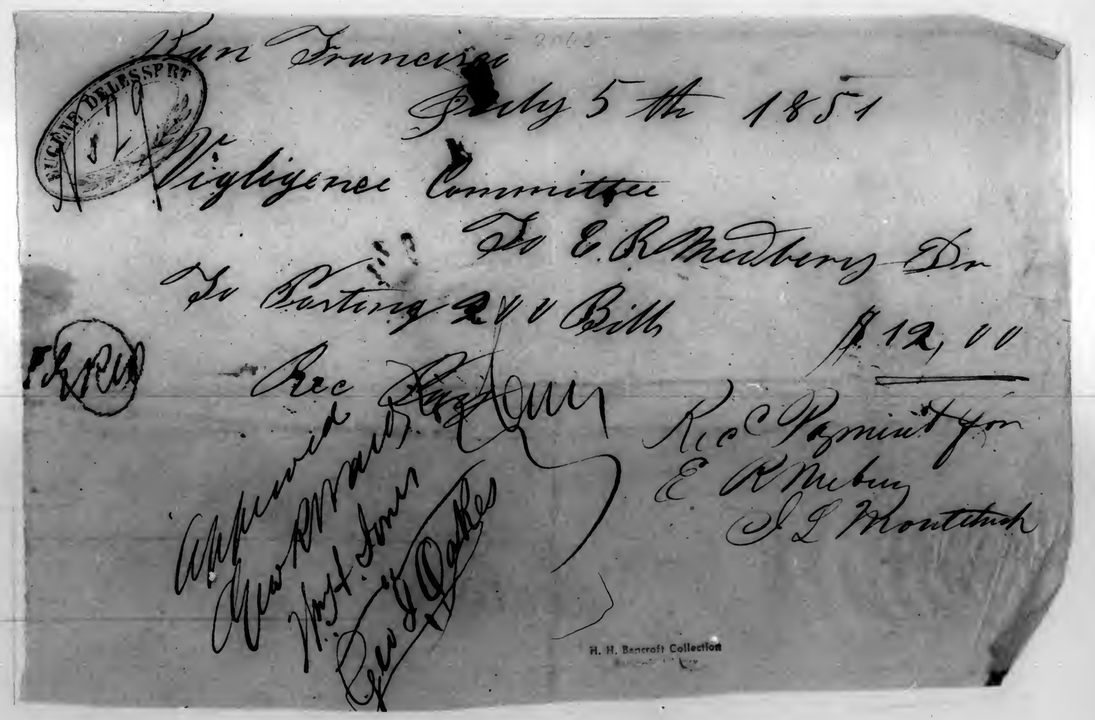
Dr to Cooke & LeCount

1	Ream Cap paper	6.00
1/2	" Post "	3.00
1	paper Clip	2.—
1	Box Congreve Lights	2.50
1/2	doz holders	.75
1	letter stamp	1.50
1	Box wafers	1.00
4	Packs of Official Envelopes	3.00
2	" " letter	.75
	Tape	.75
	Sealing Wax	.75
		$22.00

Rec Payment

Cooke & LeCount

H. H. Bancroft Collection
Bancroft Library



San Francisco

July 5 th 1851

Vigilgence Committee

To E. R Mudbury Dr

To Carting 2 Vt Bill $12,00

Rec Payment for

E R Mudbury

J L Monticth

H. H. Bancroft Collection

EUGENE DE LESSEPS No 30

$17.50

Vigilance Committee

To Bearer for
Boat hire for Committee $17.50

Rec'd the above amt
Charles A. Wilson

H. H. Bancroft Collection
Bancroft Library

EUGENE DE LESSEPS No 33

July 8. 1851. Recvd from E. Delessep the sum of Twenty Dollars in full for two Bills of Boat Hire for Vigilance Committee

20 ℔

Herald Harrison

H. H. Bancroft Collection
Bancroft Library

HERALD JOB OFFICE.

We have attached to the Printing Office of the Herald a full and complete JOB OFFICE, and are prepared to execute all orders for

Posters, Handbills, Circulars, Billheads,

BLANKS, CARDS,

CATALOGUES, &C.,

IN A STYLE UNSURPASSED IN THIS CITY AND AT REMARKABLY LOW RATES.

San Francisco, June 26th 1851

M. Committee of Vigilance

To SAN FRANCISCO HERALD, Dr.

OFFICE, CLAY STREET,

Three Doors Below Montgomery, North Side.

200 Extra Large Posters in English French Germ & Spanish $30.00

Pay R. S. Watson
Geo Mans
Lyn Adgett
Jeff
D. Salmon
W. H. Smith

Rec'd Pay
for Nugent & Co
& O. Ramm.

EUGENE DE LESSEPS No 34

B. H. Bancroft Collection
Bancroft Library

EUGENE DE LESSEPS No 31

1851 Vigilance Committee

To Clark & Simpson Dr.

Carriage & Expenditures $25,00

Rec'd Pay
Clark & Simpson
per Clapp

B. H. Bancroft Collection
Bancroft Library

EUGENE DE LESSEPS No 32

1851 Vigilance Committee

To Clark & Simpson Dr.

July Hoppner Walker
Geo Wagner
Lyn Adgett

Hire of Horses & Carriage $25,

Rec'd Pay
Clark & Simpson
per Clapp

B. H. Bancroft Collection
Bancroft Library

$100

$100. One Hundred Dollars sent from treasury of Vigilance Committee to defray passage & Hotel Expenses

Clark & Simpson

EUGENE DE LESSEPS No 35

July 24 51

B. H. Bancroft Collection
Bancroft Library

Com'ee of Vigilance
Herald Office

B. H. Bancroft Collection
Bancroft Library

No 37

San Francisco July 6. 1851

Received from E. Delessert Treasurer of the Committee of Vigilance Fifty Dollars on Acc. of Services for Committee

$50.

Approved
J. C. Fremont
Jos. Hetherington

Cy Thieston.

E. DELESSERT 37

B. H. Bancroft Collection
Bancroft Library

E. DELESSERT 36

Pacific Oil Works,
LOWER PINE ST.

San Francisco, July 1 1851

Messrs Com'ee

Bought of BAILEY, GILBERT & ~~CANFIELD~~,
Manufacturers of Sperm, Lard and Polar Oil.

1 Barrel Blend Oil 30 gals @ 1.45 $43.50

Rec'd pay't Bailey Gilbert & Co

B. H. Bancroft Collection
Bancroft Library

No 8 No 38.

E. DELESSERT No 38

San Francisco July 22d 57

The Committee of Vigilance Dr
To E. H. Miller

for cash expended by him in going to and returning from Sacramento City three times for the purpose of arresting Jimmy from Town, Deb, Ainsworth, & Geo Adams. $100

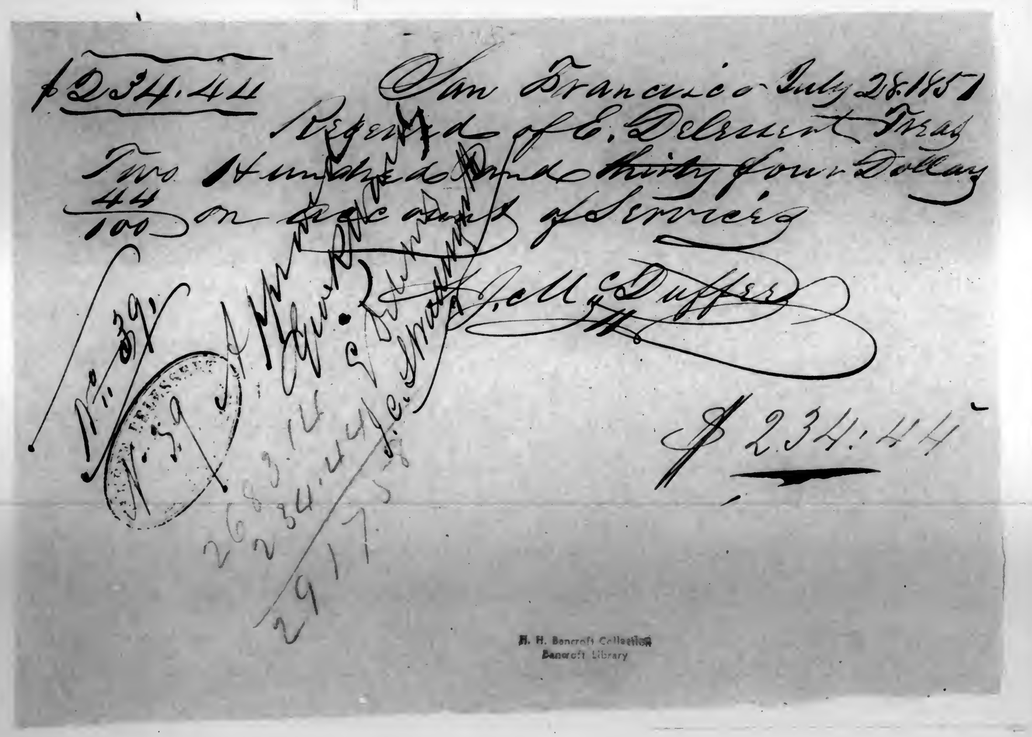
By order of the Executive Committee
Wm. C. Graham Sec'y

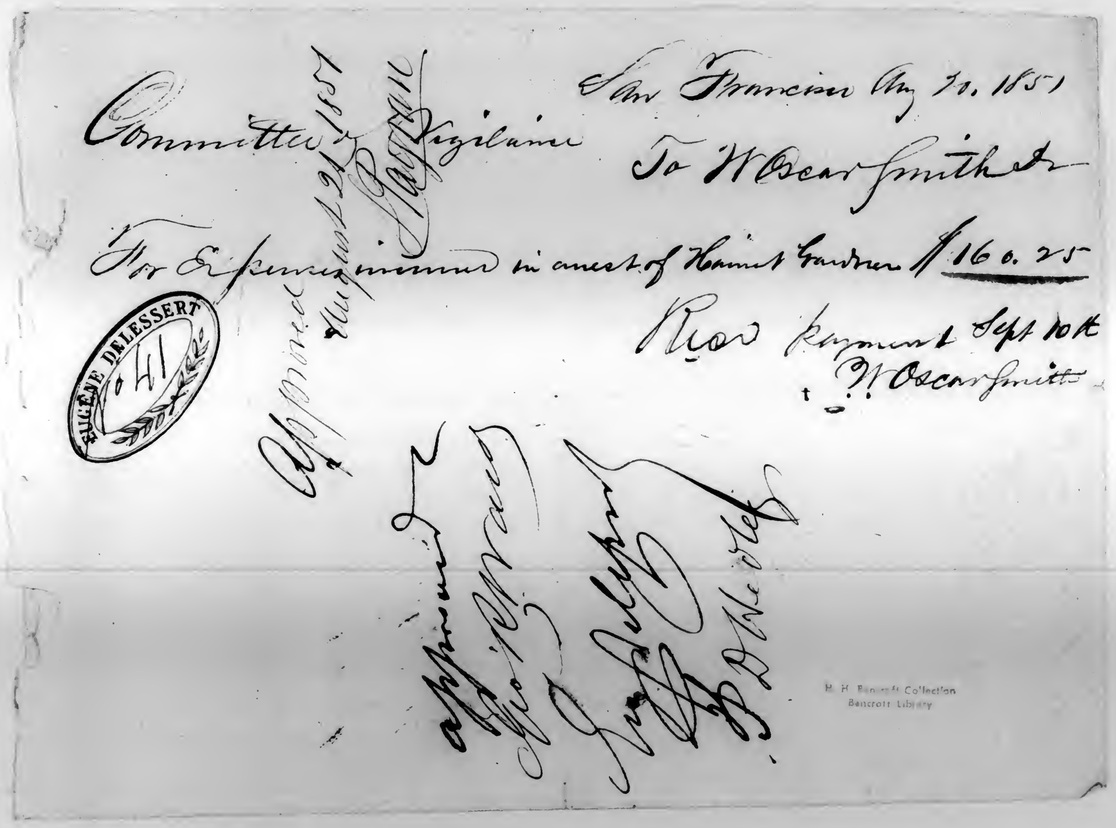
G. W. Rychman Chairman

B. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

Vacher no 40
Le Popular Tribunals I, 338


H. H. Bancroft Collection
Bancroft Library


H. H. Bancroft Collection
Bancroft Library

Mr. Oscar Smith

Boarding Expenses

Aug 20th 1851

H. H. Bancroft Collection
Bancroft Library

(2)

(C)

Proposal to pay at sight
the sum of two hundred
& twenty five dollars
per [illegible] the committee
for [illegible] Money of defunct
persons [illegible]

[illegible]
Treasurer

$225.

San Fco 13th Sept 1851

Rec'd payment James Farries
Master Brig Jane

H. H. Bancroft Collection
Bancroft Library

1-6-53

San Francisco Sept 11th 1851

Vigilance Committee Dr to

Cartage & Trains for Carriage hire

the sum of fifty dollars $50 00

Recd the above sum from

Mr Dellatti

Approved by
the whole committee
the 9th Sept 1851

J R Jones & Co

H. H. Bancroft Collection
Bancroft Library

J

San Francisco, Septr 13 1851.

M Vigilance Committe

Bought of **BULLITT, PATRICK & DOW,**

AUCTION AND COMMISSION MERCHANTS,

Battery Street, between California and Pine Streets.

All Goods to be taken away within 24 hours of the sale. No reclamation or deduction on goods made within 8 days or after having left the city.

1 Month Rent of Rooms occupied by [illegible] from August 18. to Sept 18. $100 —

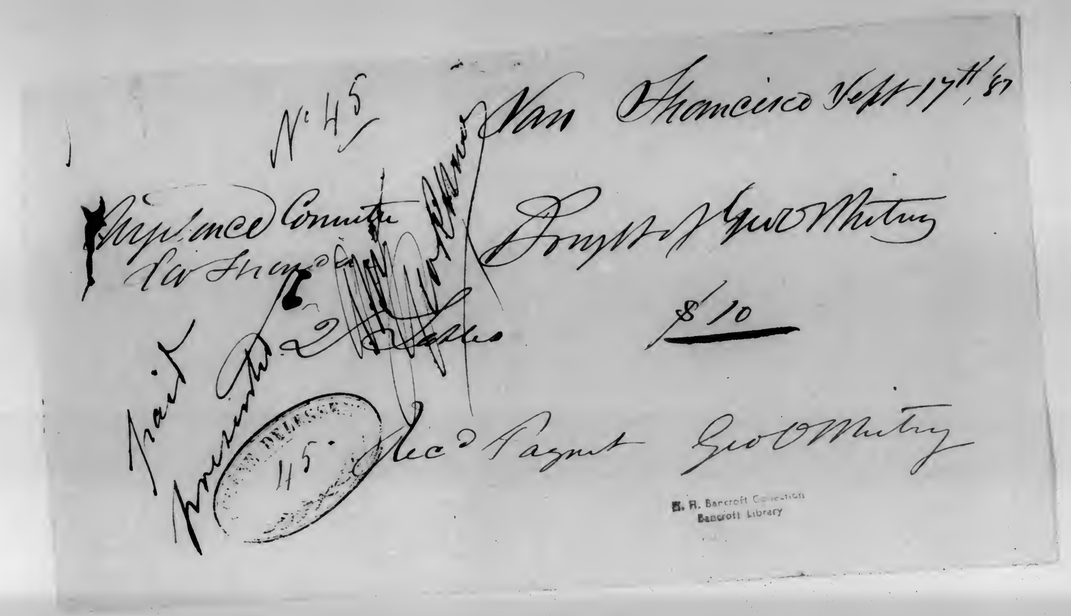
Appropriated by Mr W K Dow,
W V Bullitt & H Atherton 100 —

$ 200 —

Rec'd Payment

Bullitt Patrick & Dow
By London & Jones

H. H. Bancroft Collection
Bancroft Library



№ 45

Vigilance Committee
For Services rendered

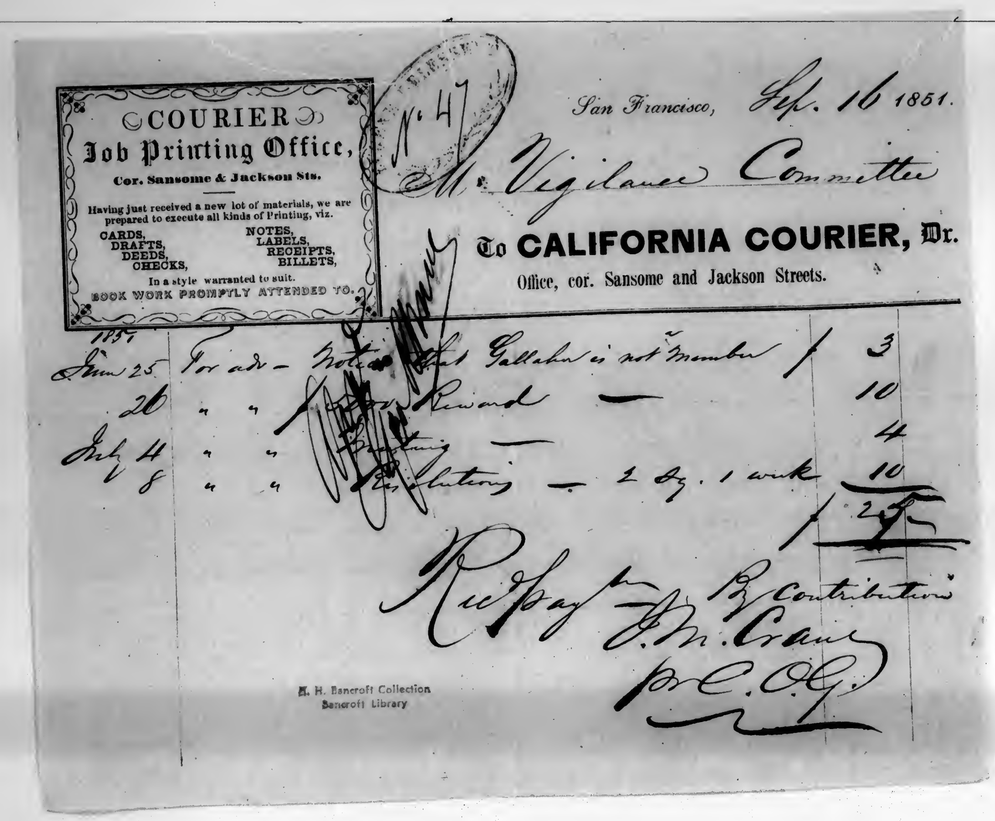
San Francisco Sept 17th 1851

Dollars 10

Rec'd Payment
Geo O Whitney

DELIVERED
45

H. H. Bancroft Collection
Bancroft Library



COURIER
Job Printing Office,
Cor. Sansome & Jackson Sts.

Having just received a new lot of materials, we are prepared to execute all kinds of Printing, viz.

CARDS, NOTES,
DRAFTS, LABELS,
DEEDS, RECEIPTS,
CHECKS, BILLETS,

In a style warranted to suit.
BOOK WORK PROMPTLY ATTENDED TO.

DELIVERED
№ 47

San Francisco, Sep. 16 1851.

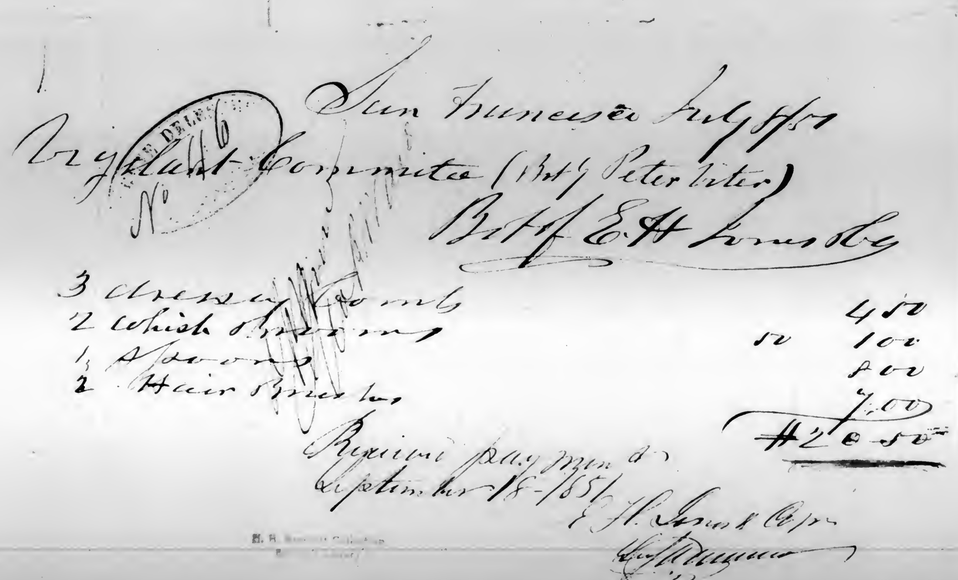
M. Vigilance Committee

To CALIFORNIA COURIER, Dr.
Office, cor. Sansome and Jackson Streets.

1851			
June 25	For advertising Hotchkiss' Trial Gallatin is not Member	1	3
" 26	" " Reward —		10
July 4	" " Printing —		4
" 8	" " Circulars — 2 dy. 1 work		10
		1	27

Rec'd Payt
By Contributions
D. M. Crane
pr C. O. G.

H. H. Bancroft Collection
Bancroft Library



№ 46

San Francisco July 15th
Vigilance Committee (Butte Letter)
Bot of E H Rumsey

3 dozen Envelopes		45
2 Quires Printing		100
½ Ream		200
2 Hair Sheets		7 00
		$20 50

Received payment
September 18-1851
E. H. Rumsey & Co
by [illegible]

H. H. Bancroft Collection
Bancroft Library

ALTA CALIFORNIA NEWSPAPER AND JOB PRINTING OFFICE.

E. GILBERT, E. C KEMBLE, PROPRIETORS. J. E. DURIVAGE, E. CONNER.

PORTSMOUTH SQUARE.

The Daily Alta California,
The first Daily Paper ever issued on the Pacific Coast, is Published every morning, (Sundays included,) at 4½ cents per week, payable to the Carrier.

The Weekly Alta California,
Is published every Saturday morning, and regularly mailed to subscribers in the country or the Atlantic States, at $6 per annum.

JOB PRINTING,
Of every description executed with neatness and dispatch.

№ 48

San Francisco, Aug 2nd 1851

Vigilance Committee
To E. Gilbert & Co., Dr.

July	Printing 500 Circulars.	$18

Rec'd pay't
Gilbert & Co
pr D. A. Nedermeyer

H. H. Bancroft Collection
Bancroft Library

10

Bill Mr Dellerson Please let George have Ten Dollars on acct,

Obliged yours Respy

D L Oakley
Sergt at Arms

Committee
Sept 22 1851

I have no cash on hand

No 50
H. H. Bancroft Collection
Bancroft Library

Vigilance Committee
818.
Col Eccleston
Heights Wadsworth

H. H. Bancroft Collection
Bancroft Library

No. 49

Committee of Vigilance Office

Sept 1st 1851

Received from Peter Wilson Esq Fifty Dollars on account

$50.00

Paid $5.00
Paid Bands .50
Bills 44.50
$50

No 49
H. H. Bancroft Collection
Bancroft Library

Committee of
Allegiance
Bill

H. H. Bancroft Collection
Bancroft Library

C. Delessert Esq
Paris

H. H. Bancroft Collection
Bancroft Library

EUGENE DEL. SAXTON
51 f 75

Committee of Vigilance
Bills paid

H. H. Bancroft Collection
Bancroft Library

EUGENE DEL. SAXTON
53

San Francisco July 1851

Committee of Vigilance
Bought of Geo. N. Shaw & Co.
Commission Merchants Bakers & Navy Pilot Bread

10 ½ Candles 120lbs @ 10 | 18
½ Butter 110lbs @ 10 | 11.10
| 52.10

Selected Ligure & Co

Rec'd Payt
Geo N Shaw & Co
per H C Shaw 542. 6.

H. H. Bancroft Collection
Bancroft Library

Rec'd San Francisco Sept 25th 1851 from
E Selessek Treasurer on acct of Services
one hundred Dollars $100
Gard L Oakley
Dept Ad'jt Gen'l &c

EUGENE DEL. SAXTON
N 51

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee
1851
July 12 To Mdse
" 13 " " "
Augt 14 " "

San Francisco
To W. O. Johnson & Co Dr
5.00
5.00
15.00
25.00
5.00
50.00

Sept 26, 51 Rec'd payt W. O. Johnson & Co

H. H. Bancroft Collection
Bancroft Library

ADVERTISEMENTS
INSERTED ON THE
MOST REASONABLE TERMS.
JOB PRINTING
OF EVERY DESCRIPTION DONE IN THE
BEST STYLE WITH
Dispatch and Promptitude.
OFFICE ON
Montgomery St., opposite Merchant.

EUGENE DEL. SAXTON
52

San Francisco, 26 Sept 1851

M.r. The Vigilance Committee

TO THE MORNING POST, DR.

26	Jun.	To advtg	in ac Gallagher	14 $ 3.—
28	"	"	resolution at Meeting	" 31 4.—
1	July	"	" Meeting	2.—
7	"	"	" Book	2 " 31 8.—
19	"	"	" Receipt of $5000.—	17 " 26 July 2, 20.—
				$ 37.—

Rec'd Payment
Shepard & Co.
by W Richards

H. H. Bancroft Collection
Bancroft Library

EUGENE DEL. SAXTON
36

Sept 25. 1851

Com. P. & Outfits
Ext Army

$17.32

Received Payment
Thos Blaxm

H. H. Bancroft Collection
Bancroft Library

George Pfeiffer in account with the Committee of Vigilance of San Francisco Sept 25th 1851

Dr

To Cash	June	28th	10"
" "		18th	20.
" "		25	30"
" "		3d	20"
" "		13	40"
" "	By receipt, Pl as cash		
to E Delessert,	By A.J. McDuffie		30"
To Cash, per order on Treasurer			10

$2.80
$1.80"

Cr

By Services from June 19th to Sept 19th 3 Mos at $100 pr mo		300
" Five Days work at $3.50 pr day		17.50
		$317.50
		180
		$137.50

$137.50

Pd me only $137.50

E E

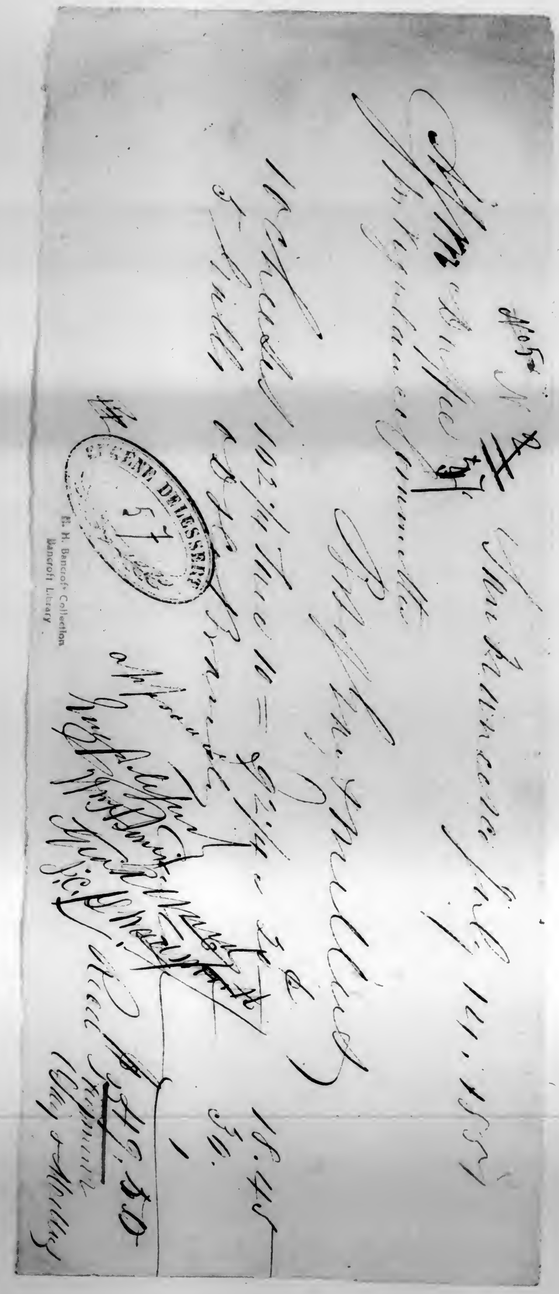
Correct
D. L Oakley
Sergt at arms

Will Wm E Dellessert please pay George (late Porter to the Committee, one hundred & thirty seven Dollars being the amount due him,

D and L Oakley V.A.A.

Sept 25th 1851

H. H. Bancroft Collection
Bancroft Library


H. H. Bancroft Collection
Bancroft Library

George Steiker, in account with the Committee of Vigilance, San Francisco Sept 25th 1851

Dr

To Cash	June	28th	10"
" "		18th	20.
" "		25	30"
" "		3d	20"
" "		13	40"
" "	by	Receipt, Pd as cash	
to E Delisser,	by	A J. McDuffie,	50"
To Cash,	per	Order on Treasurer	10

$180

$180 "

Cr

By Services from June 19th to Sept 19th 3 Mos at $100 per mo $300

" Five days work at $3.50 per day 17.50

$317.50

180

$137.50

$137.50

Pay me only One Hundred and Thirty Seven Dollars

G Steiker

Correct

D. S Oakley

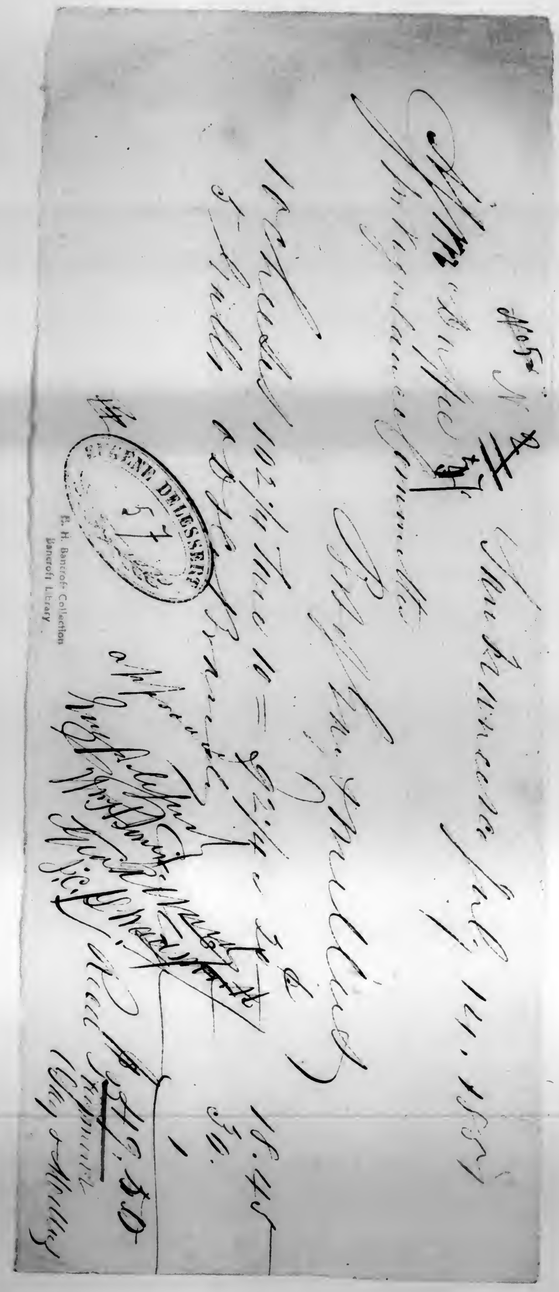
Sergt at arms

Pay Wm E Dellisser, please pay George, late Porter to the Committee, one hundred & thirty seven dollars being the amount due him,

Sept 25th 1851

D and S Oakley V. A. C.

H. H. Bancroft Collection
Bancroft Library



Gov Pfister in ago
with the U. S.

H. H. Bancroft Collection
Bancroft Library

58 No. 58

EUGENE DELESSERT 58

No 3

The Vigilance Committee

To Pioneer Club House Dr

For Liquors &c Brandy Gin &c
furnished on board Ship Adirondack $40.00
" " " " " " " 18.00
$58.00

Rec'd Payment
San Francisco Aug 16. 1851.

H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT 59

Vigilance Committee
To Baker & Messn Dr

To 70 yds Broadcloth @ 12½ $8.75
" 150 " Satinett " 7½ 11.25
" 4 Pairs Socks " 15 " .60
" Work Clothing & Caps 12.00
" Putting up & taking Orders &c 3.00
$35.60

Rec'd Payt
Baker & Messn
San Francisco July 2nd 1851

[Miscellaneous]

H. H. Bancroft Collection
Bancroft Library

San Francisco, Augt 5th 1851

Mess Committee of Vigilance

Broad Cloths, Cassimeres, Satinetts,
LINEN SHEETINGS & SHIRTINGS,
TABLE LINEN,
Cloth and Worsted Table Covers, Window Curtain Damasks,
Blankets, Quilts, Counterpanes,
AND A GENERAL ASSORTMENT OF
DRY GOODS,
Suitable for Hotels, Steamboats, and the Oregon and Mexican Trade.

Bought of TAAFFE & McCAHILL,
(THE IRON STORE,)
IMPORTERS OF AMERICAN AND ENGLISH
Dry Goods, Clothing, Boots and Shoes,
Montgomery Street, corner of Sacramento St.

1 Bx Hickory Shirts @ $7.50
1 " Wool Hats 3.00
½ " Felt Hats 15 7.50
1800
1 Plain Coat 8.00
$26.00

EUGENE DELESSERT 60

Rec'd payment
Aug due Taaffe. McCahill & Co
$26.00

H. H. Bancroft Collection
Bancroft Library

San Francisco Oct 15. 1851

Ex Committee of
Committee of Vigilance

EUGENE DELESSERT 61

To J Bluxome Jr

For Services as Secretary 1 mo $100.

Received Payment
Isaac Bluxome Jr

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee

Ryan & Duff &c

To 4 1/2 days bricklaying & Carpenters.
Fitting up room @ $10.00 $ 45.00

San Francisco
29th Septr 1851

Rec'd Payment
Ryan & Duff

Vigilance Com'ee
$35.00
July 2 1851
14 + 2
9/14 12/14

To be Paid by Louis Dc
Dupont 9th 1851

H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT
62

Taffe v McCahill
Bill of Costs
Aug 6th 1851

Com. of Vigilance

1107

H. H. Bancroft Collection
Bancroft Library

Superior Court
Peter Metcalf
vs
George Melling, F. A. Woodworth, David Oakley & Thomas McCahill, George E Schmidt — Bimly

$ 50 =

Received November 11. 1851. of Isaac Bluxome one fifty dollars on account of our costs against the said defendants, & cover disbursements —

Wood & Cook
Defts Attys

EUGENE DELESSERT
63.

H. H. Bancroft Collection
Bancroft Library

Vigilance Com'ttee
$38.50
July 2 1851

144 2

To be offset by Innis & Co
August 9th 1851

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee

EUGENE DELESSERT
62

Ryan & Duff dr

To 4 pr. dys. breakfast & dinner Carpenters.
Fitting up Room $ 10.00 $ 40.00

San Francisco
29th Septr. 1851

Sept 30 '51

Rec'd payment
Ryan & Duff

H. H. Bancroft Collection
Bancroft Library

Taffe v. McCalvis
Bill of Costs
Aug 6th 1851

Com. of Vigilance

1107

H. H. Bancroft Collection
Bancroft Library

Superior Court -
Peter Metcalf
vs
George Melling, F. A. Woodworth, Daniel Oakley & Thomas McCahill, George E. Schmidt — Binding

EUGENE DELESSERT
63.

$ 50 —

Received November 11. 1851. of Isaac Bluxome one $, fifty dollars on account of our costs against the said defendants, & cover disbursements —
Wood & Cook
Def's Attys

H. H. Bancroft Collection
Bancroft Library

San Francisco 14 novbre 1851.

Mr. Le Comite de Vigilance Rue Mt E. Delevet

Bought of Chs Bertrand

Corner of Kearney & Sacramento Streets.

21	lbs	Crepe Net	$ 21.

Rec'd Payment

Ch. Bertrand.

RECEIVED DEC 5 1851 64

H. H. Bancroft Collection Bancroft Library

San Francisco Oct 21/51

Vigilance Comtee

To Jno Middleton Dr.

To 2 months rent for rooms Cor. Sansome & Sacramento Sts from Sept 18th Nov. 18 payable in advance $100.—

" 1 large roll matting 10.—

$ 110.—

Rec'd payment

A & C Broadfoot

for J. Middleton

RECEIVED DEC 5 1851 66

H. H. Bancroft Collection Bancroft Library

St Francisco November the 25th 1851

Vigilance Comtee

to D. Rosenthal

2	yds	crape	$1 —
		Paper Cuts	2 —
			$3.2 —

Rec'd Cash

D. Rosenthal

RECEIVED DEC 5 1851 65

H. H. Bancroft Collection Bancroft Library

$50

Receive for Rent of the committee Rooms fifty dollars —

San Fco 24 Nov 1851

Rec'd pay't

A & C Broadfoot

RECEIVED DEC 5 1851 67

H. H. Bancroft Collection Bancroft Library

Committee of Vigilance

Bot of C. S. Thomas

1852 69

Jany 5	5	Boxes Sperm candles	10 lbs @ 70 $7.00

Paid

San Francisco Jan 30/52

C. S. Thomas

RECEIVED DEC 5 1851

H. H. Bancroft Collection Bancroft Library

San Francisco Dec 18/51

Vigilance committee

To Auction Saloon &c

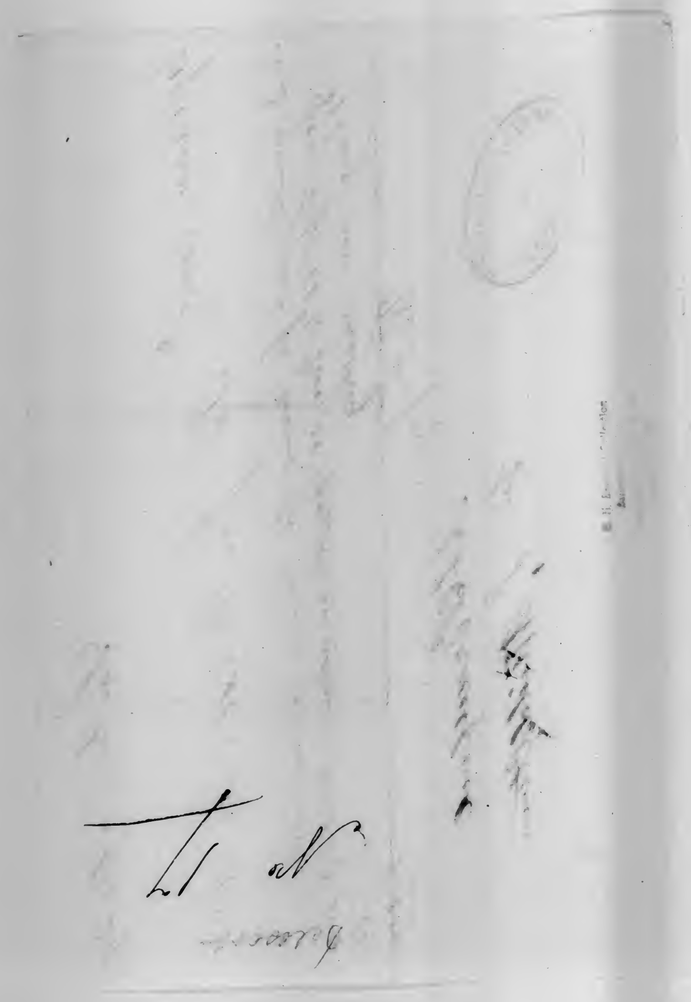
To two months rent ending Decr 18th 1851 payable in advance $100.00

Rec'd Pay't

Broadfoot & Sadler

RECEIVED DEC 5 1851 68

H. H. Bancroft Collection Bancroft Library



San Francisco, Sept 1851.

M. Committee of Vigalance

Herald Job Office.
POSTERS, HANDBILLS,
Circulars, Bill-Heads, Blanks,
CARDS, &C.,
Promptly executed at moderate prices.

EUGENE DELESSERT 70

Co SAN FRANCISCO HERALD, Dr.
OFFICE, CLAY STREET,
Three Doors below Montgomery, North Side.

for	Add'l $5000 Reward from June 25th to Aug 25	
	2 Sgt 2 Mos @ $15 pr Sgt	60.00
	Mirror Lost from Ad 2nd 1 Month	10.66
Sept 16	Notice of Meeting	1.50
" 19	Notice to Members 1 Sq 7 times	10.00
" 23	Notice of Meeting 2 Times	3.00
		$85.16
	Deduct for the Good of the Cause	35.16
	Amt due	$50.00

Rec'd Pay
Augt 1st
for Wildcreek

H. H. Bancroft Collection
Bancroft Library

San Francisco, Oct 13 1851

M. Vigilance Committe.

Herald Job Office.
POSTERS, HANDBILLS,
Circulars, Bill-Heads, Blanks,
CARDS, &C.,
Promptly executed at moderate prices.

EUGENE DELESSERT 72

Co SAN FRANCISCO HERALD, Dr.
OFFICE, CLAY STREET,
Three Doors below Montgomery, North Side.

Act. Notice of Meeting 1 Sq 3 times $6.00

Rec'd Pay
Augt 1st
for Wildcreek

H. H. Bancroft Collection
Bancroft Library

San Francisco, Oct 1st 1851.

M. Committee of Vigalance

Herald Job Office.
POSTERS, HANDBILLS,
Circulars, Bill-Heads, Blanks,
CARDS, &C.,
Promptly executed at moderate prices

EUGENE DELESSERT 71

Co SAN FRANCISCO HERALD, Dr.
OFFICE, CLAY STREET,
Three Doors below Montgomery, North Side.

	Notice of Meeting 1 Sq		2.00
Oct 2nd	" of Meeting		2.00
"	Resolutions &c	134 Ozs	5.00
			$9.00

Rec'd pay
Augt 1st
for Wildcreek

H. H. Bancroft Collection
Bancroft Library

Vigilance Committe
To Brent & Bowman Dr
Aug 13 Carriage & Horse Hire 3.50

San Francisco
Oct 2 1851
State what for

EUGENE DELESSERT 73

H. H. Bancroft Collection
Bancroft Library

July 13 Hire & Saddle Horses 20.00
" " Buggy Hire 10.00
August 1st " Carriage Hire 5.00
$35.00

Newark
Garrison
Texas

B. H. Bancroft Collection
Bancroft Library

Committee of Vigilance

Committee of Vigilance

B. H. Bancroft Collection
Bancroft Library

Information
No 44 61

San Francisco July 19th 1851

Vigilance Committee

To Green Bowman

July 13th " 4 Saddle Horses & Buggy 200 00
" " " Use of Do 100 00 $300

Victoria Macdonald

Sec'd Pay't

Green Bowman

Jas Scott

EUGENE DELESSERT 73 a
H. H. Bancroft Collection
Bancroft Library

Vigilance Comitte

Bought of E. Bowen

To E. Bowen
of Sausalito

for Expenses of trip for Sausalito
& back to give information concerning
Brig Malek Adhel ——— $11—

San Francisco July 22/50

Rec't Payment.

E. Bowen

Note
James F. Cutter is authorized to receive above

EUGENE DELESSERT 74
H. H. Bancroft Collection
Bancroft Library

Rec'd of the Vigilance Committee
by the hands of J. Payrann Sixty
five Dollars for Carriage Hire
San Francisco
Nov 17— 1851 Sibert
for Green Bowman

$35

EUGENE DELESSERT 73 c
H. H. Bancroft Collection
Bancroft Library

10 odk h 3 mm
My Pt of Drawn
Dickel Charly

EUGENE DELESSERT 75.

San Francisco Sept 15 1851

Committee of Vigilance

To J. F. & Mallett Dr

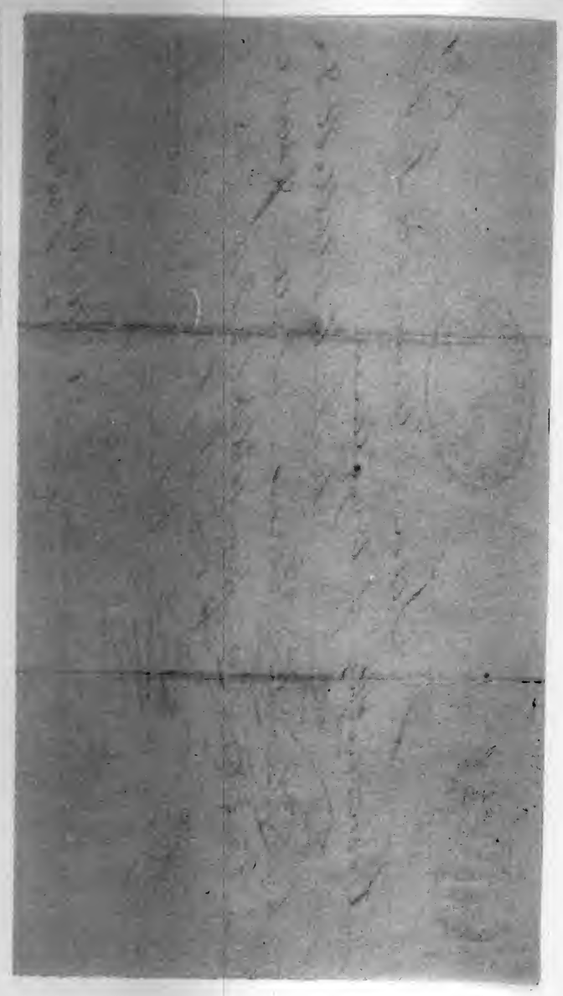
to Hire of 5 Horses - at 5 ea $20 ea
" Carriage Hire from 10 odk to 3 PM 25.00
" Road Pay't
$45 00

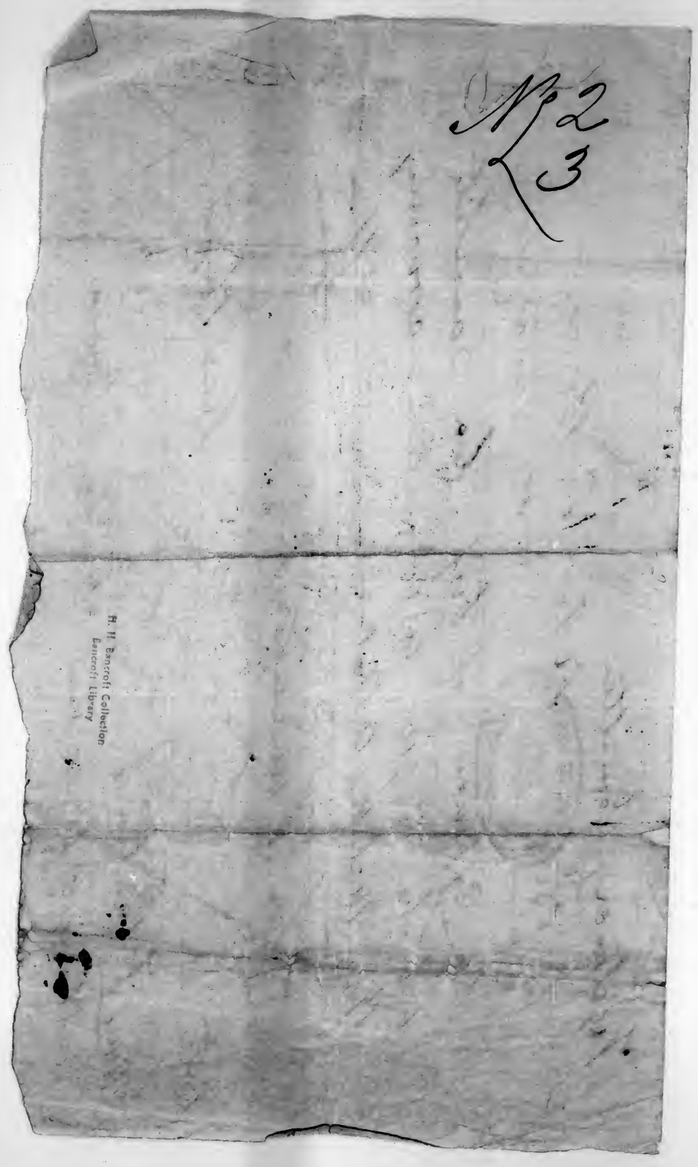
By Order of Police
Rec'd Sept
J. F. & Mallett
& H. Wm Evatt

H. H. Bancroft Collection
Bancroft Library

№ 22.

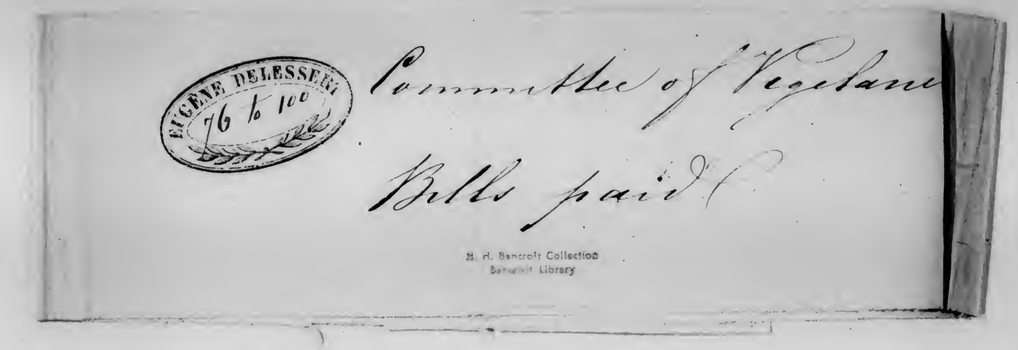
H. H. Bancroft Collection
Bancroft Library



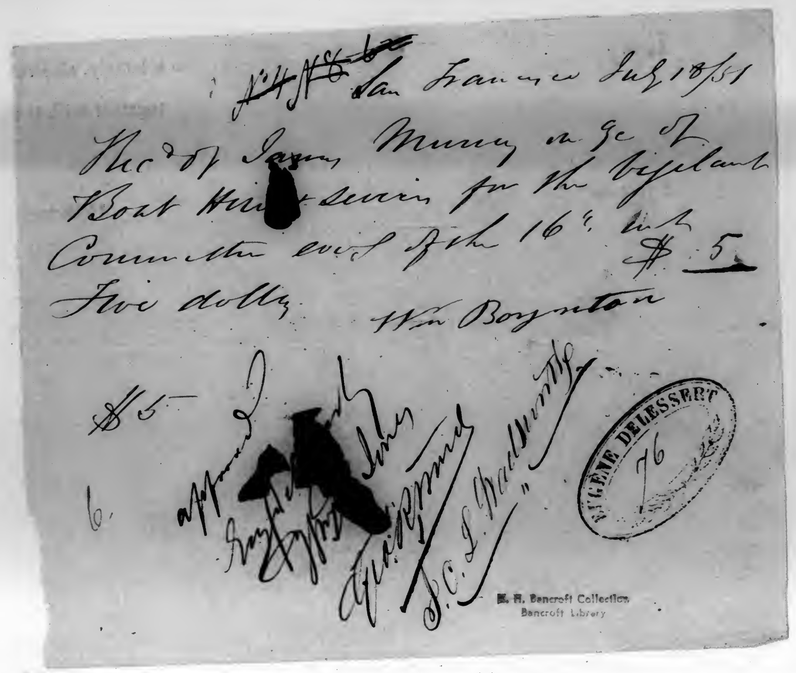


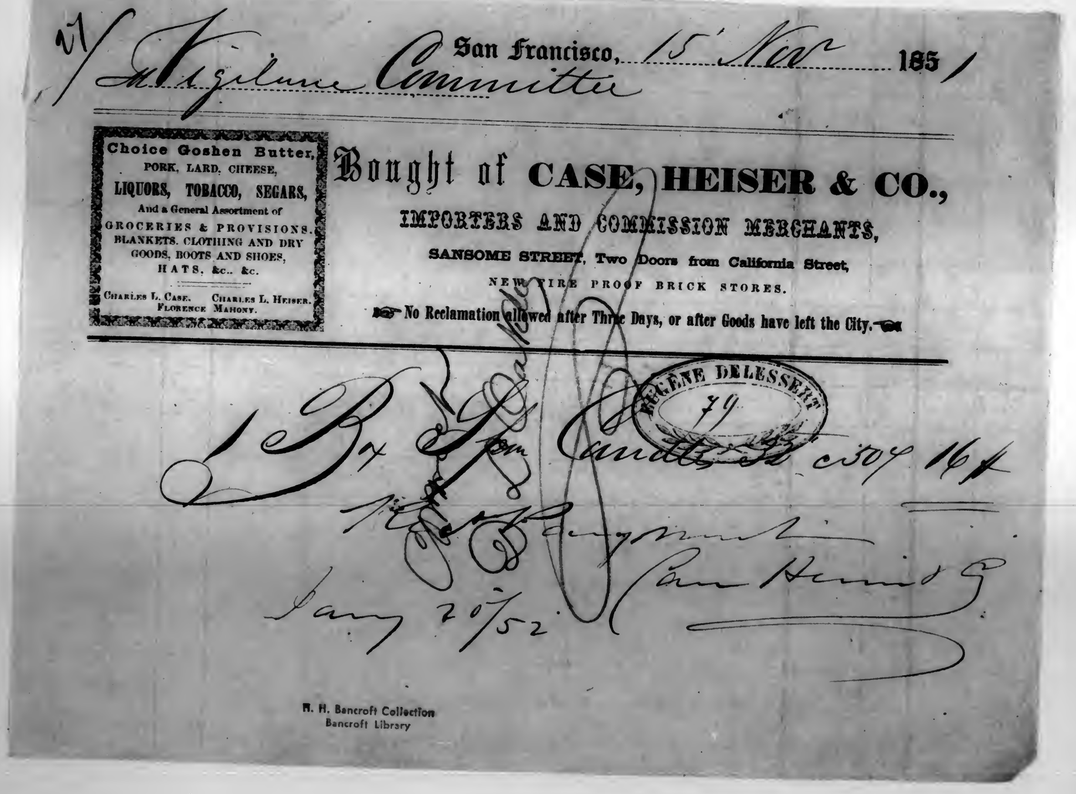
№ 2
3

H. H. Bancroft Collection
Bancroft Library


EUGENE DELESSERT
76 to 100
Committee of Vigilance
Bills paid
H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT
78
Paul Tandy
for Vigilance Committee
Chief of Police
One Box Sup.
3 2
Dolls
San Francisco
Oct 22/51
Paid
D Bluxome


San Francisco July 18/51
Rec'd of James Munroe
Boat Hire & services for the Vigilance
Committee ending July 16th
Five dollars
Wm Boynton
$5
Approved
Wm Boynton
Agt Vig Comm
J. C. I. Wadsworth
EUGENE DELESSERT
76
H. H. Bancroft Collection
Bancroft Library


San Francisco, 15 Nov 185 1
Vigilance Committee
Choice Goshen Butter,
PORK, LARD, CHEESE,
LIQUORS, TOBACCO, SEGARS,
And a General Assortment of
GROCERIES & PROVISIONS,
BLANKETS, CLOTHING AND DRY
GOODS, BOOTS AND SHOES,
HATS, &c.. &c.
CHARLES L. CASE. CHARLES L. HEISER.
FLORENCE MAHONY.
Bought of CASE, HEISER & CO.,
IMPORTERS AND COMMISSION MERCHANTS,
SANSOME STREET, Two Doors from California Street,
NEW FIRE PROOF BRICK STORES.
No Reclamation allowed after Three Days, or after Goods have left the City.
EUGENE DELESSERT
79
Jany 20/52
H. H. Bancroft Collection
Bancroft Library

Vigilance Committee
To J. W. Horton
for boat hire 15.00
Rec'd Payment
W. H. Horton
Dues 10
Certificate 5
$15
EUGENE DELESSERT
77
H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT 76 to 100

Committee of Vigilance

Bills paid

H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT 78

Dust Vigilance Committee

Dr to I. D. Bluxome

One Box Sup. Tobacco, 3 2 lbs @ 18.40

San Francisco Oct 22/51

Paid I. D. Bluxome

~~No 4~~ San Francisco July 18/51

Rec'd of James Munroe & Co Five dollars for the Vigilant Boat Hire & Services for the Committee ending the 16th inst. $5

Wm Boynton

$5

Approved

EUGENE DELESSERT 76

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee

Dr to W. W. Horton

for boat hire 18.00

Rec'd Payment

W. W. Horton

Dues 10
Certificate 5
$15

EUGENE DELESSERT 77

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee

San Francisco, 15 Nov 1851

Choice Goshen Butter,
PORK, LARD, CHEESE,
LIQUORS, TOBACCO, SEGARS,
And a General Assortment of
GROCERIES & PROVISIONS,
BLANKETS, CLOTHING AND DRY GOODS, BOOTS AND SHOES,
HATS, &c., &c.
CHARLES L. CASE. CHARLES L. HEISER. FLORENCE MAHONY.

Bought of **CASE, HEISER & CO.,**

IMPORTERS AND COMMISSION MERCHANTS,

SANSOME STREET, Two Doors from California Street,

NEW FIRE PROOF BRICK STORES.

☞ No Reclamation allowed after Three Days, or after Goods have left the City. ☜

EUGENE DELESSERT 79

1 Box Tobacco 16 c 16

Rec'd Payment

Case Heiser & Co

Jany 20/52

H. H. Bancroft Collection
Bancroft Library

The Vigelans Committee of San Francisco

To Baker & Messerve Dr

To	Papering 1 Room as per contract	25.00
"	Extra work Clothing &c	5.00
"	Gilt Moulding for windows &c	3.00
		$33.00

Recd Payt

San Francisco Sept 30th 1851 Baker & Messerve

EUGENE DELESSERT 50

H. H. Bancroft Collection
Bancroft Library

San Francisco Dec 21st

Committee of Vigalance to Wm Annan Dr

To Cash paid boat hire in search of Mr Bigg in compliance with the Vigilance laws $12.00

Rec'd Payment

Wm Annan

EUGENE DELESSERT 71

H. H. Bancroft Collection
Bancroft Library

CLAY ST.
Opposite the POST OFFICE, On the Plaza.

Rooms papered & Carpets fitted. Cornices, Shades &c.

San Francisco Sept 23 1851

M Vigilance Committee

TO BAKER & MESSERVE

EUGENE DELESSERT 50

To	Papering Room as per Agreement	25.00
"	Extra Work &c	5.00
		$30.00

Rec'd Payment

Paid G B

H. H. Bancroft Collection

San Francisco Sept 19. 1851

The Vigilance Committee

To Order of Cooke & Le Count

July	31	1 Record Book —	$12.50
		4 Boxes Pens —	5.—
		1 Bottle Ink	2.—
		2 doz pen holders	3.50
Aug	1	1 Blank Book	2.50
"	19	1 Rm Paper —	7.—
		1 Index —	1.—
		1 box pens —	2.50
		1 bottle Carmine Ink	1.—
Sep	2	1/2 doz red tape	.75
		Sealing wax —	2.—
		2 pkgs envel — 2 sizes	1.25
		1 Memo book 4 to	1.50
		1 " " long narrow —	1.50
		Indexing the Letter.	2.—
			$46.00

EUGENE DELESSERT 52

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

San Francisco Oct 15. 1851

The Vigilance Committee

To Cooke & LeComt Dr

for amt Bill	Sept 19		$ 46.00
" " "	~~Oct 7~~		~~38.63~~
			$ 84.63
Rec'd Payment			~~38.63~~
Cooke & Lecomt			46.00
Per Yates			

EUGENE DELESSERT 72a

H. H. Bancroft Collection
Bancroft Library

San Francisco Oct 7. 1851

Vigilance Committee

Dr To Cooke & LeComt

for amt Bill Rendered		$ 38.63
Rec'd Payment		
Cooke & LeComt		
per Yates		

EUGENE DELESSERT 83

H. H. Bancroft Collection
Bancroft Library

San Francisco Oct 6. 1851

The San Francisco Vigilance Committee

To Cooke & LeComt's Dr

To amt Bill rendd	Sept 19. 1851		$ 46.00
Sep 23	1 Rm Cap paper	$ 6.50	paid
	1 " letter "	5.—	
	1 Box envelopes	2.—	
	3 pks envelopes	1.—	
	1 paper cutter	.75	
	4 Boxes Pens	5.—	
	1 doz pen holders	1.50	
	1 parallel rule	1.50	
	12 Sheets pat. blotting pap.	2.—	
27	1 Memo Book	.38	
29	1 bottle red ink & a blk ink	2.00	
Oct 8	1 quire tissue paper	2.—	
	1 bottle gum arabic	1.—	
" 6	paper &	8.—	38.63
			$ 84.63
Rec'd Payment			46
			$ 38 63

EUGENE DELESSERT 83

H. H. Bancroft Collection
Bancroft Library

EUGENE DELESSERT 84

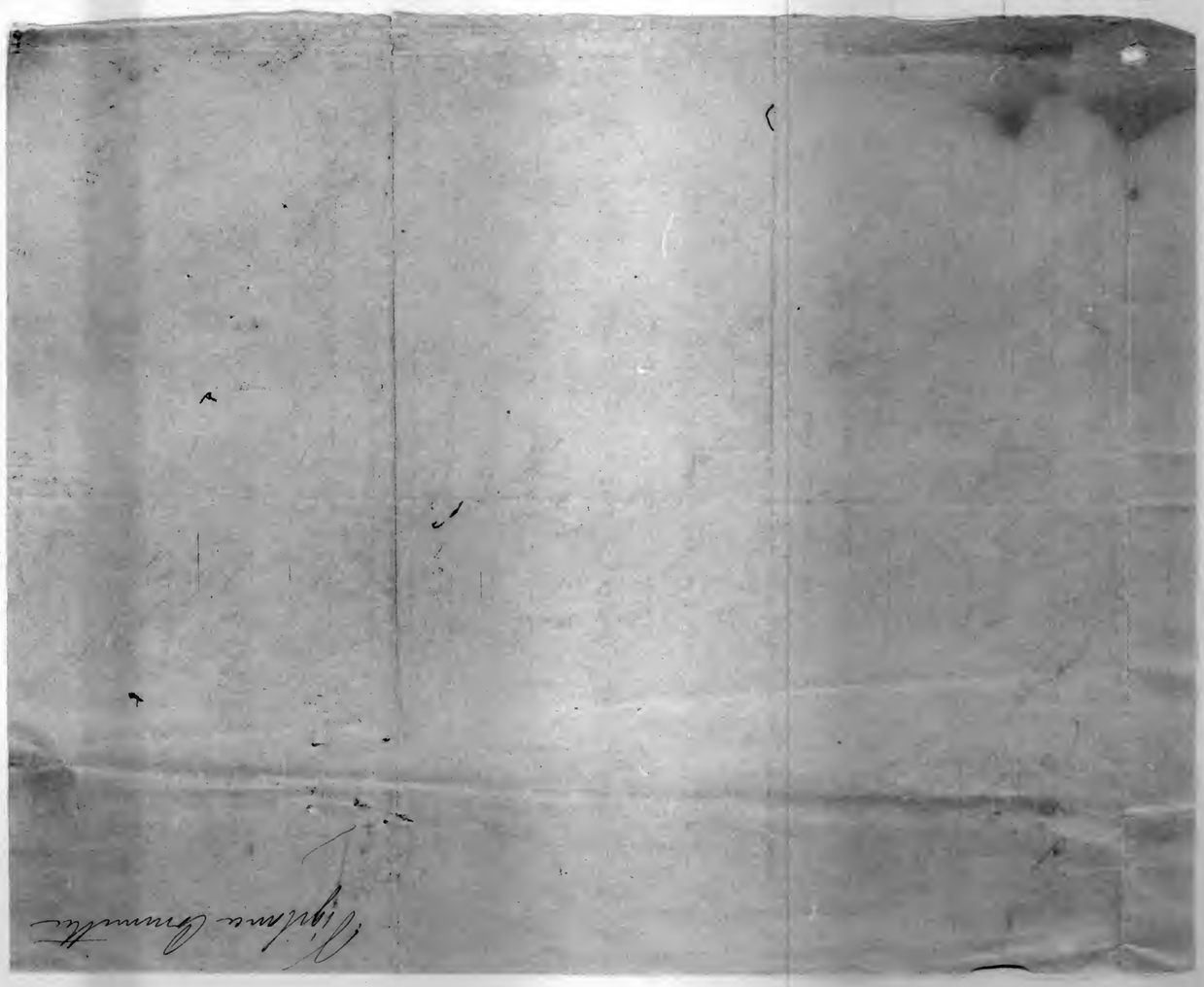
Paid to J H Connell & Dewey & others.

Ten p. Cent commission on collections —		$ 154.—
Do Jones on Balances		9 50
		$ 163 50

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee
1884.63

No 13



Comittée de Surveillance.

à Alex Zakrzeski & Co

pour la gravure et la livraison de 1000 exemps. de bonnet des membres pour la dite Société ——— $150

Total $150

Paid 100

$50

San Francisco le 28 Janvier 1852.

Pour acquis total

Alex Zakrzeski

C. Stevens
F. A. Woodworth
Commissaires

R. H. Bancroft Collection
Bancroft Library

Vigilance Committee

San Francisco Aug 26, 51

To Sullivan & Tucker

1 Night	Boat to Mary Catherine	16 —
2 Trips	" "	10 —
1 "	Gregory	5 —
1 "	Brig Spark	5 —
1 "	Do + 1 Night in Harbor	7 —
1 "	Do	5 —
1 Night + 1 Day	Ship Johnston	32 —
— " + 2	Trips to Ships & Boats	—
1 Trip to Rincon		2 —
2 " "	Angel Island	10 —
1 " "	North Beach	5 —
1 Night + 1 Day	Ship Robt Bourne	16 —
1 " + 1/2 "	" Edgar	10 —
1 Trip to Rincon — (for J. Bowman)		5 —
1 Night	Ship President	16 —
2 Trips	" Edgar	10 —
1 "	to Brig Hallowell	5 —
Cash paid for Boat Hire		6 —
2 Trips for Mr Graham on Board Ship		10 —
X Robt Bourne [illegible] Night & two Things		

$232 —

Received payment for the above Amount

Sullivan & Tucker

per Jackson

Committee of Vigilance

To John Sullivan Dr

To Boat hire	American Bay one day	$16.00
" " "	" " one Night	16.00
" " "	Gregory two Trips	10.00
" " "	" three "	15.00
" Cash Paid Boat men		4.00
" "	Gregory 1/4 day	12.00
" "	Whale Boat 4 1/2 days	72.00
		$145.00

Received Payment $145.00

for John Sullivan

A. Jackson & Duffie

Paid $145 1851 1/5 428 Dec 27

R. H. Bancroft Collection
Bancroft Library

Mr J. Blanchard

To Seth Davis

for 5 Trips to Ship Mary Catherine for Dep't Friends $25.—

This is Correct for both Work

ONE DOLLAR
SS

San Francisco Jan 6th 1857 Received
Collector Eight Tugs numbered as follows
Coast Vigilance Ninety eight and
Gas Scale for Boat hire as per
Bill 7th July to 28 Aug and also
Bill of Boat hire
To Sept 14th Bill of all demands against
Said Vessel Gear Outfit and
John Gallinan Thos Tucker

Nathl Chapman
Recd 150

Hans Lee

Thos Tucker

Thos. Dickens Esq
Mate Pilot

H. H. Bancroft Collection
Bancroft Library

No 3

San Francisco

The Vigilance Committee

John Sullivan [illegible] and other

boat hire [illegible]

American			$16	.00
"	Yacht Eagle		18	.00
"	"		8	.00
"	"		5	.00
"	Jenny Lind	½	8	.00
"	"		8	.00
"	"		16	.00
"	Gregory		10	.00
"	"		15	.00
"	Slaghoople		5	.00
"	White Eagle		16	.00
Capt had	[illegible]		4	.00
"	Gregory		12	.00

$139.00

See to other Whale boat from Wednesday Night to Monday Morning for boat hire $144 that is allowing $16 dollars per Night and 16 per day off all the time Some times 2 men in the boat and more times 4 men. one trip the White Eagle 1 trip 5 dollars the Whole amount $149.00 7288—

Correct W B Clark

both bills $288 dollars

H. H. Bancroft Collection
Bancroft Library

San Francisco July 22nd 1854

The Legislature Committee

To John Sullivan & Thos Tucker

and others to boat hire to the Adirondack

1st. one night American Boy hire — $ 16.00

" " Day — 16.00

½ night White Squall 8.—

1 Trip Do Do 5.—

½ night Jenny Lind 8.—

½ Day " " 8.—

1 " " 16.—

2 Trips Gregory 10.—

3 " Do 15.—

1 Night White Squall 16.—

Cash Paid for Oaksmith 4.—

1 Trip Stag Hound 5.—

¾ Day Gregory 12.— $ 139.—

1 Trip White Squall

1 Night Mail Boat 16.—

1 Day " " 16.—

1 Night " " 16.—

1 Day " " 16.—

1 Night " " 16.—

1 Day " " 16.—

1 Night " " 16.—

1 Day " " 16.—

1 Night " " 16.—

1 Trip White Squall 6.—

$ 293.—

Paid on act 150.—

Due $ 143.—

Attached to bill of Jno Sullivan & Co for boat hire

$ 139.

No 5 11

H. H. Bancroft Collection
Bancroft Library

Received San Francisco Oct 28th 1851 of
N. J Cornell, Collector of the P. C.
forty Dollars
$40.00

Daml L Oakley
Sergt at arms

No 1

H. H. Bancroft Collection
Bancroft Library

Rec'd Sanfrancisco Dec 12th 1851 from
E Dalessandro Treasurer, twenty Doll on acct
of Services as Sergeant at arms
$20

Daml L Oakley
Sergt at arms

Rec'd 506=07

No 3

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee
To D. L. Oakley Dr
1 Pilot Jacket & Trowsers
1 Pair Boots
1 Hat
1 Pair Blankets & Lights
do
paid

San Francisco Febry 22/51
Daml L Oakley
Sept 29 1851
Daml L Oakley
10.00
2.00
$12.00

H. H. Bancroft Collection
Bancroft Library

Received Sanfrancisco Oct 18th 1851 of
Eugene E dalessandro Treasurer fifty Doll on
acct of Service as Sergeant at arms to
V. C
$50

Daml L Oakley
Sergt at arms V.C

H. H. Bancroft Collection
Bancroft Library

Rec'd Sanfrancisco Oct 31st of
A. J. Cornell, Collector P. C. fifty
Doll for ret Duty D. L Oakley
$50

Sergt at Arms

No 4

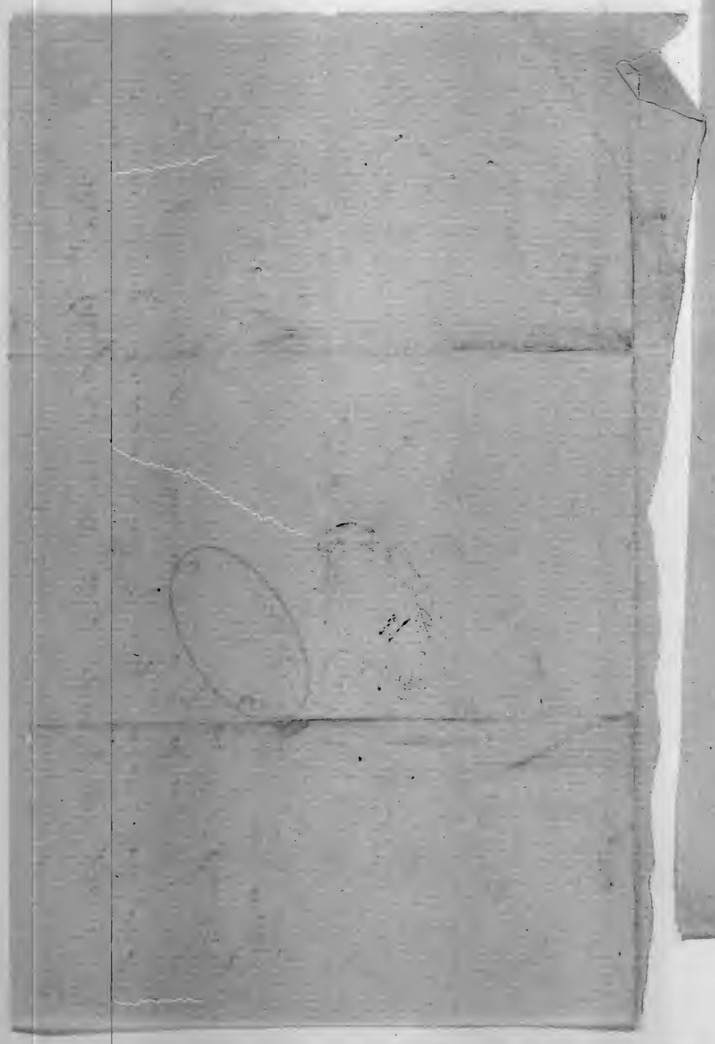
H. H. Bancroft Collection
Bancroft Library

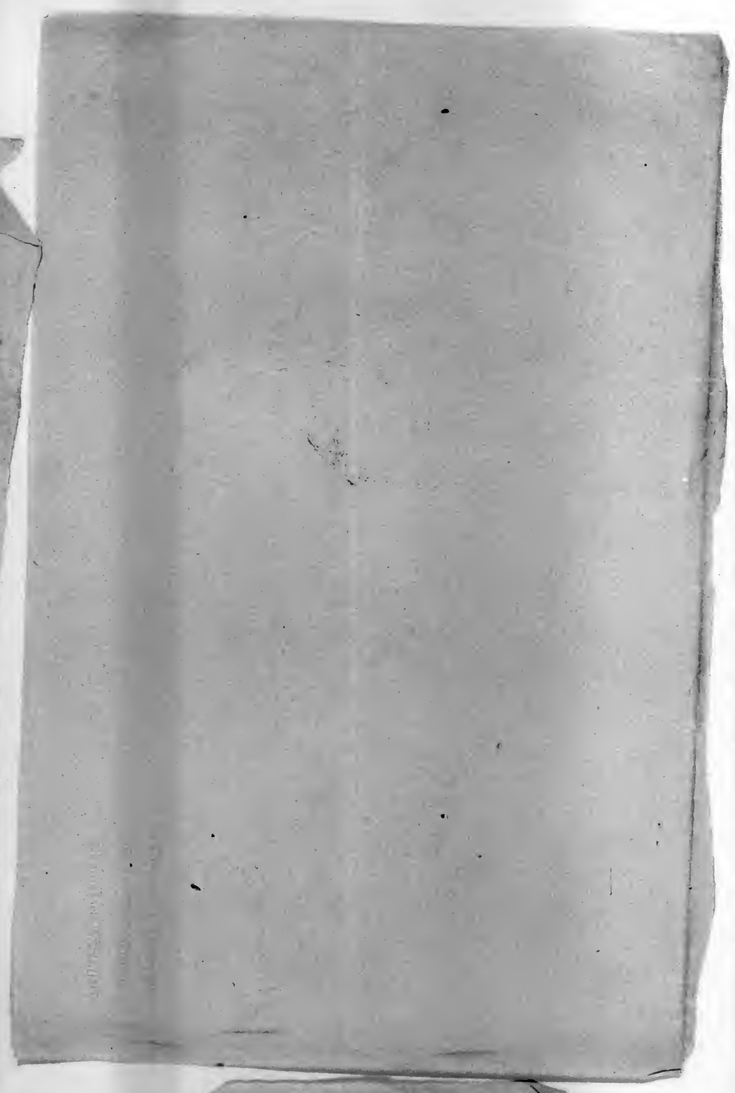
Rec'd Sanfrancisco Sept 23d 1851 from E dalessandro
Treasurer, twenty Doll, for Expenses of Rooms
Rations, Papers &c &c
$20

Daml L Oakley
Sergt at arms V.C of V.C

No 2

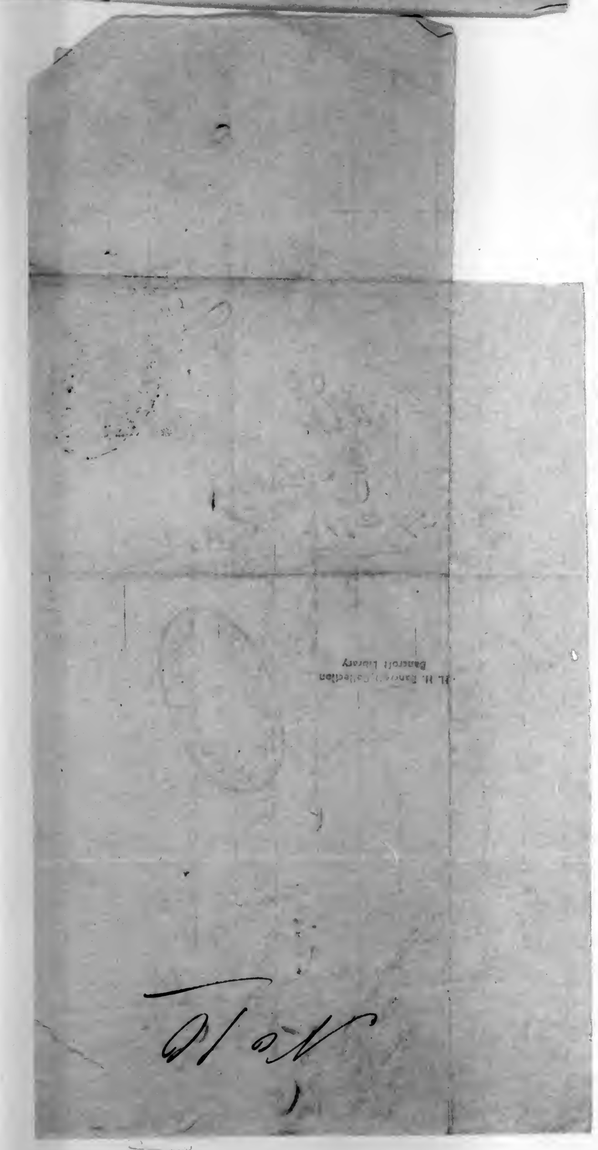
H. H. Bancroft Collection
Bancroft Library





No 2

No 14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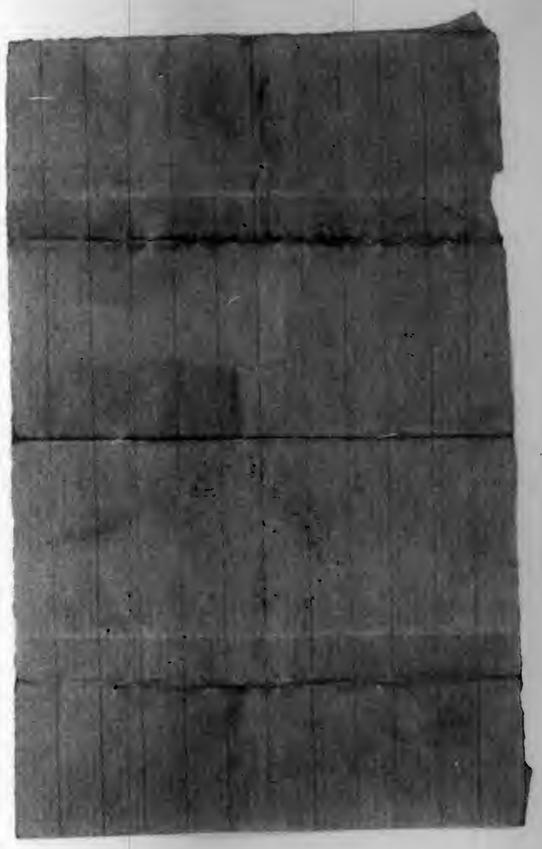


San Francisco Jany 22 1852. of Isaac Blumme
fifteen dollars on a/c of Bill vs. Vigilance Committee
$15.00 91
No 3

Dan'l Gavett

Dues Oct. Nov. Dec. Jany. $10.
Certificate of Membership 5.
$15. Rec'd

H. H. Bancroft Collection
Bancroft Library

92.

Committee of Vigilance

Fr I. Blumme Jr Dr

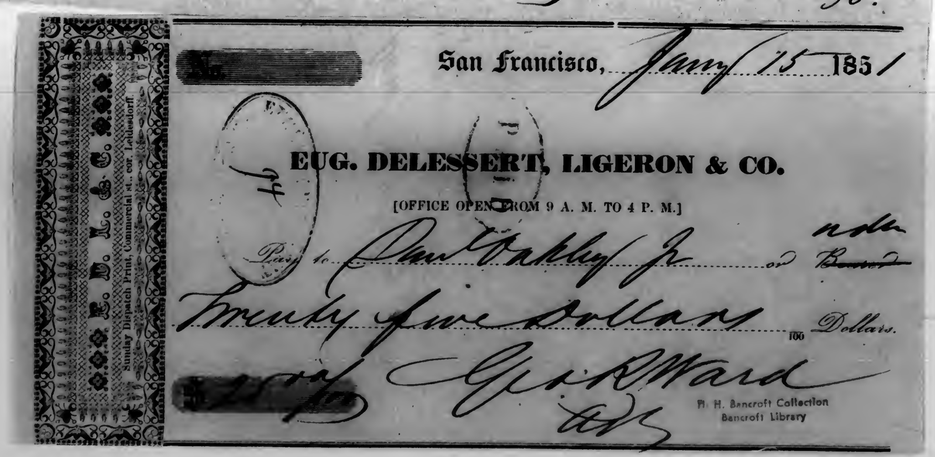
For Services as Secretary from
17th of Oct to 17th of Dec 2mo $200.

San Francisco
Feby 11. 1852

Received Payment
Isaac Blumme Jr
Secretary

H. H. Bancroft Collection
Bancroft Library

90.



San Francisco, Jany 15 1851

94

Pay to Danl Oakley Jr or Bearer
Twenty five Dollars 100 Dollars.
Geo R Ward

Dan'l Oakley Jr
H. H. Bancroft Collection
Bancroft Library

San Francisco, February 14 1852

Messrs Vigilance Committee

Books, Catalogues, Bill-Heads, CHECKS, CARDS,
Broadsides, Law and Custom House Blanks, Pamphlets, Periodicals, and every description of
JOB PRINTING,
Executed with despatch in the most elegant manner, and at greatly reduced prices.
☞ ADVERTISEMENTS payable in advance. Job Work payable when delivered

To Evening Picayune Office,

CORNER OF SACRAMENTO AND MONTGOMERY STREETS.

From October 18th to Present Date $8.11 50
Do Year Courier to January 3d 5.11
February 21st to One Paper 50
14.11 50

Please receive payment
Yours respectfully
S. A. Johnson. Assignee
per H. R. Keeper

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee
To Austin Saloon &c
To rent a Piano and music pay-
able in advance $50.00
San Francisco Feb 18th/52
Please Payment
Crawford & Ladd

H. H. Bancroft Collection
Bancroft Library

D. L Oakley in acct with the Committee of Vigilance

1851

Dr

To cash Sept 1st paid Sept 4 & 6 ... $ 45.67

" " Sept 24th paid D. L. Oakley ... 100.

" " Balce due ... 71.00

$216.67

Sept 24th

Cr

By Services Aug 30th to Sept 24th being twenty six days at $250 per mo 26 days @ $8⅓ per day ... $216.67

E E

San Francisco Oct 6th 1851

Rec't payt in full to Sept twenty fourth 1851

Dan'l L Oakley

Sergeant at Arms.

8/11co

H. H. Bancroft Collection
Bancroft Library

(98)

Mr E Delessert

Sir

Jas B Hume or order, Pay to the Bearer, $150 —

Sole for value Rec'd and charge to my account

Please pay to Mr One Hundred & fifty and charge the same

San Francisco Oct 30th 1851

Dan'l L Oakley
Sergt at Arms. V.C.

E Delessert Treasurer

H. H. Bancroft Collection
Bancroft Library

(98)

D. L Oakley Sergt at Arms in acct with E Delessert Treasurer.

Dr

To	cash paid Sept	4	41.67 ✓	
"	E Delessert Jr.	"	100. ✓	
"	"	"	21 ✓	$216.67
Oct 10th	"	"	50	
" 18	"	A. J Connell	40	
"	"	"	50	
"	Order J. B Hume		150	290.00 = $506.67
			bal[ce]	85 —
				$591.67

Cr

By Services from Aug 30 to Sept 24th at $250 —		$216.67
30 Oct "		150.
Nov "		150
Dec 9		75 —
		$591.67

Bal[ce] due Dec 9th 1851 $85 —

H. H. Bancroft Collection
Bancroft Library

D L Oakley in acct with E Delessert Treasurer of V.C. of V.C.

San Francisco Feby 24th 1852

Dr

To Cash	Oct 18th	$50. ✓	
" "	" 27th	$40. ✓	
" "	" 30	50. ✓	
" "	order J B H	150 ✓	
" "	Dec Fees	20 ✓	
"	Jany 9th & 23rd	25 ✓	
	Bluxome	12.50 ✓	
		$347.50 —	
To Balce		252.50 —	$600.00

Cr

Sept 24th to Oct "	By Services U.S.A. to the C of V C —	150
Nov 24th	"	150
Dec "	per deposit I.W Customs &c	150
Jany "	" " "	150 $600.00

The above is my true account to date of Jany 24 1852 — Dan'l L Oakley

Rec'd San Francisco Feby 27th 1852 of E Delessert Treasurer. Five hundred & fifty two Dollars in full of all demands to date. Dan'l L Oakley
Sergt at Arms

H. H. Bancroft Collection
Bancroft Library

99 San Francisco Jan. 1st 1852.

Committee of Vigilance
To P.E. Woodworth Dr.

To Expenses for trip to San Jose $42.00

P.E. Woodworth
V. C.

H. H. Bancroft Collection
Bancroft Library

Vigilance Company To S. G. Perez Dr.

1852
Dec 14th To 268 Buckets Water @ 6¼ 16,75

Recived pay S. G. Perez

No 100

H. H. Bancroft Collection
Bancroft Library

Recd. Jan. 2nd 1852 of Messrs. Woodworth & Palmer Forty two dollars in full for all bills against the Vigilance Committee to this date

$42 —

Wm. Bray
Asst. Mar.

DELESSERT
101

$44 —

Recd from the Vigilance Committee Ten Dollars on a/c of my bill

Sany 17. 1852 $

Geo Mellus

H. H. Bancroft Collection
Bancroft Library

Le Committée de Vigilance

doit à Mess. Zakreski & Co Lithographes.

pour l'impression de 24. copies du Certificat
sur le parchemin pour le dit Committée — $: 20.

Total $ 20.

San Francisco le 16 Janvier
1852.

pour acquit
Mr Zakreski.

No 103

H. H. Bancroft Collection
Bancroft Library

San Francisco Dec 1. 1851

The Vigilance Committee Bought of Cooke & Sellmont

Nov 1	1	Ream paper	$ 6,00
4	10	assorted papers	2.—
12	1	Blank Book	10.—
			$ 18,00
		Less 15 p.c. discount	3.00
			15,00

Cooke Le Count
& Dingwall

EUGENE DELESS
106
H. H. Bancroft Collection
Bancroft Library

Andrew J. McDuffie Esq

To Geo. Mellus Dr

1851					
July	14	To 10. Cheeses	92¼ lb	@ 20¢	18.45
		" 5 Galls Brandy			30.00
		Cartage			1.00 49.45
"	31	" 3 Tins Coffee	18 lb	35¢	6.30
		" 10. Cheese	97¼ lb	20¢	19.45
		" 2 lb Tobacco		75	1.50
		" 1 Bx. Claret Wine			4.50
		" 3 Galls Alcohol			9.00
		Cartage			1.00 41.75
Aug	9	" 4 Tins Coffee	24 lb	35¢	8.40
"	22	" 4 " "	"	"	8.40 16.80
					$108.00

Contra Cr

By Cash from A. & McD. 10.00
" " " Dillessert 49.00 59.00
$ 49.00

Sept 3d To 2 Tins Coffee 12 lb @ 35¢ 4.20
" del D L Oakley $53.20

part 10
43

43
4.20
35.75
$2.95

H. H. Bancroft Collection
Bancroft Library

A. J. McDuffie

No. 14

H. H. Bancroft Collection
Bancroft Library

Memorandum of Cash Account, Including all Cash Received, and all Cash Expended, by A. J. M Duffie Sergt. at Arms for Account of the Vegalance Committee, to June 26. 1851. Inclusive

Debit Cash			Cash Credit		
To Rcd from the Treasurer	50	"	To Paid in the hands of the Treasurer per order		
" Rcd from Three hundred and six (306) Members Initiation fee of 5 $ each	1530	"	Current coin	406.98	
			Uncurrent do	95.00	
				$ 501.95	
			said money Rcd as	498	57
			" Paid sundry Bills & for sundries as per Cash Book	826	25
			Balance on Hand	255	18
	$ 1580	00		$ 1580	00

San Francisco June 26th. 1851.

A. Jackson M Duffie
Sergt at Arms

Memo
Mr Wandell's Bill for
2½ doz Lamp & 1 Chair
Amounting to $ 165.- has not
been paid, which is the
only outstanding account
contracted for by me
A. J. M. D.
There are 518 Members. 306 have
paid 5 $ which leaves 5 $ due
from each of 212 Members unpaid.

Approved.
R. S Watson
Geo. D Ward
T. A. Talmon
Edw Kelly
Wm. H. Jones

Balance Account
Received
Sergeant at Arms
June 26. 1851.

A. J. M Duffie
Sergt at Arms
etc.

1851. 49
112.48

[Talmon]

H. H. Bancroft Collection
Bancroft Library

Debit

A. J. M. Duffer Sergeant at Arms in Account with Committee of Vigilance San Francisco July 27th 1851.

Credit

	To Cash	Received of 477 Members for				June 30	By Cash Paid	J. W. Salmon Treasurer	498 57
		June Innitiation Fees @ 5$	2385	00		" 26	" "	" J. W. Salmon Treasurer	255 18
	" "	Received of 73 Members for				" 26	" "	" Sundry Bills and to rent	
		July Innitiation Fees @ 5$	365	00				Expenses as Approved by Committee	826 25
	" "	Received of 216 Members for				July 8	" "	" E Delessert Treasurer	665 50
		July Dues @ 5$	1080	00		" 19	" "	" E Delessert Treasurer	200 00
	" "	Received of 20 Members for				" 23	" "	" E. Delessert Treasurer	905 11
		Fines @ 5$	100	00		" 26	" "	" E. Delessert Treasurer	291 00
	" "	J. W. Salmon Treasurer	50	00			" "	" George his Services to date	60 00
	" "	Rec'd of D. L. Folsom for S. R. Thurston	30	00			" "	" Sundry Bills to this date	
	" "	Rec'd of Hethrington for Expenses	20	00				as approved by Finance Com'te	102 95
	" "	Rec'd Extra Monthly dues	15	00				Balance on hand	234 44
					$4,045	00			$4,045 00

There is Now due and unpaid June Innitiation

	Fees from 71 Members 5$	355	00	
" " " "	July Innitiation Fees from 9 " 5$	45	00	
" " " "	July Assessment from 336	1680	00	
Total Amt due not including Fines —		$2,080	00	

San Francisco July 27th 1851

A. J. M. Duffer
Sergeant at Arms

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

Eug Delessert, Treasurer in Account with
San Francisco July 28

G. H. Bancroft Collection
Bancroft Library

Debit

To Cash Received of Salmon		112	48
" " " Sergeant at arms		200	..
" " " do do		903	11
" " " do do		663	50
" " " do do		291	..
	$	2170	09
" " Advanced by the Treasurer		513	.5
		2683	14

Bills due on Hand -

1.	Oriental Hotel	$	200.	..
2	Herald	"	11.	25
3	Boat Hire	"	288	..
4	Boat Hire	"	5	
5.	Gay & Millers, cheese		42	45
6	Green & Brown, burns		30	..
7	E H Jones Esq		23	50
		$	607.	20.

Due to the Treasurer $ 513.05
Due to Divers 607 20
Amount due $ 1120.25

Jail Funds
Received from 131 members $ 4385 ..
Sept 8th $ 4484

E. E.

2683 14.

San Francisco 29th July 1857

EUGÈNE DELESSERT Treasurer

H. H. Bancroft Collection
Bancroft Library

ut. Treasurer in Account with Committee of Vigilance
San Francisco July 28th 1851.

Credit

d of Sermon		112	48
Sergeant at arms		200	..
do	do	903	11
do	do	663	50
do	do	291	"
		$2170	09
d by the Treasurer		513	05
		2683	14

Hand -

$	200	"
"	11	25
"	288	"
"	5	
	49	45
	30	—
	23	50
$	607	20

Statement
of the Treasurer.

Bills due

Boatman —	$	401 —
M.r Mahon & friends travelling expenses to Mariposa		150.
Carpenter —		44. 50
Carriage ——		15 —
Gay & Mellus disputed Bills		9 5 40
Mormon host —		37 —
Herald —		58 —
Coaffe & MacCahill.		26 —
Schmidt expenses to Sonora paid		~~140. 25~~
Jones —		20 50
Oriental hotel.		200 —
Herald —		11. 25
Gay & Mellus —		49 45
Boat hire —		5 —
Green & Brown —		30 —
Boat hire —		139 —
Baker & Hussem —		35 —
Brown exp.s to Sac.o	$	11
Rent —	"	300 —
	$	1758 35
amount of Bills due	By Cash in hand	491. 79
		1296 56

H. H. Bancroft Collection
Bancroft Library

San Francisco. 9 Sept.br

Eug.e Delgado
Treasurer

Pay & clothes — 77 —
Boat hire — 5 —
Green & Brown — 30 —
Boat hire — 139 —
Baker & Hussein — 35 —

Barnes exp[s] to Sac $ 11
" 300 —
Bank —

$ 17 80 35

By Cash in hand 491.79

amount of Bills due 1296 56

H. H. Bancroft Collection
Bancroft Library

San Francisco. 9 Sept[br]
Enzdelyard
Treasurer

Jail funds —
amount to $ 4484.—

Dr

Eugene Delessert Treasurer in a/c with the Committee of Vigilance

Sept 18–57

Cr

To Cash	of the Executive Com^{e}	$	75 00	July 29	By Balance due on a/c a/c	$	513 05
"	" July fees & fines of Randall		185 00	"	Cash p^{d} to Expenses of Sheriff of San Diego		135 00
"	" presented by Blunt & Peabody		100 00	"	Cash p^{d} m/c Bill of Scientific		5 00
"	" " C Gallinier		100 00	"	" " Oscar Smith for Travelling Expenses		160 25
"	" of 446 Mr Roberts		5 00	"	" " Carriage hire to Alcatraz by resolution of Executive Com^{e}		50 00
"	" presented by Mr Shannon		50 00	"	" " Boat hire m a/c No 3		150 00
"	" " D Cahoon		50 00	"	" on hand		351 34
"	" " C Delessert		200 00				
"	" July dues & fines of M Duffy		103 69			$	1314 84
"	" Aug — "		84 15				
"	" " " "		150 00				
"	" July " "		100 00				
"	" Aug — "		100 00				
		$	1314 84				
Sept 13	To Cash on hand	$	351 34				

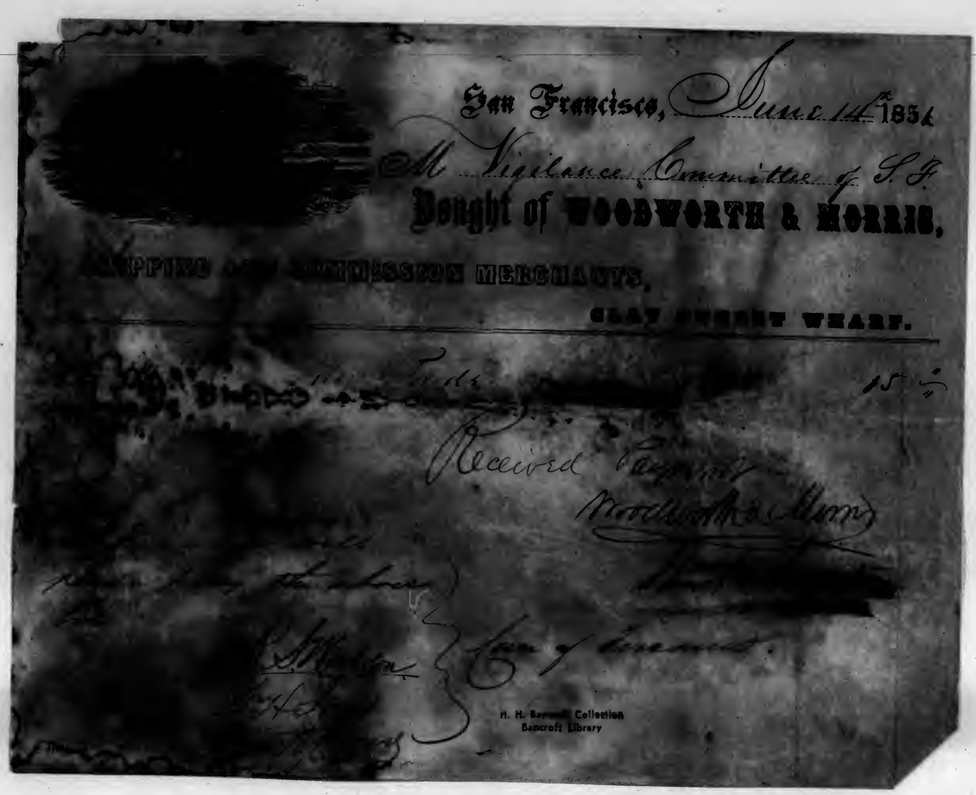
E. E. San Francisco Sept 13th 1857

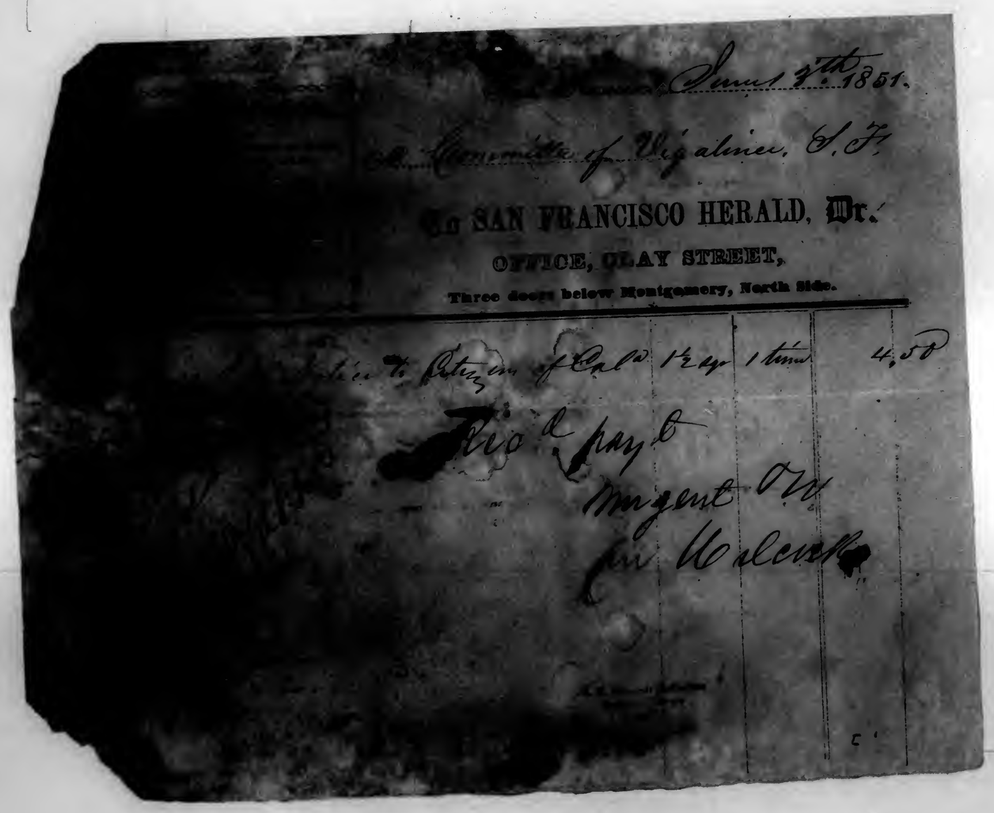
Eug. Delessert

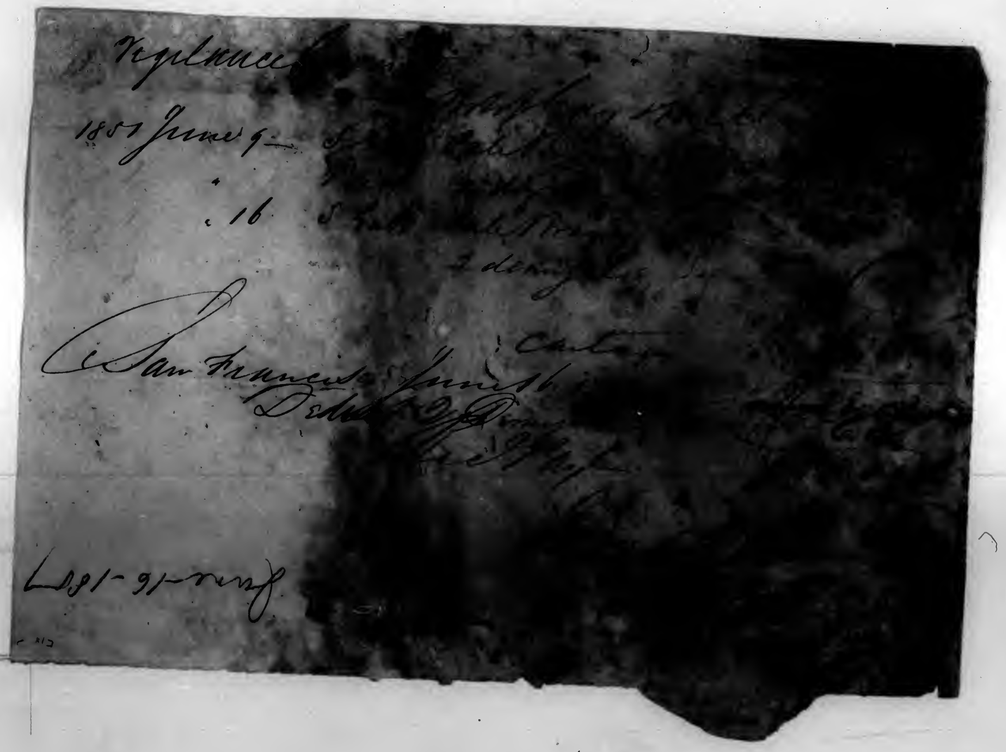
Treasurer

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library


San Francisco, June 14 1851
Vigilance Committee of S.F.
Bought of WOODWORTH & MORRIS,
GRAY STREET WHARF.
Received Payment
Woodworth & Morris
H. H. Bancroft Collection
Bancroft Library


June 7th 1851.
Committee of Vigilance, S.F.
To SAN FRANCISCO HERALD, Dr.
OFFICE, CLAY STREET,
Three doors below Montgomery, North Side.
To Return of Cal. 1/4 1 time 4.50
Rec'd pay't
Mugent & Co
per Wolcott


Vigilance
1851 June 9
16
San Francisco June 16
Paid

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

San Francisco, June 18th 1851

The Committee of Vigilance

Bought of TAAFFE & McCAHILL,

(LATE IRON BOUND),

IMPORTERS OF SCOTCH AND ENGLISH

Dry Goods, Clothing, Boots and Shoes,

Montgomery ... Corner of Sacramento St.

Linen Sheetings, Cassimeres, Satinetts,
LINEN SHEETINGS & SHIRTINGS,
TABLE LINEN,
Cloth and Worsted Table Covers, Window Curtain Damasks,
Blankets, Quilts, Counterpanes,
AND A GENERAL ASSORTMENT OF
DRY GOODS,
Suitable for Hotels, Steamboats, and the Oregon and Mexican Trade.

1/4 Pan Cla ... 2 1/16 85

Rec'd Payment
Taaffe & McCahill

R. H. Bancroft Collection
Bancroft Library

113

The Vigilance Committee
Bought of Taaffe & McCahill

11 Pairs Blankets @ $3,00 $33,00

San Francisco June 19th 51

Rec'd Payment
Taaffe & McCahill

R. H. Bancroft Collection
Bancroft Library

114

The Vigilance Committee
In Taaffe & McCahill Dr

1 Pair 31 Gallon Iron Bound Casks @ $1,50 $46,50

San Francisco June 18th 1851

Rec'd Payment
Taaffe & McCahill

Approved

H. H. Bancroft Collection
Bancroft Library

113

San Francisco,

M Vigilance Committee

Bought of MACONDRAY & CO.

TERMS:

3 Dozen Chairs @ 12

Rec'd Payment
Macondray & Co
C. K. Garnett

H. H. Bancroft Collection
Bancroft Library

115

H. H. Bancroft Collection
Bancroft Library

Tuttle v McCahill
June 19th 1851
858

[C67]

June 19. 1851

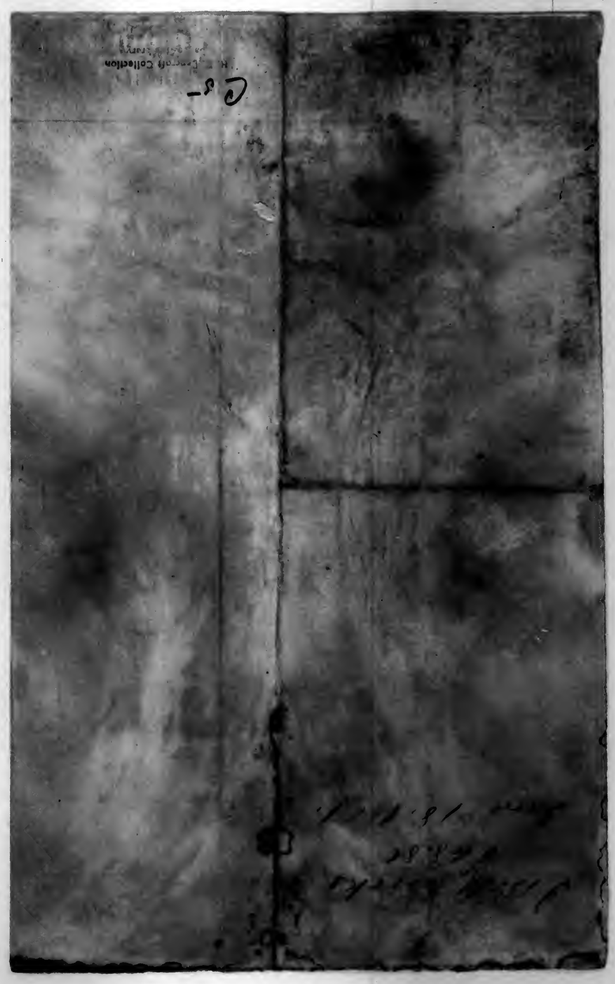
Tuttle v McC.
Trover

H. H. Bancroft Collection
Bancroft Library

67

H. H. Bancroft Collection
Bancroft Library

Tuttle
#16.85
June 18. 1851


H. H. Bancroft Collection
Bancroft Library

C 8-

June 18. 1851

San Francisco, June 21st 1851

Mr. [illegible]

Broad Cloths, Cassimeres, Satinetts,
LINEN SHEETINGS & SHIRTINGS,
TABLE LINEN,
Cloth and Worsted Table Covers, Windsor Curtain Damasks,
Blankets, Quilts, Counterpanes,
AND A GENERAL ASSORTMENT OF
DRY GOODS,
Suitable for Hotels, Steamboats, and the Oregon and Mexican Trade.

Bought of TAAFFE & McCAHILL,

[illegible] AND ENGLISH

Dry Goods, Clothing, Boots and Shoes,

Montgomery Street, corner of Sacramento St.

[illegible] C 450 [illegible] 31 50
[illegible] 28 50
[illegible] 50 00

[illegible] McCahill

54
[illegible]

H. H. Bancroft Collection
Bancroft Library

Received San Francisco 20 June 1851 from the Sergeant at Arms the sum of Four Hundred & Six 98/100 Dollars in good coin and Ninety five dollars in discountable coin. —

J. W. Salmon
Treasurer

H. H. Bancroft Collection
Bancroft Library

Amt

I. W. Salmon Treasurer

Receipt

406.98
95.00
$501.98

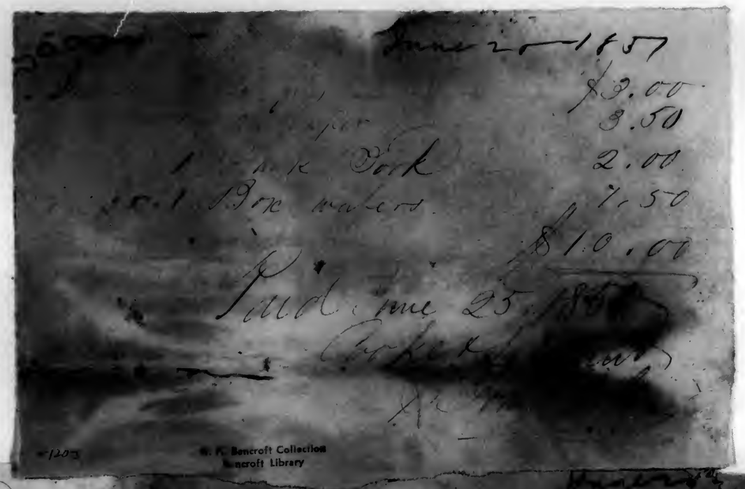
[Ray 498.57]

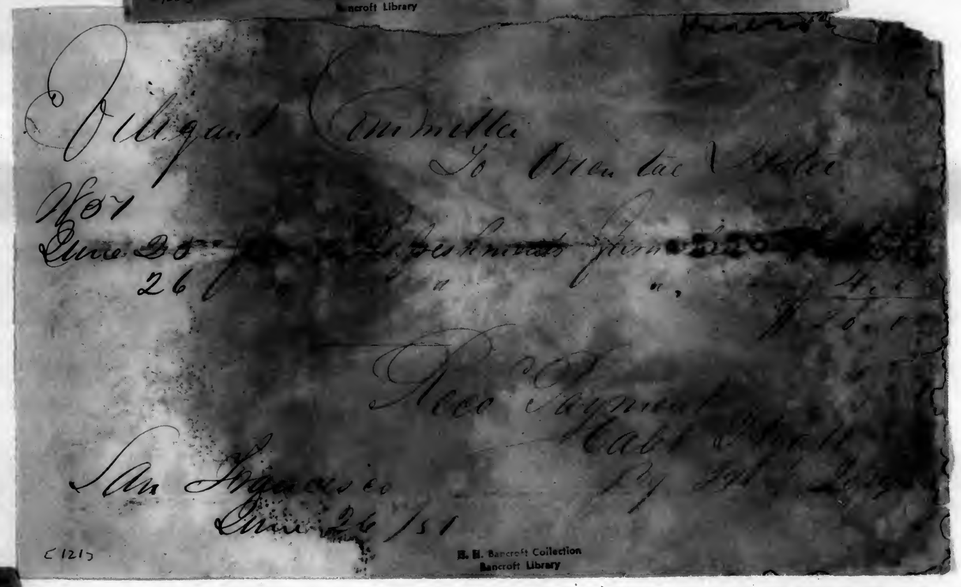
June 20, 1851

Received San Francisco 20 June 1851 from the Sergeant at Arms the sum of Four Hundred & Six 98/100 Dollars in good coin and Ninety five dollars in discountable coin. —

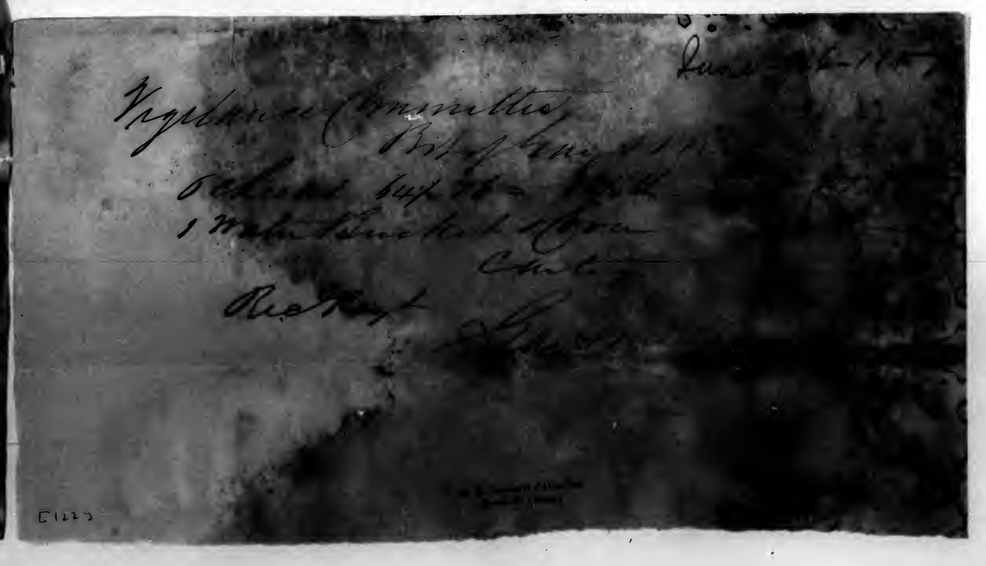
J. W. Salmon
Treasurer

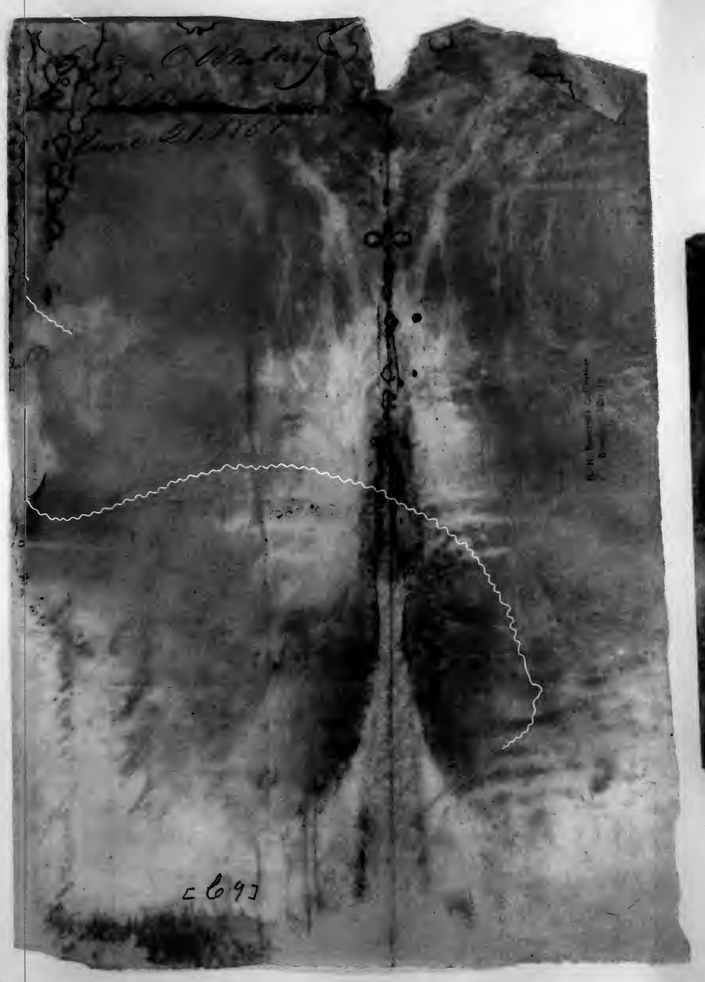
H. H. Bancroft Collection
Bancroft Library


H. H. Bancroft Collection
Bancroft Library


H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library





H. H. Bancroft Collection
Bancroft Library

Omit

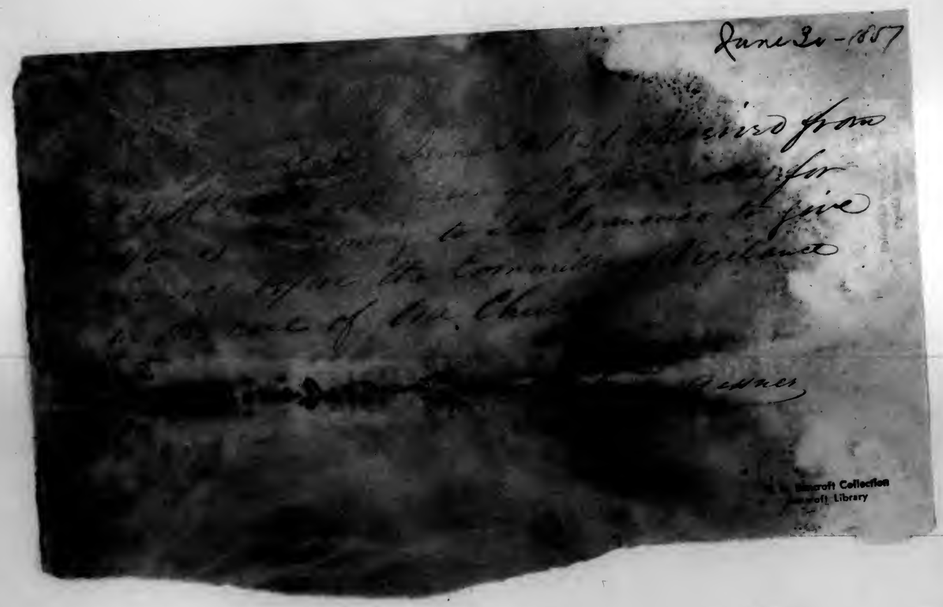
J. W Salmon

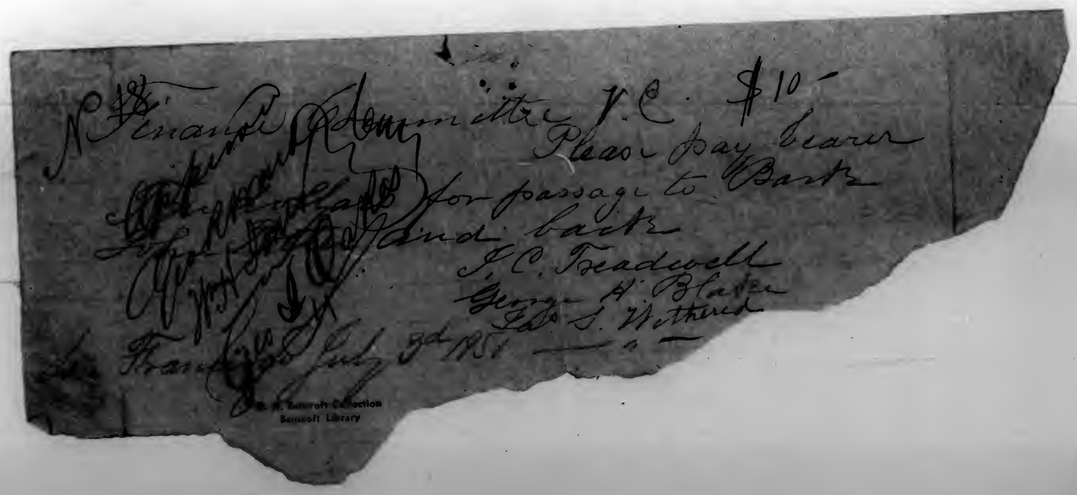
Rect $255. 18/100

June 26th

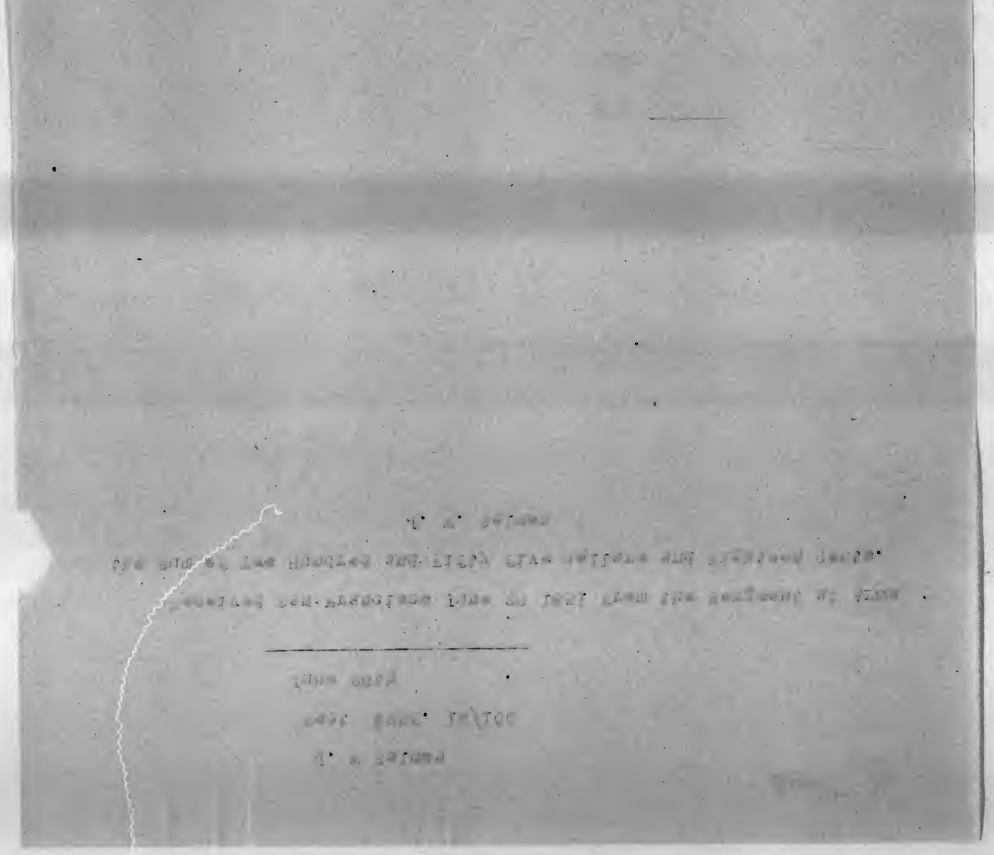
Received San Francisco June 26 1851 from the Sergeant at Arms the Sum of Two Hundred and Fifty five dollars and Eighteen Cents.

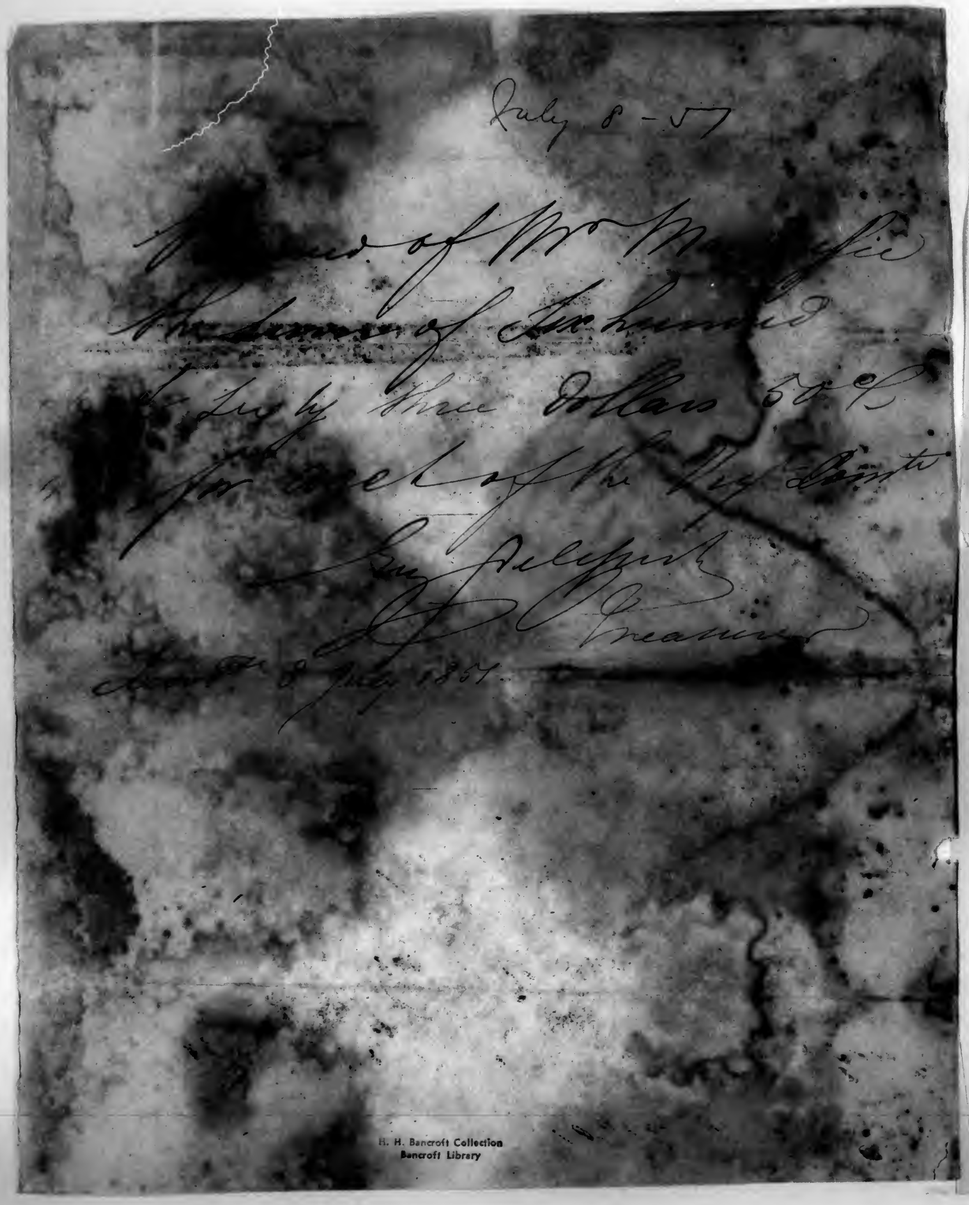
J. W. Salmon


H. H. Bancroft Collection
Bancroft Library


H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library




July 8 - 51

Rec'd of Mr Mac Duffee
the sum of Six hundred
& Sixty three Dollars 50 ct
for acct of the Vig Comte

Eu Delessert
Treasurer

San F 8 July 1851

H. H. Bancroft Collection
Bancroft Library

10 Italics copies, i.e. cents.

E. Dellessert

Rect -$663.50

July 8th

Separate Amt

July 8 - 51

Received of Mr/ Mac Duffee the Sum of Six hundred and Sixty three Dollars 50 ct for acct of the Vig Comte/

Eu Delessert

Treasurer

8/t

San F 8 July 1851

Vigilance Committee

Dr To John Bowen

For expenses of trip from Saucilito to San Francisco - to give information concerning Brig Malet, Adhel

$12 -

San Francisco July 12 1851

Recd Payt

[paid No. 74]

H. H. Bancroft Collection
Bancroft Library

Heading ?

Vigilance Committee

Dr To John Bowen

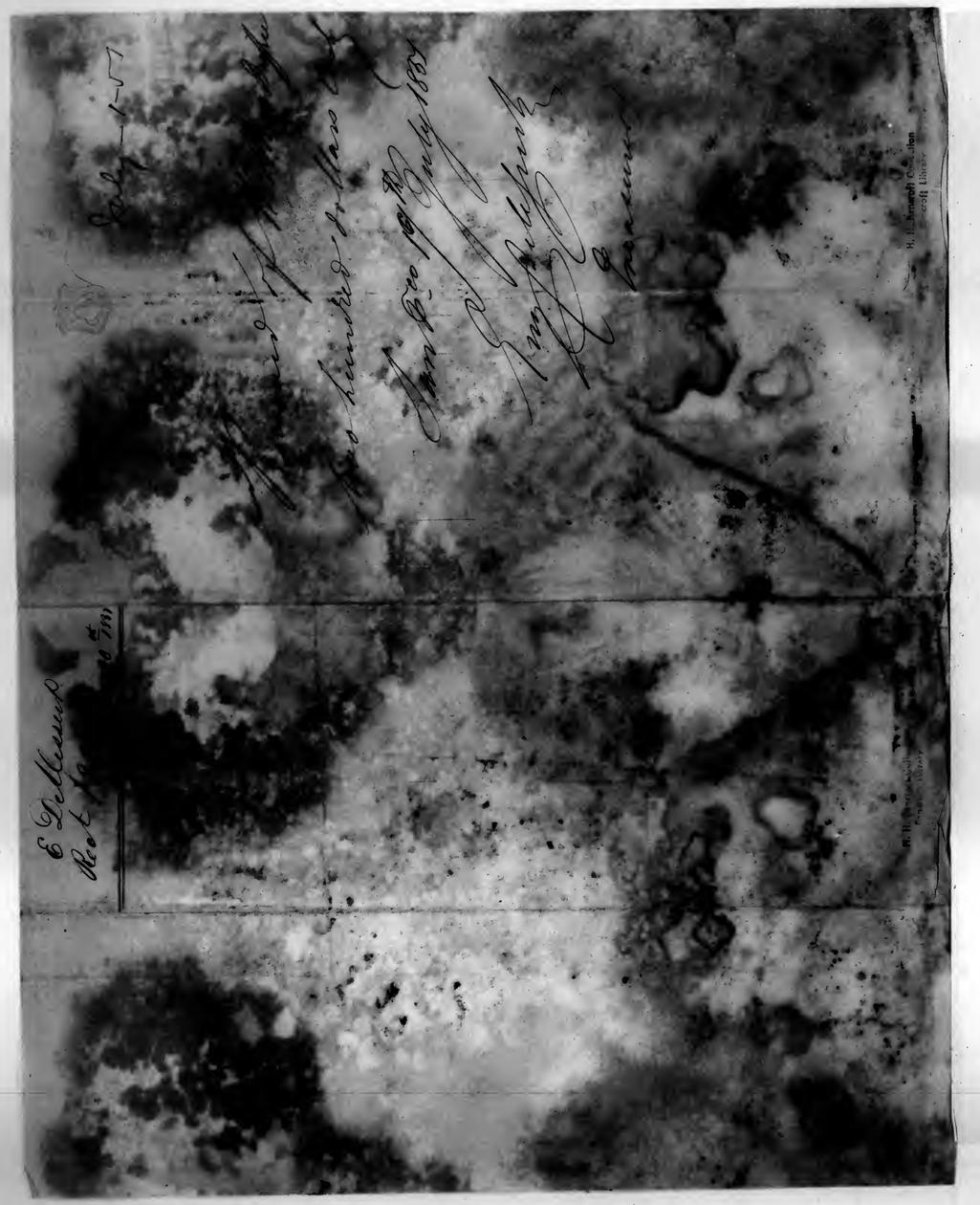
For expenses of trip from Saucilito to San Francisco - to give information concerning Brig Malet, Adhel

$12 -

San Francisco July 12 1851

Recd Payt

Amt due.



E Dellessert

Rect $200

July 20th 1851

Omit

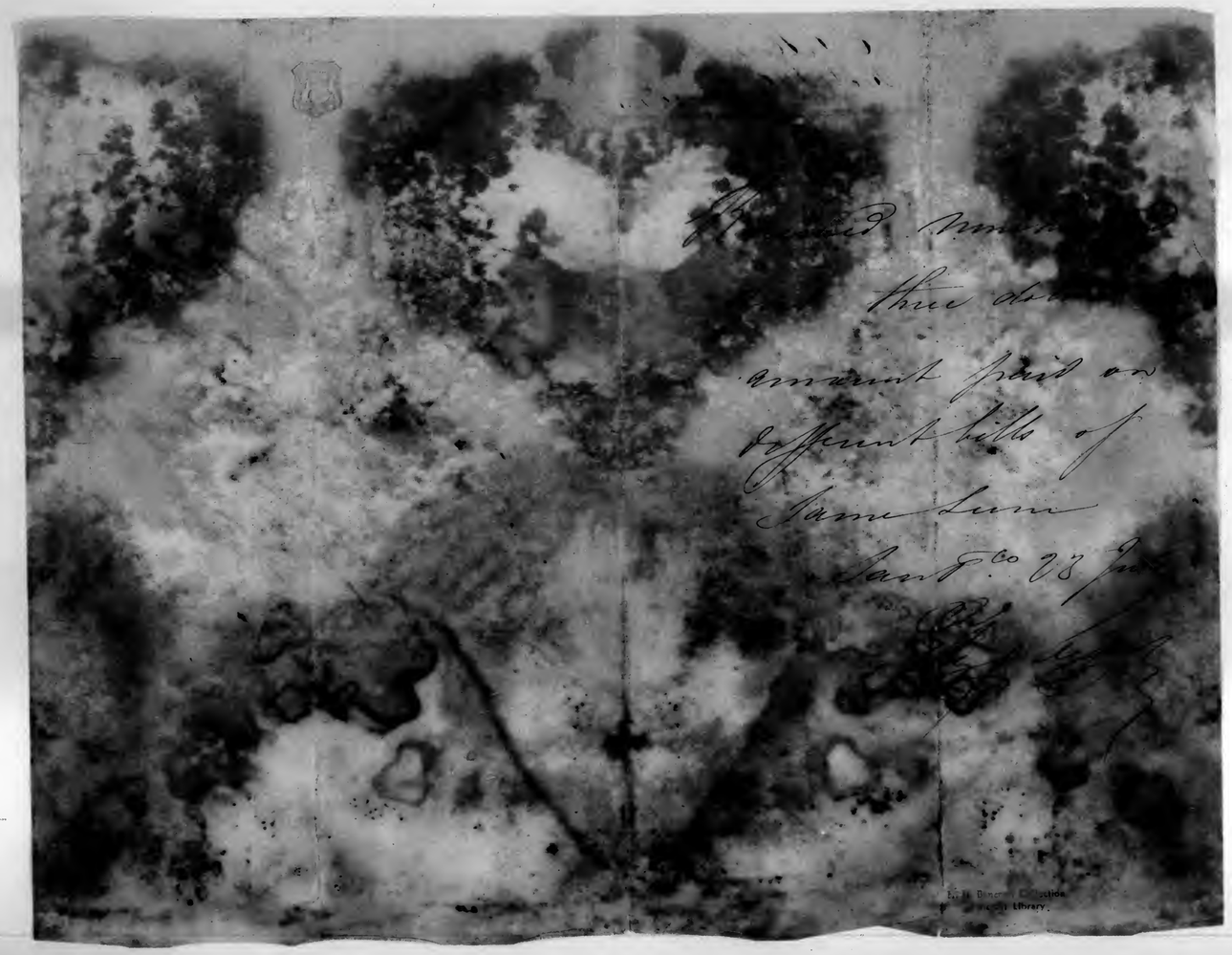
~~July 1 – 51~~

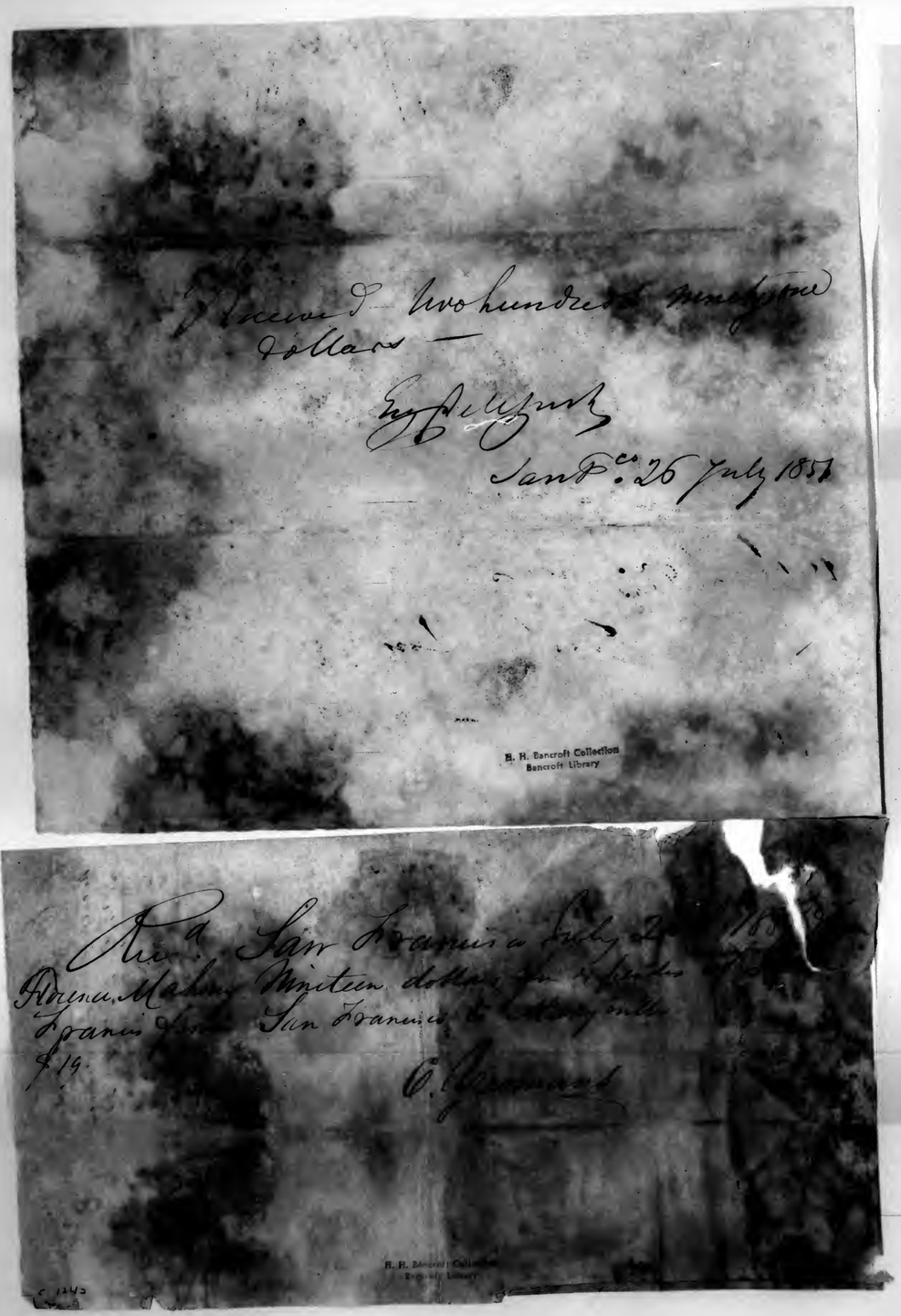
Received of W Mac Duffee two hundred dollars Cash

San Francisco 18th July 1851

F Delessert

Treasurer


three dr
amount paid on
different bills of
Same Sum
Sand Co 28 Ju


Received two hundred & ninety one
dollars —
F Dellessert
San Fco 26 July 1851
B. H. Bancroft Collection
Bancroft Library

Rec'd San Francisco July 26 1851
Forty Mahes Fifteen dollars for 2 books
Francisco to Sonora
$15.
C Lemmon
B. H. Bancroft Collection
Bancroft Library
C 1243

F Dellessert Rec'd
$291 July 26th 1851

Received two hundred & ninety one dollars -

F Dellesent

San Fco 26 July 1851

6

E. Delcourt Rec.d
8291 = July 25th 1851

H. H. Bancroft Collection
Bancroft Library

E Geoncleus
Receipt — Ino Frances
July 25th 1851

E 0153

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee

To Hack hire & Expenses on two occasions $35.00

San Francisco July 29. 51.

Capt Tuffts.

H. H. Bancroft Collection
Bancroft Library

San Francisco July 31st 1851

Vigilance Committee

To A J Ellis. Turner & Maloney

Dr To Travelling Expenses to
from Marysville by order of
the Executive Committee — $150.00

Cr

By Turner July 1st to 5 days dues $10
" Maloney " " " 5
" Ellis " " " 5 — 20
$130

Repaid
for Jail funds 30
$100

Reduced to - $ 75-
as per Contract

H. H. Bancroft Collection
Bancroft Library

San Francisco July 30, 1851.

Vigilance Committee

1851
July 7. For making & putting in 3 draws a #6. 18 00
" 29 " Bric Bat & Legion hole. 15 00
" " " 1 Jail & Sheriff. 7 00

Rec'd Payment
Geo. P. Doane & Kly

Or
~~By Amt due 85-~~

Sec'ds & Kly
$ 40 00
4 00
$ 44 00
$ 8 00
~~$ 36 00~~

H. H. Bancroft Collection
Bancroft Library

No 5

Ellis. Isic
St Jenicy mail
July 30th 1851

H. H. Bancroft Collection
Bancroft Library

July -1851

The Vig Com To A Wardwell Dr

1851

July 2 Doz Lamp Chimneys at $3 $600

Recd Payment

Quit

July -1851

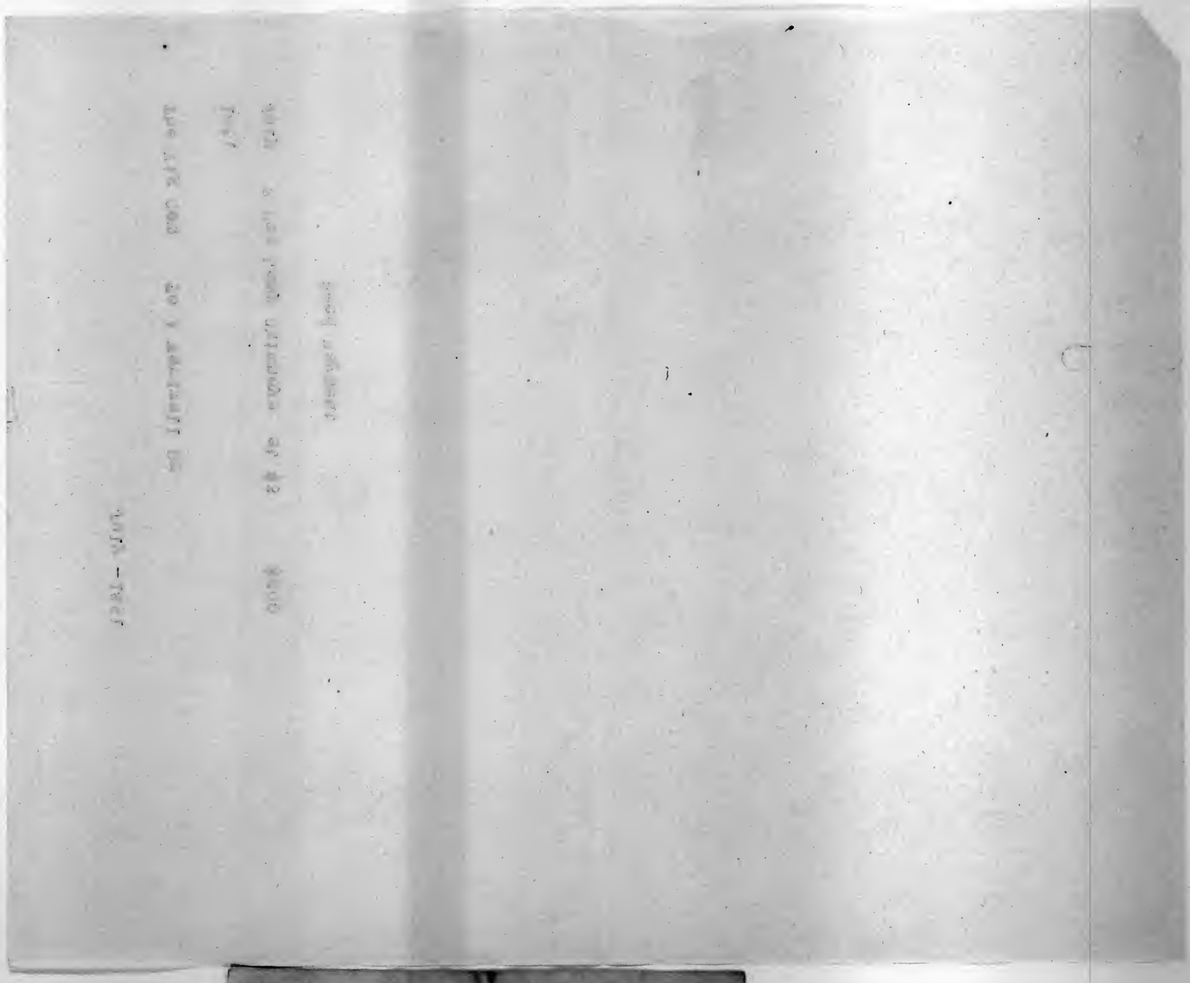
The Vig Com To A Wardwell Dr

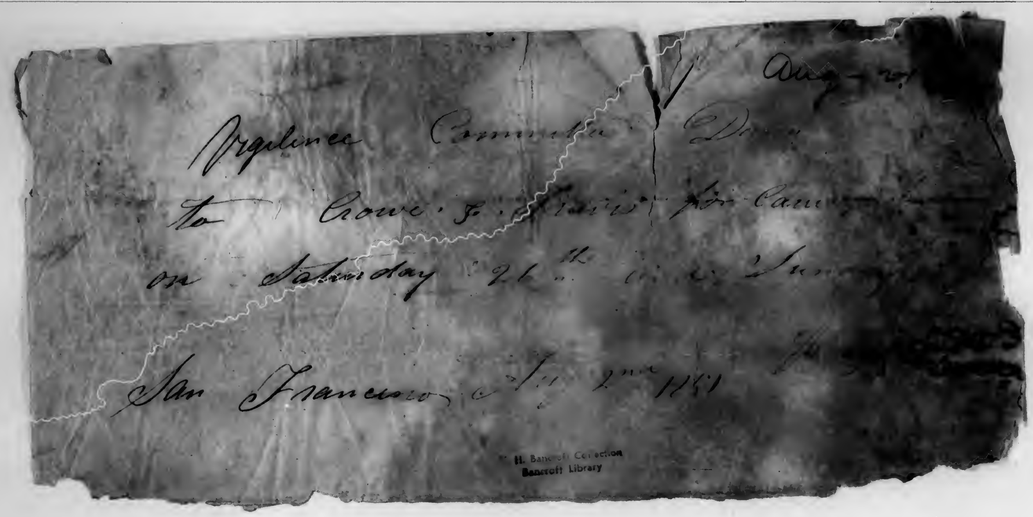
1851

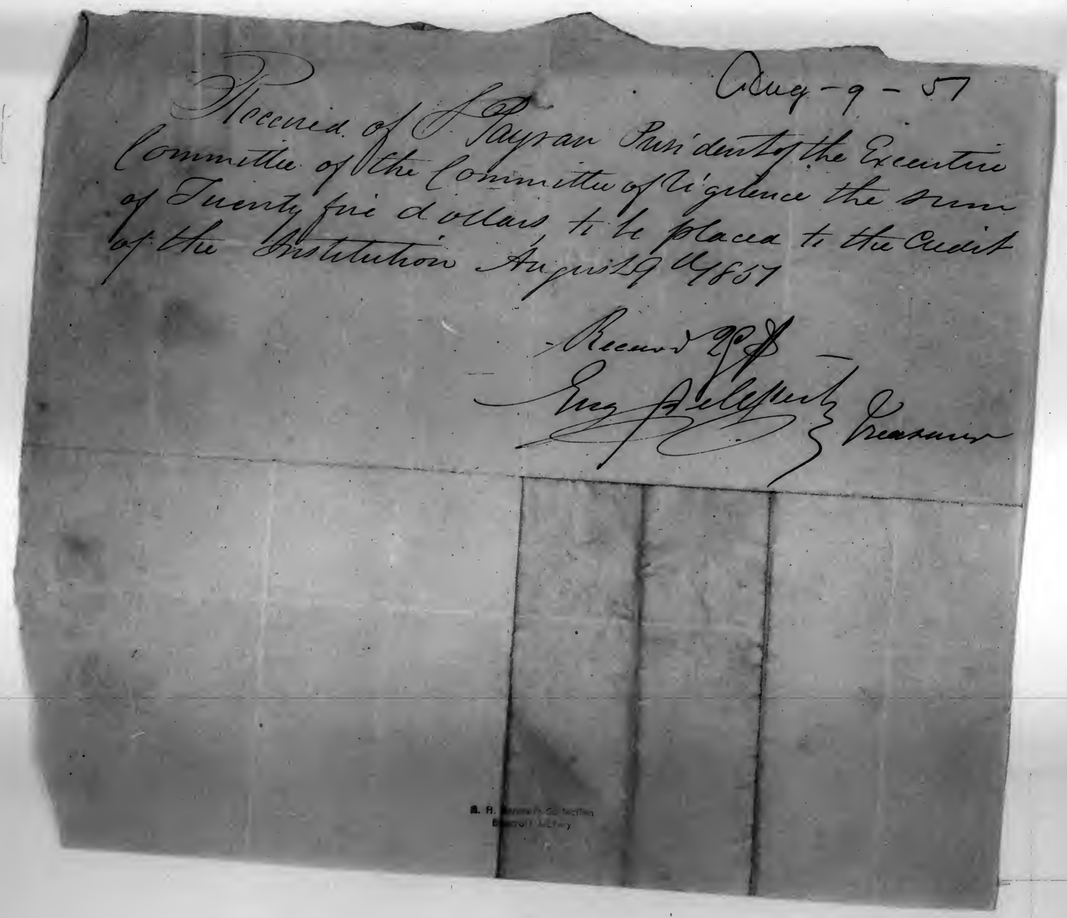
July 2 Doz Lamp Chimneys @ $3. $600

Rec'd Payment

H. H. Bancroft Collection
Bancroft Library




Vigilance Committee
to Crowe & Harris for Cash
on Saturday 24th [illegible] June
San Francisco Cal. 2nd 1851
H. Bancroft Collection
Bancroft Library


Aug-9-51
Received of S Payran President of the Executive Committee of the Committee of Vigilence the sum of Twenty five dollars to be placed to the credit of the Institution August 9th 1851
Received 25$
Eug Delessert
Treasurer
H. H. Bancroft Collection
Bancroft Library

Aug - 9 - 51

Received of S Payran President of the Executive Committee of the Committee of Vigilence the sum of Twenty five dollars, to be placed to the credit of the Institution August 9th 1851

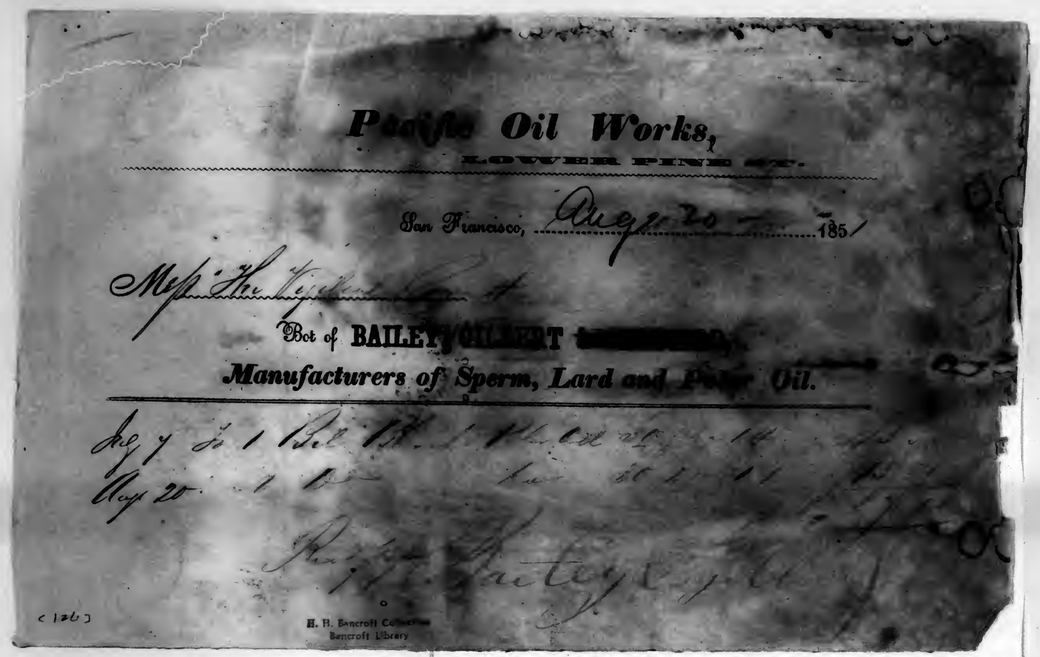
- Received 25$-(?)

Eug Delessert

Treasurer

financial ?

7



Pacific Oil Works,
LOWER PINE ST.

San Francisco, Augt 20 185/

Mess. Flint Peabody & Co

Bot of BAILEY GILBERT [redacted]

Manufacturers of Sperm, Lard and Paint Oil.

Aug 20 1 Bl [illegible]

Aug 20 1 Bl [illegible]

Rec't Payment

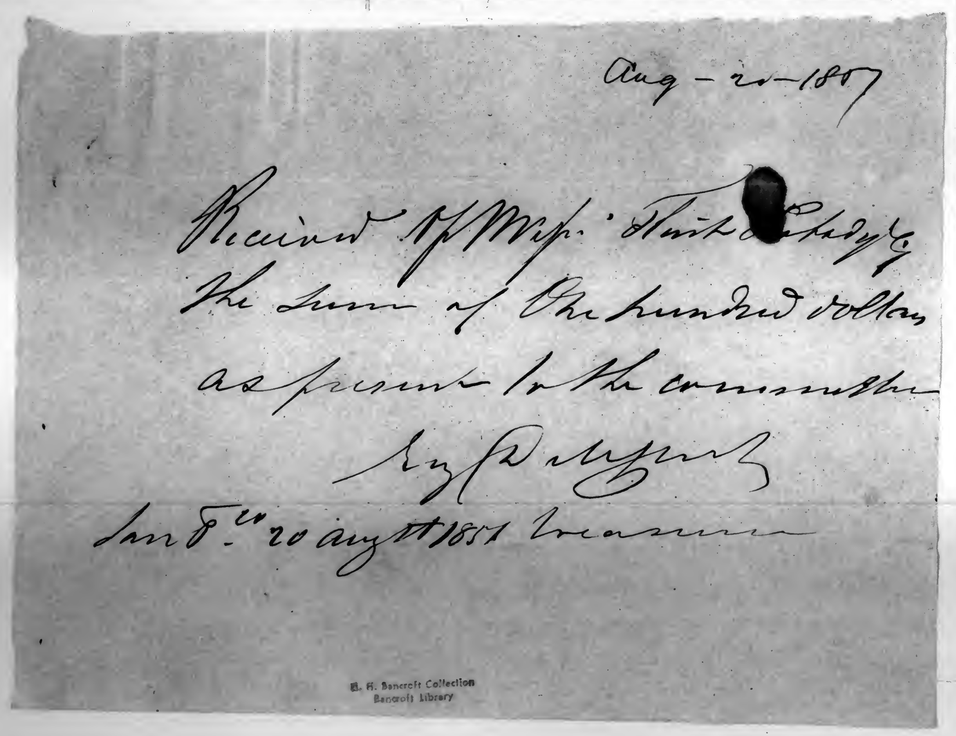
[illegible]

(126)

H. H. Bancroft Collection
Bancroft Library

Aug - 20 - 1851

Received og Messrs Flint Peabody & Co
The sum of One hundred dollars
as present to the committee
Eng Delessert
San F 20 Augt 1851 treasurer



Aug – 20–1851

Received of Mess. Flint Peabody & Co
the sum of One hundred dollars
as present to the committee
Eng Delessert
San F.co 20 augt 1851 treasurer

H. H. Bancroft Collection
Bancroft Library

Aug - 21 - 1851

Received of Mr -

Two hundred Dollars

for the Committee

200 - Eug Delessert

treasurer

San Fco 23 August 1851

Aug - 21 - 1851

Received of Mr ——

Two hundred Dollars

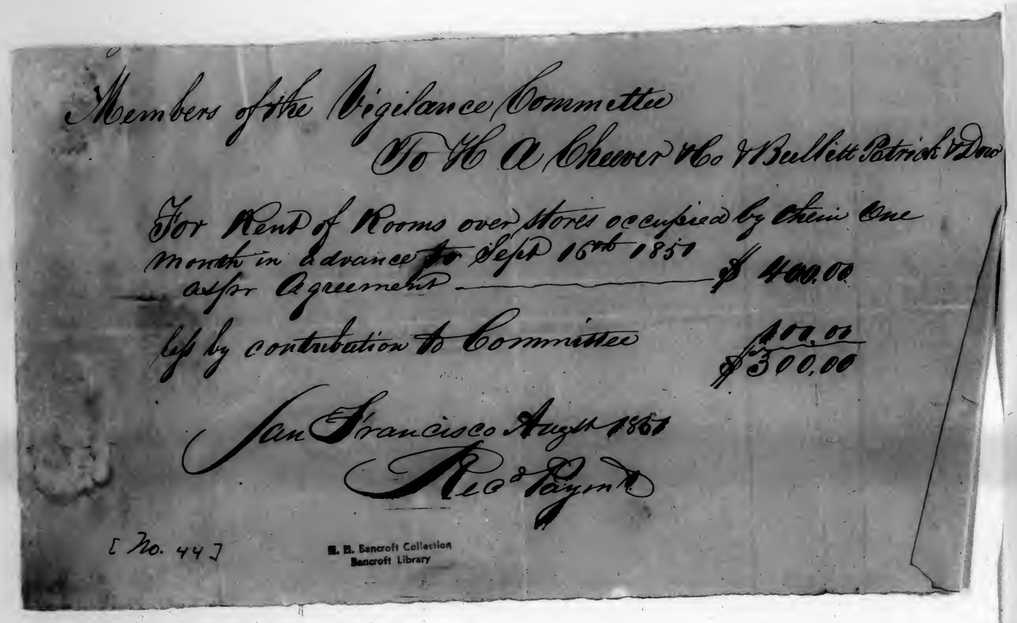
for the Committee

$200- Eug Delessert

treasurer

San Fco 23 August 1851

H. H. Bancroft Collection
Bancroft Library



Members of the Vigilance Committee

To H A Cleever & Co & Bullett Patric & Dow

For Rent of Rooms over Stores occupied by them One Month in advance to Sept 16th 1851 as per Agreement ---------- $ 400.00

less by contribution to Committee 100.00

$ 300.00

San Francisco Aug^st 1851

Rec^d Paym^t

[No. 44]

H. H. Bancroft Collection
Bancroft Library

Members of the Vigilance Committee

To H A Cleever & Co & Bullett Patric & Dow

For Rent of Rooms over stores occupied by them One month in advance to Sept 16th 1851

as pr Agreement ---------- $400.00

less by contribution to Committee 100.00

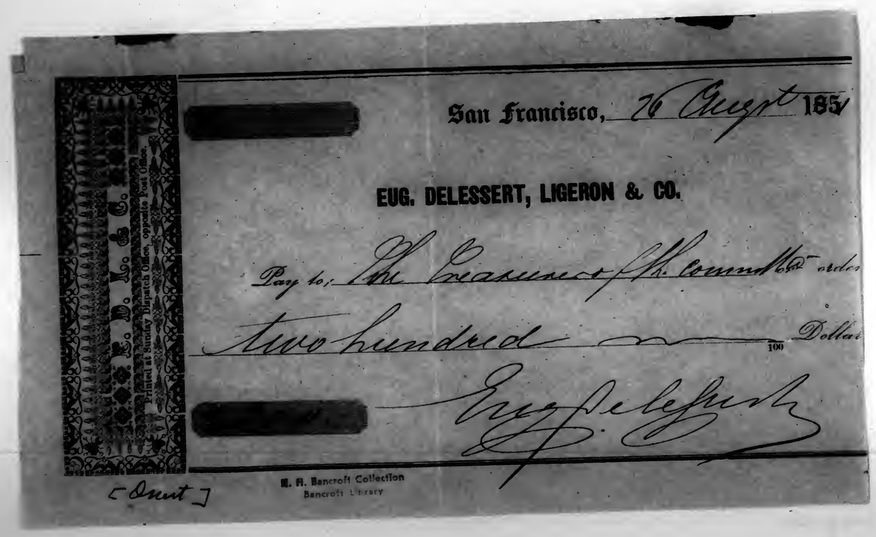
$300.00

San Francisco August 1851

Recd Paymt

Amt dup.

July 16 . No. 9 400
Sept 13 44. 300



San Francisco, 26 Aug^st 185[illegible]

EUG. DELESSERT, LIGERON & CO.

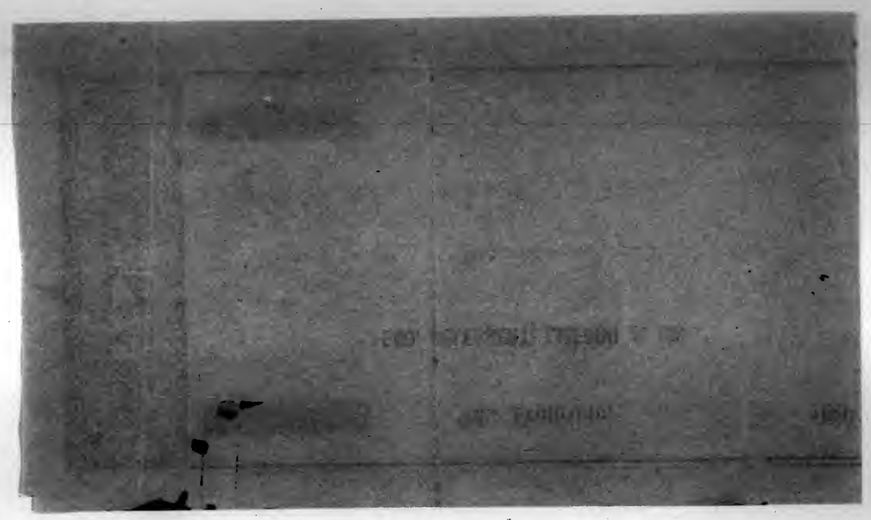
Pay to: The Treasurer of the Committee or order

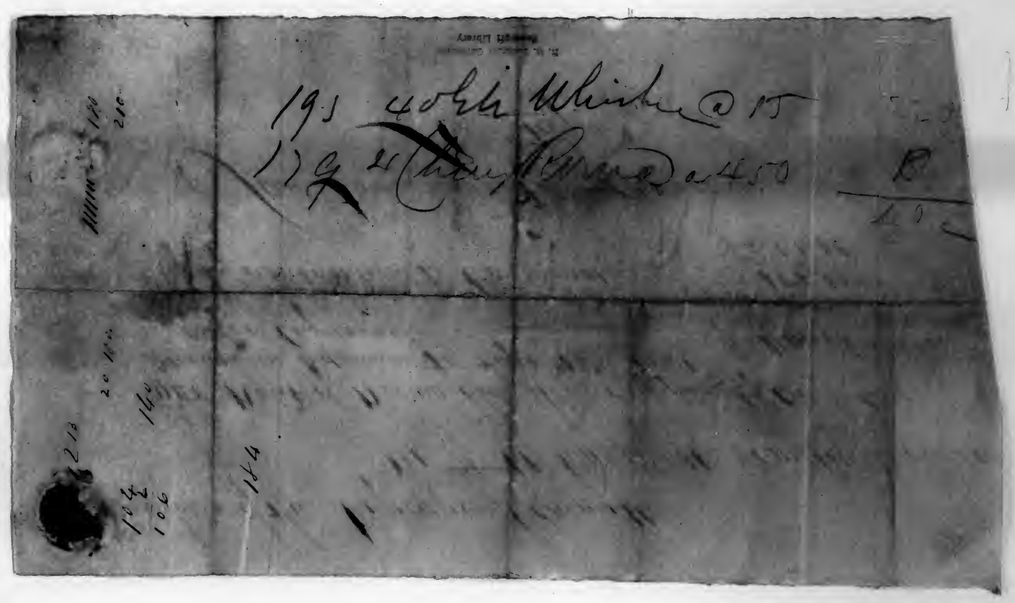
two hundred ---- 100 Dollars

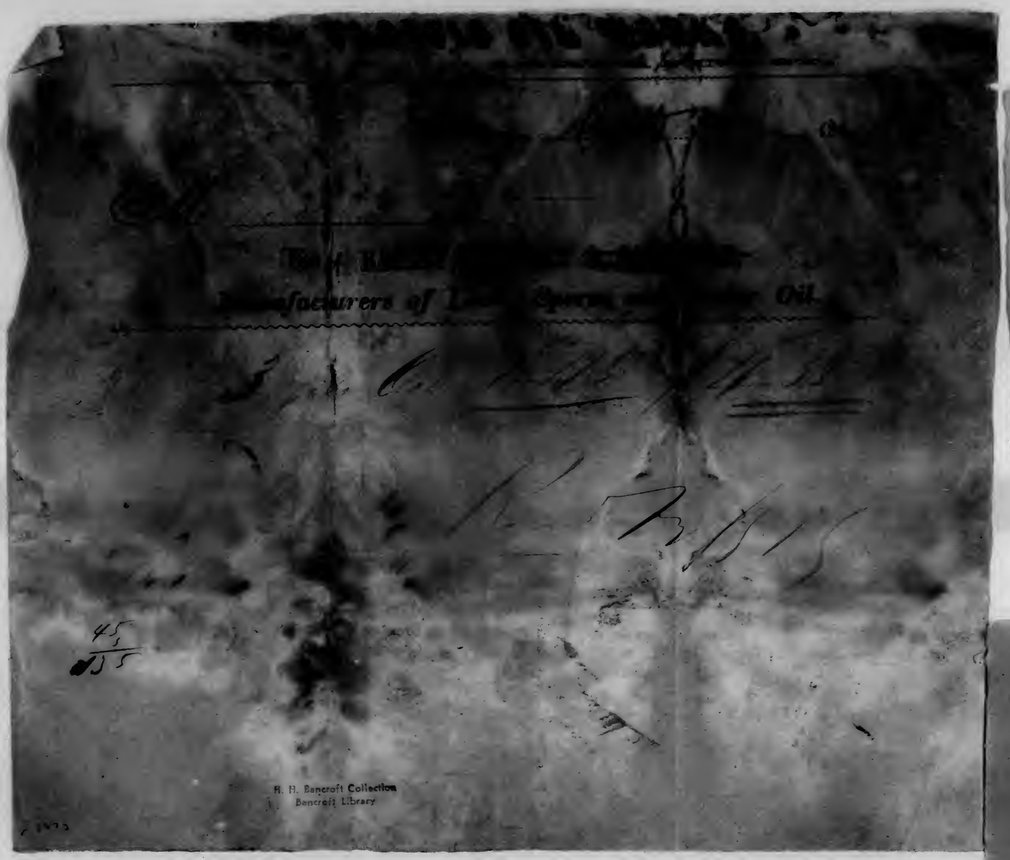
Eug. Delessert

[Amt]

H. H. Bancroft Collection
Bancroft Library




19 cords White @ 15
12½ " " @ 4.50


H. H. Bancroft Collection
Bancroft Library

Sept 8. 1857

Rec'd of Ex Com^te

a bag containing

8 Slugs	$50—	$400
2 gold	$26	26
unknown	33.75	33.75
		$459.75

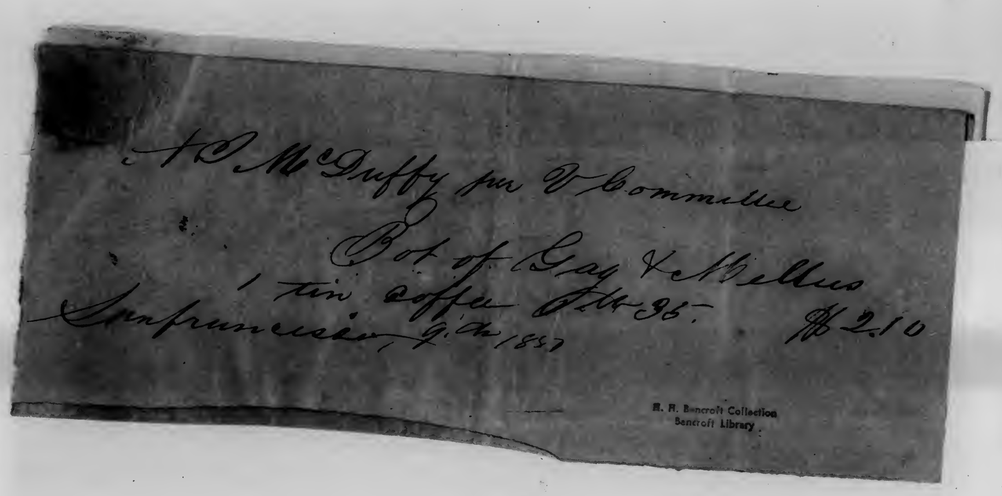
H. H. Bancroft Collection
Bancroft Library

Gerner & Garnes $5.00
Jas phelan — 3.00
$8.00

I handed the above amount to W. Pegram in the Committee rooms, 8th Septr. and is all I collected map. for the committee.

James Turpen
Corner of Sansome St
and Long Wharf

H. H. Bancroft Collection
Bancroft Library



flush

A J Mc Duffy per V Committee, # Bot of Gay & Mellus

1 tin coffee	6 lb 35	$2.10

Sanfrancisco, 9th 1851

flush

Mr D L Oakley for Vig Com, # Bot of Gay & Mellus

1851 Sept 3	1 tin	Coffee	6 lbs 35	2.10
" 6	1 "	do	do "	2.10
				$4.20

Purchased by me, # [Signed] D. L. Oakley St A Ams

San Francisco July 31, 1851

flush

A J McDuffee for Vig Committee, # Bot of Gay & Mellus

3 Tins Mocha Coffee	18	35	6.30
10 cheeses	97½	20	19.45
2 lbs Tobacco		75	1.50
1 Box claret			4.50
3 Galls Alcohol		3.00	9.00
			$40.75
Carting			1.00
			$41.75
By cash A. J. McD.			6.00
			$35.75

Paid by MacDuffee

(This bill not numbered nor stamped by Delessert's stamp)

no. 8 on verso of July 31 bill

D L Oakley Dr Rig Com

Robt Gay & Mellus

1857 Sept 3 1 Tun Coffee Obl 55 — 3.10

6 1.4 do 1.— " 2.11

4.20

Purchased by one,
D L Oakley
Ord A Am

B. H. Bancroft Collection
Bancroft Library

San Francisco July 31. 1857

Mr McDuffie

Bot of Gay & Mellus

for Vig. Committee	3 Jars Mackerel	18 — 85	6.50
	10 cheeses	97/4 — 20 —	19.45
Mr McDuffie	2 lbs Tobacco	75	1.50
Pd Six Dollars	1 Box claret		4.50
	3 Gals Alcohol	3 00	9.—
			$ 40.75
			1
			40.75
	By cash Pd		5.—
			$35.75

Paid by Mac Duffie Carley

B. H. Bancroft Collection
Bancroft Library

W Langerman

To the Committee of Vigilance Dr

To	July & August Dues	$5 ea	10.00
"	Fines (two)		10.00
			$20.00

San Francisco Sept 11th 1851

Reed Payt

Collector

B. R. Bancroft Collection
Bancroft Library

Sept 24 - 1851

Received of C Dewey Esqr the sum of two hundred & seventy seven

Dollars

San F 24 Sept

1851

Eug Delessert

Treasurer

8 cm] 130 -
112
35 -
277 $

3 cm

Sept 24 1851

Received of C. Dewey
Esq. the sum of
two hundred & seventy
seven Dollars

San F 24 Sept
1851
Eug Delessert
Treasurer

130 -
112
35 -
277 $

R. H. Bancroft Collection
Bancroft Library

A. P. M. Duffie

To the Committe of Vigilance

Dr.

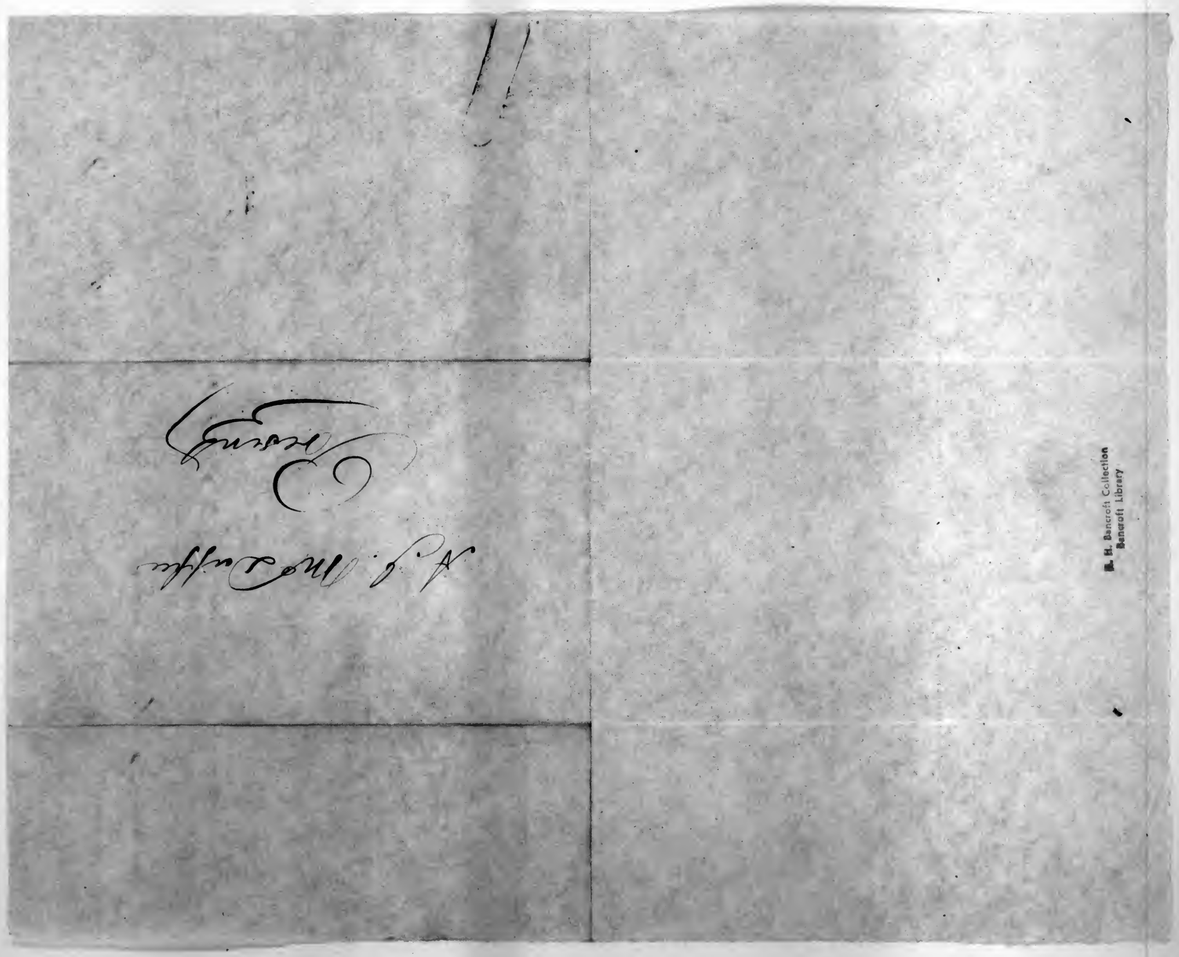
To give Jury collected from

596. ~~506.~~	J Lasky	$5.	
506	B Dexter	" 5.	
17	A Drischoll	" 5	
21	J. R. Curtis	" 5 "	
85	J. D. Farrell	" 5 .	$25,00

Sept 25th 1851 Rec'd Pay't

[Omit]

B. H. Bancroft Collection
Bancroft Library


U. C. Bancroft Collection
Bancroft Library

Vigilance Committee

To Thomas Tucker —

To one Trip Ship Grete for Stolen Money — 5.00
" Ship Trescot for House 2. Trips 10.00
" do do - 2 Trips for other Prisoners escaped - this was ordered by E. Committee 10.00
" one Trip to Black Squale with man & wife for Sydney as p order of E. of V. Committee 5.00
$30.00

Correct Wm H Clark
Chief of Water Police V. C.

August & September Bills.

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee

To Thomas Tucker.

To one Trip Ship Grete for stolen money	5.00
To Ship Trescot for House 2 Trips	10.00
" " " 2 Trips for other Prisoners escaped - this was ordered by the E Committee,	10.00
To one Trip to Black Squale with man and wife for Sidney as per order of E.of V. Committee	5.00
	$30.00

Correct,

Wm. H. Clark, Chief of Police, V. C.

August and September Bills.

Vigilance Committee To Mrs S. E. Cole Dr
For three linen scarfs @ 5 — $15.00
San Francisco Oct 11 57
Rec'd Payment
S E Cole

H. H. Bancroft Collection
Bancroft Library

[108]

D L Oakley in acct with E Dekessey
Treasurer to E.C of V.C.
Sanfrancisco Oct 24th 31

Dr

Oct 18th To Cash, as pr Receipt $50.
24th " Balce 100
$150

Cr

By Services as Sergeant Cd arms
from Sept 24th to Oct 24th
1 month at $150 pr mo $150

Balce due $100

EE

Dan L Oakley
Sergt at arms

To E Dekessey Esqr
Treasurer
San Francisco

Oakley 30 apt.

E. H. Bancroft Collection
Bancroft Library

Petty Cash in acct with E Dekessey
Treasurer - V.C.
Sanfrancisco Oct 24th 1831

Dr

To Cash Oct 1st as pr Rect 20.
" disg 4 pcs for Oct 32.50
$52.50

Dupl

Cr

By Expenses
Water.
Newspapers
Washing Towels etc $21.17
Balce on hand 31.33
$52.50

EE

Dan L Oakley
Sergt at arms
Sanfrancisco Oct 24th 1831

E. H. Bancroft Collection
Bancroft Library

Sergeant Adams
in acct
with the
Treasurer
Oct 24th 1831

Pub. Doc. 1st. C 983
M. H. Bancroft Collection
Bancroft Library

Vigilance Committee

cvs

S Rosenthal

4 yds blk Creep — 4 — —

1 p Pins — 25

$4.25

Rec't [In Cap. Funeral Oct. 28, 1851]

Mr Tabor for the Vigalance Committy

Dr San Francisco Mar 18th 51

3 Marshals

to Stable Dr

to three Linen Sheets $5 each $15.

Rec Payment

Mr Woodward has not paid for either of the sheets

[Jud June 19, 1852]
Dep. Court

B. H. Bancroft Collection
Bancroft Library

Vigilance Committee

[illegible]

L Rosenthal

4 yds [illegible]
1 p Pins

B. H. Bancroft Collection
Bancroft Library

San Francisco January 17th 1852

Vigilance Committee

To SAN FRANCISCO HERALD, Dr.

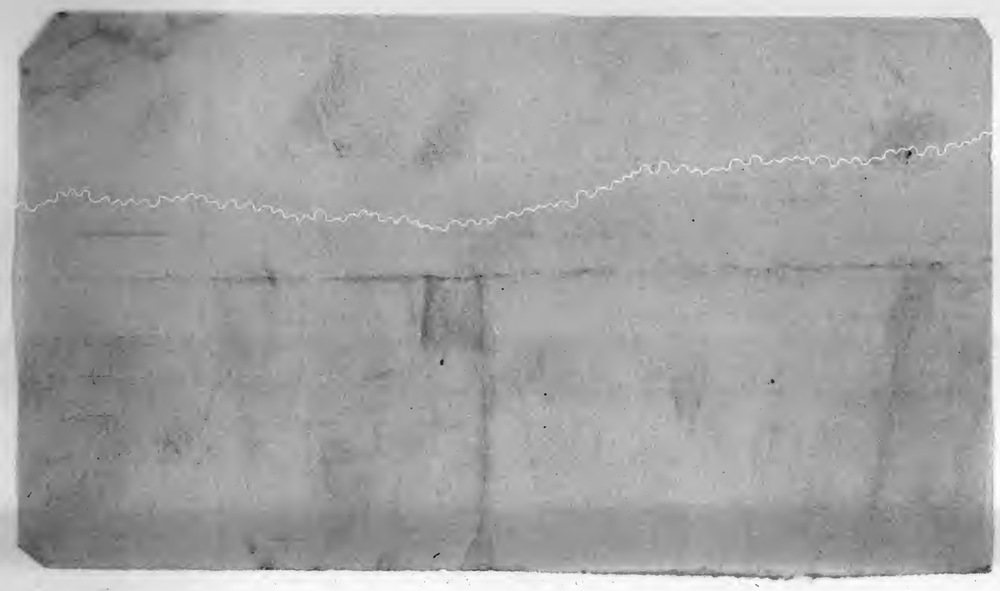
OFFICE, MONTGOMERY STREET,

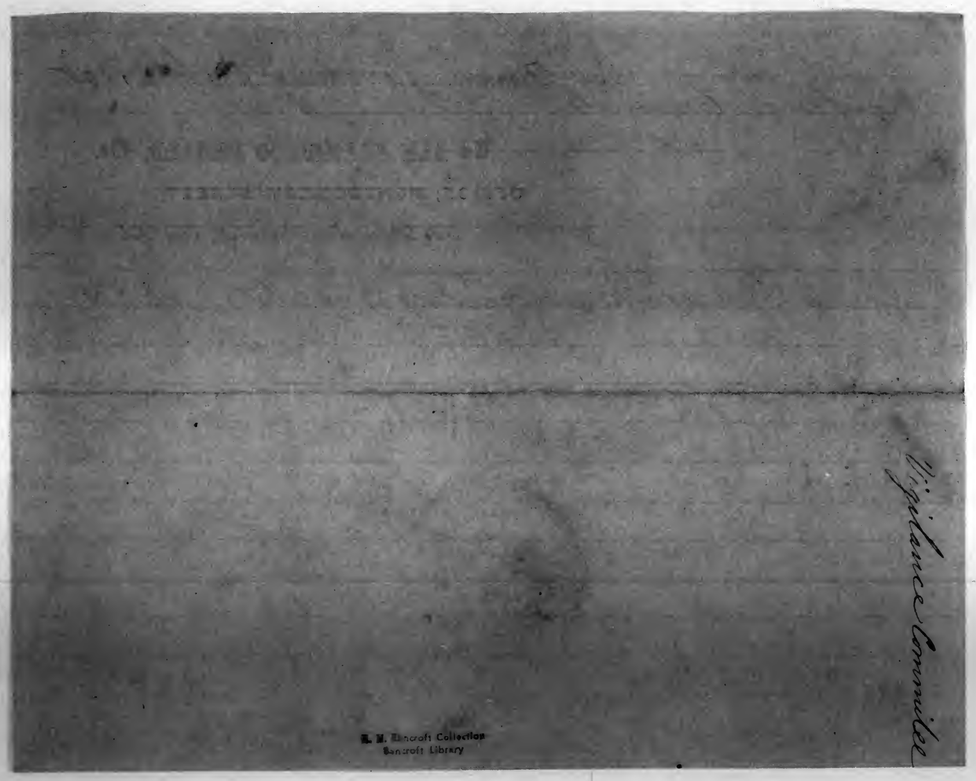
Two Doors above Sacramento, East Side.

Jan 14th To Ado Notice Meeting 1 sq 1 t $3.00

Correct
for Committee

B. H. Bancroft Collection
Bancroft Library





H. H. Bancroft Collection
Bancroft Library

Vigilance Committee

San Francisco, Jany 24th 1852

Vigilance Committee

To SAN FRANCISCO HERALD, Dr.

OFFICE, MONTGOMERY STREET,

Two Doors above Sacramento, East Side.

Advertising to Members $ 4.00

Account for Castrigle

R. H. Bancroft Collection
Bancroft Library

Mr Delessert à Delpech & Leonhard Pharmaciens à San Francisco

1852 Janvier 7	8 pilules Compostes	1	50
	Miel Rosat	1	"
	Soufre Sublimé		50
8	Pommade	2	"
	Sirop de Nerprun	2	"
12	8 pilules Comp	1	50
	4 Collyre	1	"
31	8 pilules	1	"
	1 Limonade de Rogier		50
		$ 13	50

Mons Castrigle

Reçu 16 fr 50 c. Delpech

Solde à fournir 3 fr 50

R. H. Bancroft Collection
Bancroft Library

Louis Delpech
Ric Louis Delpech

458	5.00
489	10.00
499	10.00
538	12.50
	20.
	157.50

Mr Atlantic 2 mo dus Louis
& Jean 4 mo dus Mr Ric
D Delicieux " " "
Mark R5 " " "
Marie " " "
Jean Francois " "
Le Certificat
Fait à S.F. 1852

Le Chanoine
Secretaire

B. H. Bancroft Collection
Bancroft Library

Sent [Feb. 25, 1852]

Geo. Mellus & others

To, E, Clark Cook Dr

To services in defending you against

Peter Metcalf in the Superior Court $500.00

Recd Payment.

refered to finance Com

Cook accepts to defend Mellus et al Nov. 12, 1851. was to receive $500 at termination of sent. (see minutes Nov. 5, 1851) Resolved: that bill for defending Mellus et als be approved and paid by the treasurer (minutes, Feb. 25, 1852)

Geo. Mellus & others

To, E, Cook Dr

To services in defending your against Peter Metcalf in the Superior Court. $500.00

Recd Payment.

refered to finance Com

H. H. Bancroft Collection
Bancroft Library

Vigilance Com

San Francisco, March 13, 1852

Vigilance Committee

	Dr
To Hawes & Co -	
To Alta California from Oct 25	
to date - 20 weeks -	$10.00
Recd payment To April 10-4 weeks	2 00
	$12.00

San Francisco Mar 18th/52

The Committee of Vigilance

To Auction Saloon Dr

To 1 Months rent to April 18th/52 $50.00

Rec'd pay

H. H. Bancroft Collection
Bancroft Library

[105]

San Francisco Mar 18th/52

Vigalance Committee

To Auction Saloon Dr

To rent of Rooms one month

from date $50.00

Recd Payt

Bradford Ladd

H. H. Bancroft Collection
Bancroft Library

San Francisco, March 18th/52

Vigilance Committee

To Hawes & Co

To Alta California from Oct

to date - 20 weeks

Recd payment To April 10-4 weeks

H. H. Bancroft Collection
Bancroft Library

Vigilance Committee

To B. Faloon Dr

1852

Jany 17 Funds Certificates — 8.00

27 do — do — 12.00

$ 20.00

San Francisco March 20, 1852

Rec'd Pay

B. Faloon

[104]

H. H. Bancroft Collection
Bancroft Library

Replevin Com

San Francisco April 2nd 1852.

J. Blackmore Jr. Vigilance Committee

To SAN FRANCISCO HERALD, Dr.

OFFICE, MONTGOMERY STREET,

Two Doors above Sacramento, East Side.

Add Watch found 1 dy 3d $ 3

H. H. Bancroft Collection
Bancroft Library

Alta California Newspaper, Book and Job Printing Establishment

PORTSMOUTH SQUARE.

BY STEAM OR HAND PRESSES,

Every Description of [illegible] in a Superior Manner,

WITH A RAPIDITY UNSURPASSED IN THIS STATE, AND AT THE MOST LIBERAL TERMS.

The Daily Alta California,

THE FIRST DAILY PAPER EVER ISSUED ON THE NORTH PACIFIC COAST, IS PUBLISHED EVERY MORNING—SUNDAYS EXCEPTED—AT FIFTY CENTS PER WEEK, PAYABLE TO THE CARRIERS.

The Weekly Alta California

IS PUBLISHED EVERY SATURDAY MORNING, AND MAILED TO SUBSCRIBERS IN THE COUNTRY OR THE ATLANTIC STATES, AT SIX DOLLARS PER ANNUM, PAYABLE IN ADVANCE.

The Steamer Alta California,

FOR THE ATLANTIC STATES AND EUROPE, IS PUBLISHED SEMI-MONTHLY ON THE DEPARTURE OF THE MAIL STEAMERS FOR PANAMA, AT SIX DOLLARS PER ANNUM, PAYABLE IN ADVANCE.

J. Blackmore Jr. San Francisco, Apl 3d 1852.

To E. GILBERT & CO., Dr.

To Add Gold Watch found $6.00

H. H. Bancroft Collection
Bancroft Library

(#1) Vigilance Committee

To Boston Saloon Co

To Rent of Rooms 1 Month $5.00

1852. Rec'd Pay Bradford & Lady

C1057

San Francisco May 1. 1852.

The "Vigilance Committee"

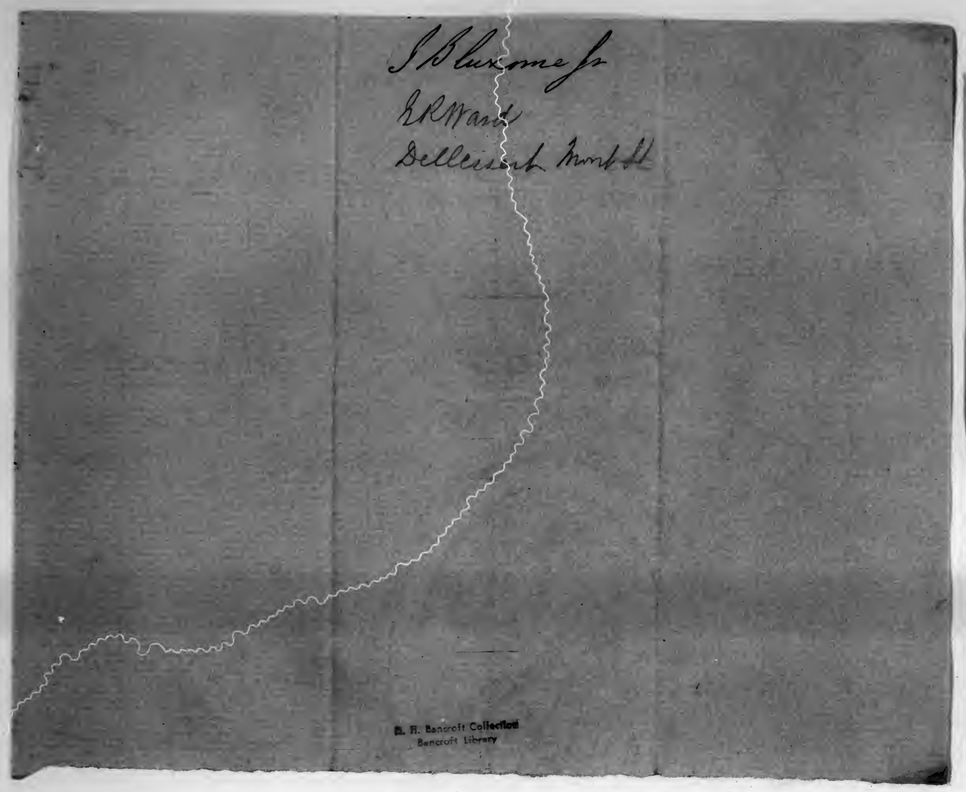
To Hugo P. Flamey Dr.

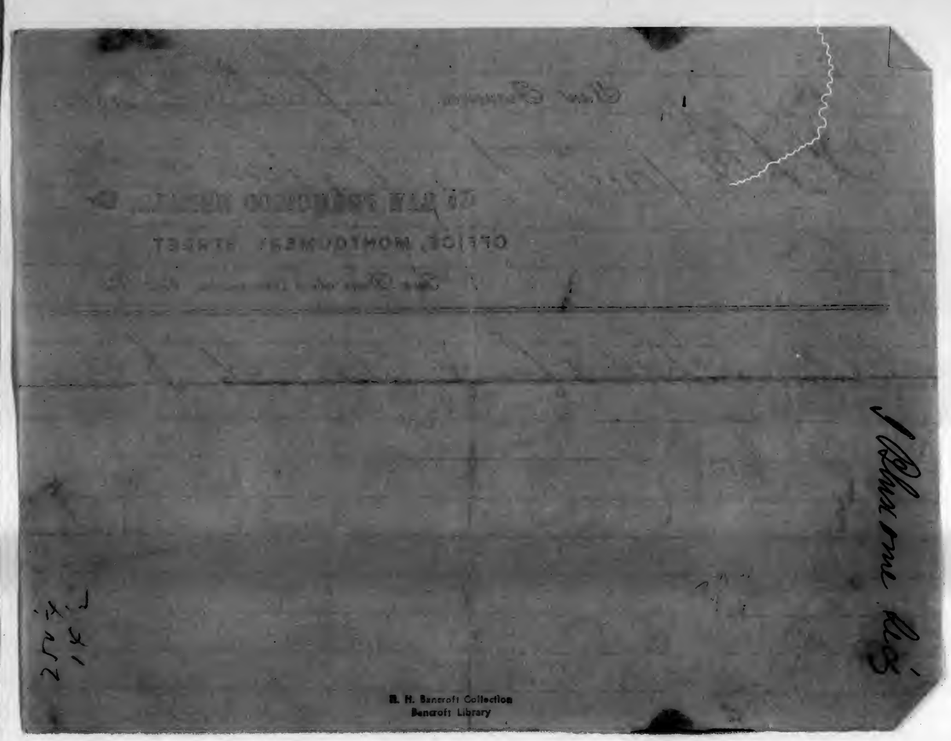
For the "Daily Herald" from Nov 15. 1851

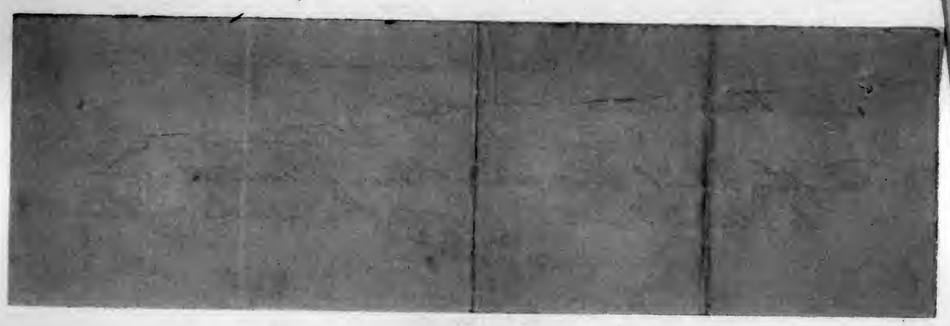
to May 1. 1852 Five & four weeks = $12.00

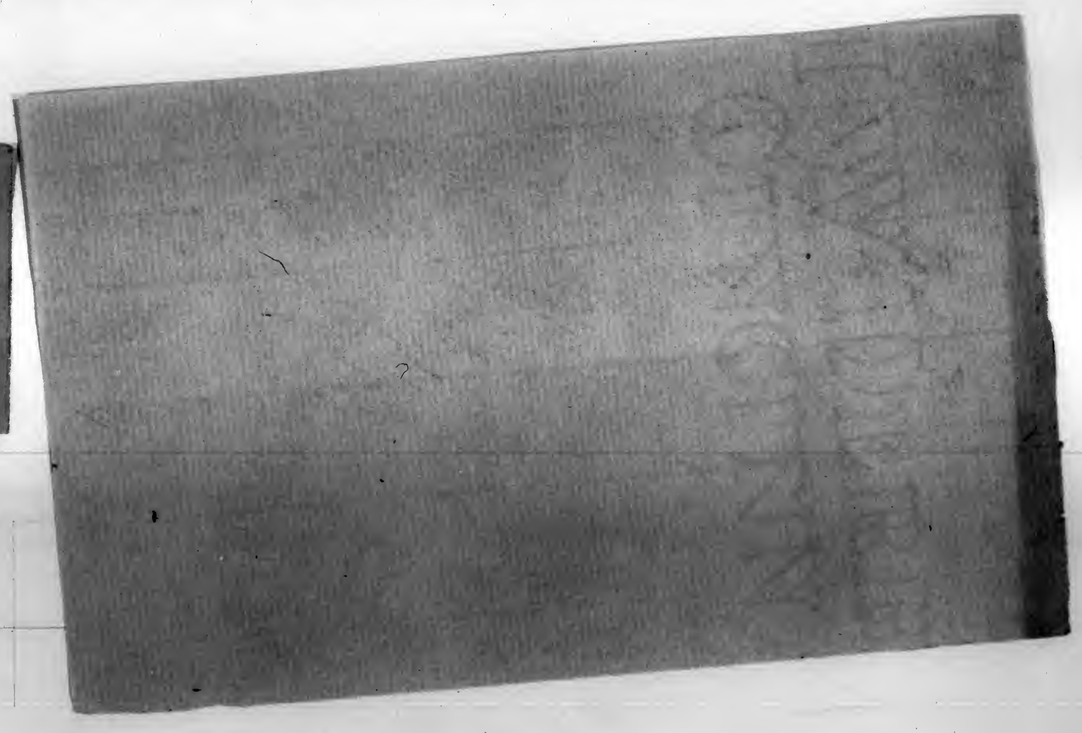
Rec'd Pay

H. H. Bancroft Collection
Bancroft Library


S Bluxome Jr
R R Ward
Bellevue Rancho
B. H. Bancroft Collection
Bancroft Library


J Bluxome Jr
B. H. Bancroft Collection
Bancroft Library





San Francisco, May 1, 1852

The "Vigilance Committee"

To Noyes P. Hawes Dr.

For the "Daily Herald" from Nov. 15, 1851 -

to May 1, 185 2 - Twenty - four Weeks --- $12.00

Receed pay

court financial

5

Alta California Newspaper, Book and Job Printing Establishment,

PORTSMOUTH SQUARE.

E. GILBERT, C. C. RUSSELL, E. COPELAND, PROPRIETORS.

BY STEAM OR HAND PRESSES,

WILL BE EXECUTED

Every Description of Printing in a Superior Manner,

WITH A RAPIDITY UNEQUALLED IN THIS STATE, AND ON THE MOST LIBERAL TERMS.

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Vigilance Committee San Francisco, May 5th 1852.

To E. GILBERT & CO., Dr.

Add Notice		1	6 00

San Francisco, May 8, 1852

Vigilance Committee

To Hawes & Co ---------- Dr

To Alta California from Oct 25

to date - 28 weeks --------- $14.00

Recd payment

Correct

San Francisco, May 8, 1852

Vigilance Committee

To Hawes & Co ---------- Dr

To Alta California from Oct 25

to date - 28 weeks ---------

Rec'd payment

$14.00

H. H. Bancroft Collection
Bancroft Library

Omit

San Francisco

June 4t /52

G. R. Ward Esqr

Bot of A. Milatovich

1	pr Pants e Vest	$23.00
1	Black Coat	23.00
	Altring Coat	3.00
		$49.00

Paid W. Milatvich

financial

San Francisco

G. R. Ward Esqr. June 4th/52

Bot of A. Milatovich

1	Pr Pants & Vest	$23.00
1	Black Coat	23.00
	Altring Coat	3.00
		49.00

Paid W. Milatovich

H. H. Bancroft Collection
Bancroft Library

Compte de Sack 515 —
Ry Delmont 250
Starr 33 35
en caisse 450 —
70 —
Brannan 30
Depots 3050 —
Juste — 4398.35

[Quit]

H. H. Bancroft Collection
Bancroft Library

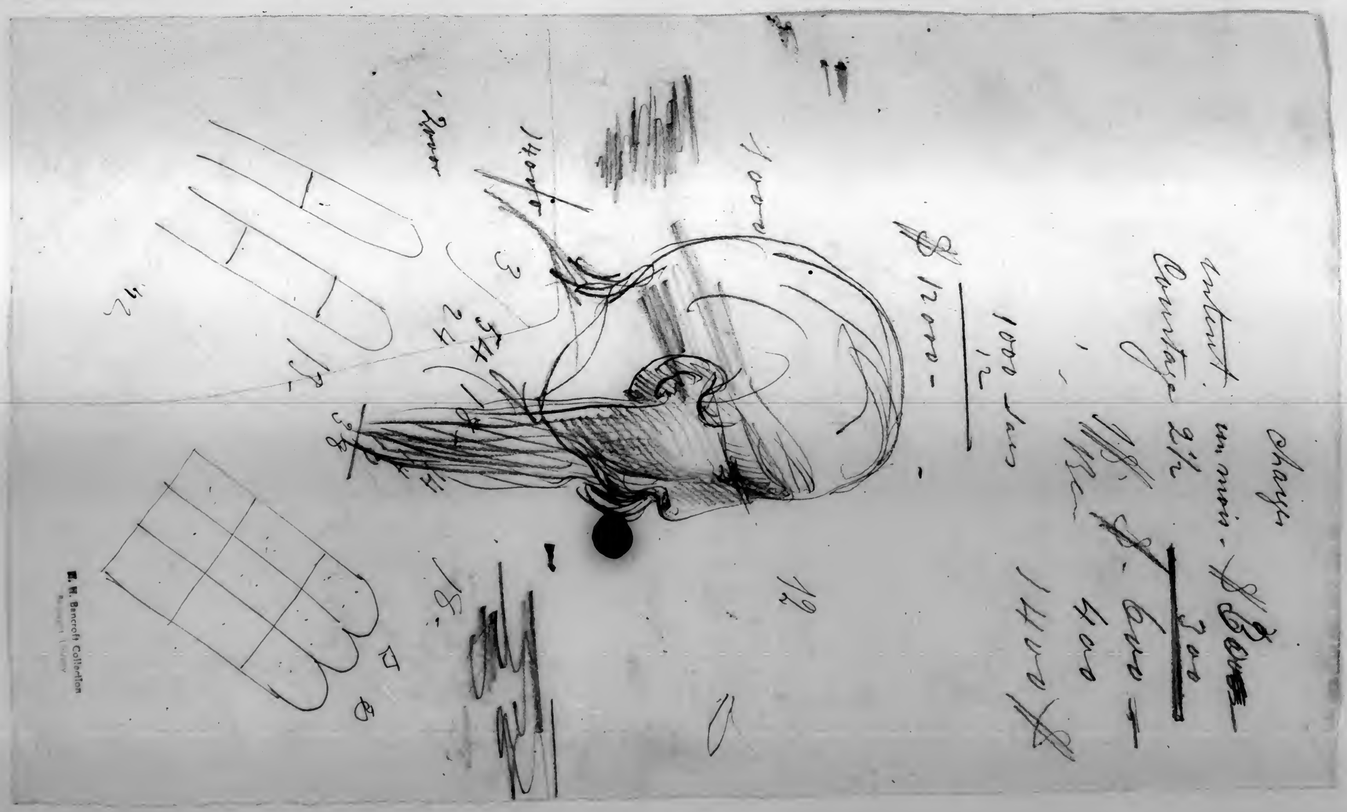
5 6
11.50
58
292
25
109
500
196 50
46 50
15
17
16
150 —
903 11
50 —
100 —
43 50
234 44
2767 58
1716 75
396 40
4880 65

5
50
235
165 25
200 —
225 —
300
55
30 50
25
18
27
21
133
21
195
16
1716 75

110
14
37
52 40
137
29 50
17 50
396 40

Reçu 5282.18
Paid 4880 65
401.53

H. H. Bancroft Collection
Bancroft Library



H. H. Bancroft Collection

4484

Gaz. jacksonville $2750.

1734

200
903 11
112 48
663 50
291 —
25
50 —
185
100
100
105
363 69
86 15
150

$3333 13 —
150 56 —
3183 37 —

1 50
68
292
25
109
500
196 50
46 50
15
17
16
150
903 11
50
100 —
43 50
50
100
135
165 25
50
150 —

3183 37

Gaz. 1734.
150 56

1884 56

Gaz. à mac $700 —
Mr Ayres 200 —
Mcc 100 —

3050
2750.
300

Recu paid

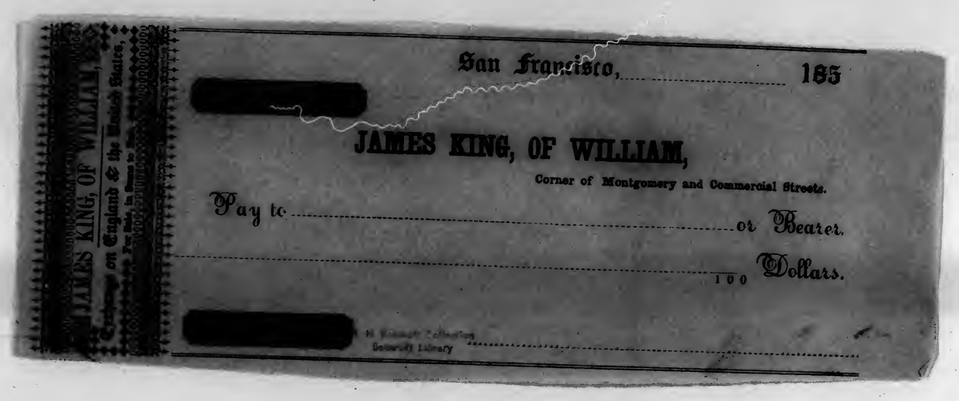
Watts — 150 56 —

H. H. Bancroft Collection
Bancroft Library

84	12.50
113	10.
331	15.
332	12.50
396	5.
594	12.50
681	5.
	73.50

84	12.50
113	10.
331	15.
332	12.50
396	5.
594	12.50
681	5.
	72.50

H. H. Bancroft Collection
Bancroft Library



Since the beginning of the
Committee — $ 6363.33¢
have been paid for Bills —
received by the treasurer " 6078.40
Due in the treasury $ 284.93
7260
150
Due to Bre — 406.93

H. H. Bancroft Collection
Bancroft Library

Bills Approved not paid.

No	1	Oriental Hotel	$ 195.00
	2	Gay & Mellus	49.45
	3	E H Jones	23.50
	4	Green & Brown	30.00
	5	Boat Hire	233.00
	6	Herald	11.25
	7	Rent of Com Rooms	300.00
	8	Boat Hire	5.00
			$ 867.20

Act Approved

Mr Mallony travelling exp		150.00	
Carpenter Bill	"	44.50	
Carriage hire	"	15.00	
Gay & Mellus	"	41.75	
do	"	4.20	
Monney Past	"	37.00	
Herald	"	58.00	
Taffe & McCahill	"	26.00	376.45
			$ 1223.65

Bills Approved not paid

1	Oriental Hotel	✓ "	195 00
2	Gay & Mellus	✓ "	49 45
3	E H Jones	✓ "	23 50
4	Green & Brown	✓ "	30 00
5	Boat Hire	✓ "	233 00
6	~~Geo Bancroft~~ Herald ~~Superintendent~~	✓ "	11 25
7	Rent of Com Rooms	✓ "	300 00
8	Boat Hire	✓ "	5 00
		$	847 20

Act approved

Mr Mallony travelling exp		150 00	
Carpenter Bill	"	44 50	
Carriage hire	"	15 00	
Gay & Mellus	"	41 45	
~~Bancroft~~ Bent	2.	" 4 20	
Monney Past		" 37 00	
Herald		" 58 00	
Taffe & McCahill		" 26 00	376 45
		$	1223 65

H. H. Bancroft Collection
Bancroft Library

The Vigilance Committee

To Green & Bowman

Dr

To the use of Three Horses
at $5 each ——— $15.—

Rec'd pay't

Drink for Woodworth this time pd for use of Ho. Horses —

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

List of Bills due

1	~~Cash Rec'd~~ Account	$25.63
2	2 Bowen expenses	11 —
3	Exp to Sausalito	30 —
4	~~Chattel~~	
5	Ellis —	100 —
6	~~Keating~~	100 —
7	MacHalett	26
8	Gay Miller	35.75
9	Bakes —	3
10	Grandales	30
11	Carriages	10
12	do	35
13	Robenson	6 00
14	Macduffie	53 —
15	Baker & Myers	33
16	Herald	19
17	Middleton sent	110 —
		$623.38

H. H. Bancroft Collection
Bancroft Library

To Balance on hands

	×646	G. Wales Jr	5
	×647	L. W Lockwood	5
	×648	J. D Dodge	5
	×649	N Pierce	5
	×650	E. L Williams	5
	×651	W Broadhurst	5
✓	206	A Miller	5
	×652	W L Bychman	5
✓	875	E. dela Montagne	5
✓	303	A Berke	5
✓	90	T. McCahill	5
	×653	G. P. Kingsbury	5
✓	197	J. L. Harris	5
✓	420	A. Waples	5
✓	156	C. W Travers	5
✓	641	J. J Van Bokkelen	5
Aug 2 ✓	321	J. Paul	5
	×655	E. Kingsbury	5
✓	162	C. S. Wood	5
✓	106	J. T. Hunt	5
✓	218	D. S. Turner	5
✓	328	W. H. White	5
✓	71	G. A. Worm	5
Aug 3	×656	J. Stanley	5
✓	187	F Argenti	5
✓	604	J. E. Fuller	5
✓	50	J. Shindler	5
✓	522	A. B. Southworth	5
✓	73	J. W Rider	5
✓	406	J. Bluxome	5
✓	76	W L Bromley	5
		~~xxx~~	0
✓	297	R W Irving	5
	×657	B. B. Gore	5
✓	205	D W Hunt	5
5	×658	E. Thebault	5
✓	208	W. A Cornell	5
✓	147	J. W. Jackson	5
✓	128	A. J. Ellis	5
✓	154	J McCoughlin	5
✓	334	H. Mathews	5
✓	250	J. P. Mooney	5
✓	22	G. H. Howard	5
✓	186	Jas King of Wm	5
✓	440	J. Middleton	5
✓	296	G. W. Schultz	5
		Amt Carried over	225

H. H. Bancroft Collection
Bancroft Library

		By Amt Brot over	225 00
	×659	R. H. Ebans	5
✓	301	J Porter	5
	×660	R. J. Jenkins	5
✓	473	B. Smith	5
	×661	J. M Woods	5
✓	141	B & Babcock	5
6	×662	D. Cronin	5
✓	311	C. C. Richmond	5
	×663	S. Parrott	5
✓	6	S. S. Mahoney 2d	5
✓	447	J. R West	5
✓	447	J R West 2d	5
✓	248	J. Casserly with 3d	5
✓ 8	184	J. Post 2d	5
✓	341	J. E. Woolf 2d	5
✓	347	J. R. Corrigan 2d	5
✓	349	A. Friedkarke 2d	5
✓	572	R. A Patton 2d	5
✓	408	A. W. H 2d	5
✓	416	S. A Barry 2d	5
✓	256	H. V. S. McCullough 2d	5
✓	441	C. C Bowman	5
✓	441	C. C. Bowman 2d	5
✓	174	A. H Wildermuth 2d	5
✓	64	W H Taber 2d	5
✓	371	J. Garritt 2d	5
✓	280	H. Miller 2d	5
✓	244	J. F. Spence 2d	5
✓	327	J. McKinley 2d	5
✓	228	C Palmer 2d	5
		Bullitt Patrick & Dorr	
✓		Ape Sales Index	14 35
9d	×664	J Ludley	5
✓	593	J. H Fuller	5
✓ 11th	131	H. M Naglee 2d	5
✓	99	Lloyd Mentions 2d	5
✓	344	W. P Stebbins 2d	5
✓	289	N Root 2d	5
✓ 14	113	W. H Tillinghast 2d	5
16	×666	F Horton	5
✓	603	D. Okeson	5
	×667	A Moore	5
17	×669	J. Weber	5
✓ 19	241	C. Wagner 2d	5
✓ 20	489	E. Grisa 2d	5
✓	499	P. de Leiguen 2d	5
		Amt Carried over	459 35

		By Amt Brot over	140 71
9th		By Paid Crops	
		Sundry Bills	×33 25
		" Spirit Lamps	× 2 00
		" Setting Glass	× 2 00
		" Sat Commercial Adv	
		Pic ayune	× 1 88
		" Castor Oil for Prisoners	× 75
11		" Cartage for Wild	× 1 25
15		" Gregg for Services	40 00
		" Sundries as per Gregg Account	× 24 65
		" Crow & Travers (Mahoney)	6 35 00
		" Van Dammet Torquet for Ammunition	6 13 50 294 97
		" J. W. Silver for Mexicans	6 48 00
		" [illegible] for Balance of Month Wages	6 15 56
14		Cartage on 1st Brad	× 1 25
19		" Gregg for Room Exps	× 40 00
"		Do Do 2.	

H. H. Bancroft Collection
Bancroft Library

Amt Carried over 399 78

Contra 6r

		By Amt brot over	399 78
		By Paid A. J. M Duffe	
		on Ac of Services	× 84 47
23		" Expenses Pd Gregg	× 55 00
25		" Expenses Pd Gregg	× 44 25
"		" A. J. M Duffe his bal services 2 Months	× 40 53
		2 Weeks Sat Star Pick & Courier	× 3 75
25		Do Herald	× 2 25

H. H. Bancroft Collection
Bancroft Library

610 03

Contra Cash Cr

By Amt Brot over 1933 06
" Sub Pilot Commr
" Pacific Star 150
" Washing Bag Towels 500
26 " E Delmonte Treas 240 00
Balance on Hand 344 44

3246 00

Paid A.M. Duffy
through Treasurer 23444

H. H. Bancroft Collection
Bancroft Library

19

July
28 Paid for Prisoners Clothes × 4 50
29 " Berger for Sundry Expenses × 28 25
" Sub to the Alta × 1 50
" " " " Herald × 75
" Witness Baker C 10 00
Aug 2 " Berger for Sundries × 22 50
" Sub Commr Star & Pilot × 1 88
" " Boat hire for Prisoners × 5 00
" " Cartage " Do × 1 50
" " Herald Subscription × 7 50
3 " P.H. McDermot × 7 50
4 " Berger for Sundries × 15 15
5 " Pilot Berger C 20 00
" Sub to Alta × 38
" Blacking Brush × 1 25

H. H. Bancroft Collection
Bancroft Library

1407
140 71

21

Dr Cash

To Amt Brot over 459 25
20 × 671 J. M. Clausen "
× 673 M. Coulter "
× 674 J. Bowley "
J 307 J. Dennis 2d "
× 675 J. Blunt "
Oakley Dues
25 of Sundry Persons 25
× 676 L. Maynard "
× 677 J. Hulchor "
× 425 C. W. Gibbs 3d "
× 321 J. Paul 3d "
× 591 P. W. Sloat 3d "
× 21 D. B. Brownsmith 3d "
× 616 A. Whaler 3d "
× 618 T. Brin 3d "
× 179 D. W. Coleman 3d "
× 599 J. P. Peachey 3d "
× 110 W. L. Hobson 3d "
× 678 J. Doherty 1st "
× 679 D. W. Chauncey 1st "
J 546 J. W. Shitlmeier 2d "
× 681 B. Vaucutt 1st "
J 681 Do 2d "
× 680 J. Bradstreet 1st "
× 682 A. Wells 1st "
× 683 A. Omair 1st "
× 684 J. Rambel 1st "
× 685 J. W. Haghill 1st "
25 × 546 3d "
× 551 3d "
× 497 3d "
× 123 3d "
× 129 3d "
× 287 3d "
× 28 3d "
× 28 Cannin 3d "
× 26 R. Wells 3d "
× 9 J. Ward 3d "
× 68 3d "
× 170 3d "
× 274 3d "
× 286 3d "
× 376 3d "
× 642 3d "
× 225 3d "
Amt Brot over 709 25

H. H. Bancroft Collection
Bancroft Library

22

Dr Cash

To Amt Brot over 709 25
25th × 48 3d "
× 1 3d "
× 4 3d "
× 574 3d "
× 135 3d "
× 134 3d "
× 167 3d "
× 243 3d "
× 520 3d "
J 220 W. H. Hogg 3d "
× 220 3d "
× 466 3d "
× 233 3d "
× 492 3d "
× 5 3d "
× 686 3d "
× 614 3d "
× B. O. Saunders 3d "
8 14.25

H. H. Bancroft Collection
Bancroft Library

July 8-

278

Mr Bissell

Contra Cash Cr

	By Amt brought over	1933 06	
	" Sub Pick. Courier & Pacific Star	1 50	
	" Washing 2 1/2 dz towls	5 00	
26	" E Delessert Treas	291 00	
	Balance on hand	234.44	2465.00

Balance 2465 00

Paid A. J. McDuffee through Treasurer 234 44

4045.00
2465
1580

1580.00

Chk

X	646	G. Waters Jr	5
X	647	L. W Lockwood	5
X	648	J D Dodge	5
X	649	N Pierce	5
X	650	E. L Williams	5
X	651	W Broadheirst	5
	206	N Miller	5
X	652	W L Ryckman	5
	375	J. E. dela Montaigne	5
	303	H. Gerke	5
	90	T. M. Cahill	5
X	653	G. P. Kingsley	5
	197	S. L. Haven	5
	420	A W Wapler	5
	136	E. W Travers	5
	641	J. J Van Bokkelen	5
Aug2	321	J. Paul	5
X	655	E. Kingsbury	5
	162	C. S. Wood	5
	106	J. T. Huie	5
	218	D. S. Turner	5
	328	W. H. White	5
	71	G. A. Worn	5
Aug31	656	C. Straley	5
	187	F Argenti	5
	604	J. E. Fuller	5
	50	J. Shindler	5
	522	A. B. Southworth	5

19/2

73	J. W Rider	5
406	I. Bluxome	5
56	W L Bromley	5
297	R W Nevins	5
X 657	B. B. Gore	5
205	D W Hunt	5
X 658	E. Thebault	5
208	W. H Crowell	5
107	J. W. Jackson	5
128	A. I. Ellis	5
154	J M Conghlin	5
334	H. Mathews	5
250	J. R. Molony	5
22	G. H. Howard	5
186	Jas King of Wm	5
440	J. Middleton	5
296	G. W. Schmitz	5
	Amt carried over	225

19

July				
28	Paid	for Prsioners Clothes	X	4.50
29	"	George for sundry expenses	X	28 25
	"	Sub to the Alta	X	1 32
	"	" " " " Herald	X	75
	"	Witness Baker	E	30 00
Aug 2d	"	George for Sundries	X	22 50
	"	Sub, Courier Star & Pick	X	1 88
" "	"	Boat hire for prisoners	X	5 00
	"	Cartage " do	X	1 50
	"	Harald Subscription	X	75
3	"	P. H McDimot	X	7 50
5	"	George for Sundries	X	15 30
5	"	Paid George	E	20 00
	"	Sub to Alta	X	38
	"	Blacking & Brush	X	1 25
				140 71
				140 71

		To Amt Brot over	225 00
X	659	R. H. Flan	5
	301	J Porter	5
X	660	R. J. Jenkins	5
	473	B. Smith	5
X	661	C. Woods	5
	141	B.E.Babcock	5
X	662	D. Cronin	5
	311	C. C. Richmond	5
X	663	J. Panott	5
	6	F. S. Mahoney 2d	5
	447	J. R. West	5
	447	J. R West 2d	5
	248	J. Cassafourth 2d	5
8	184	J. Post 2d	5
	341	J. E. Woolf 2d	5
	347	J R Corrigan 2d	5
	349	P Fleishhaiks 2d	5
	372	B N Patton 2d	5
	408	H Webb 2d	5
	416	F N Barry 2d	5
	256	H. V. S. McCullough 2d	5
	441	C. C Bowman	5
	441	C C Bowman 2d	5
	174	A. H. Gildenester 2d	5
	64	W H Taber 2d	5
	371	J. Garitt 2d	5
	280	H. Miller 2d	5

		244	J. F. Spence 2d	5
		327	J. McKinlay 2d	5
		228	C Palmer 2d	5
[July 28. '51]			Bullitt Patrick & Dows	
			Apc Sales Mdse	14 25
	9th	X664	G Lardley	5
		593	C H Fuller	5
	11th	131	H M Naglee 2d	5
		99	Lloyd Minturn 2d	5
		344	W. P. Stebbins 2d	5
		289	B Root 2d	5
	14	113	W. H. Tillinghast 2d	5
	16	X 666	F Morton	5
		603	D. Okeson	5
		X 667	A Moone	5
	17	X 669	J. Weber	5
	19	241	C Warner 2d	5
	20	489	E. Grisar 2d	5
		499	P. de Liagure 2d	5
			Amt Caried over	459 25

	By Amt Brot over			140 71
9th	By Paid George			
	Sundry Bills	X	33 25	
	" Spirit Lamps	X	2 00	
	" Setting Glass	X	2 00	
	" Sub Courier Star &			
	Picayune	X	1 88	
	" Caster Oil for Prisoners	X	75	
11th	" Cartage for Wild	X	1 25	
13	" George for Services	E	40 00	
	" Sundries as per Georges			
	Account	X	24 63	
	" Crow & Traverse (Moloney)	E	35 00	
	" Van Damme & Torquet			
	for Amunition	E	13 50	
	" J. W. Silver for			
	Mattresses	E	48 00	
	" A. J. Mc Duffee for			
	balance of Month Wages	E	15 56	
14	Cartage on one Bbl Bread	X	1 25	
19	" Georg for Room exps	X	40 00	
"	" Do Do Do			
	Amt Carrive over			399 78

	Dr Cash			
	To Amt Brot over			459 25
20	X 671 J. M. Classen			5
	X 673 M Calkin			5
	X 674 S. Gourley			5
	307 J. Dennie 2d			5
	X 675 S. Blunt			5
	D. L. Oakley Dues			
23	of Sundry Persons			35
	X 676 L Maynard			5
	X 677 J. Zencher			5
	X 425 C V S Gibbs 3d			5
	X 321 J Paul 3d			5
	X 571 L W Sloat 3d			5
	X 21 D B Arrowsmith 3d			5
	X 616 A Whaler 3d			5
	X 618 T. Goin 3d			5
	X 179 D W C Brown 3d			5
	X 599 J. T. Peachey 3d			5
	X 110 W L Hobson 3d			5
	X 678 J Doherty 1st			5
	X 679 D W Chauncey 1st			5
	540 J W Stillman 2d			5
	X 681 F Vassault 1st			5
	681 Do 2d			5
	X 680 S Bradstrad 1st			5

2/1/2

	X	682 A V H Fllis 1st		5
	X	683 H. Owner 1st		5
	X	684 J B Cambell 1st		5
	X	685 S. W Naghill 1st		5
25	X	546	3d	5
	X	551	3d	5
	X	497	3d	5
	X	123	3d	5
	X	129	3d	5
	X	287	3d	5
	X	58	3d	5
	X	28 Curwin	3d	5
	X	26 R Wells	3d	5
	X	9 J C Ward	3d	5
	X	68	3d	5
	X	170	3d	5
	X	274	3d	5
	X	336	3d	5
	X	376	3d	5
	X	642	3d	5
	X	225	3d	5
		Amt Carried over		709 25

21

Contra Cr

	By Amt brot over		399 78
	By Paid A. J. McDuffee on A/c of Services	X	84 47
23	" Expenses Pd George	X	35 00
25	" Expenses Pd George	X	44 25
"	" A. J. McDuffee his bal Services 1/2 Month	X	40 53
	2 Weeks Sub Star Pick & Courier	X	3 75
25	Do Herald	X	2 25

610 03

		Dr Cash		
		To Amt Brot over		709 25
25th	X 43		3d	5
	X 1		3d	5
	X 4		3d	5
	X 374		3d	5
	X 135		3d	5
	X 134		3d	5
	X 187		3d	5
	X 243		3d	5
	X 520		3d	5
	220	W M Hogg	2d	5
	X 220		3d	5
	X 466		3d	5
	X 233		3d	5
	X 492		3d	5
	X 5		3d	5
	X 686		3d	5
	X 614		3d	5
	X	D C Saunders	3d	5

Amount of lein for materials & labor filed by
John C. Hays $3406,78
" Expended since filing said lein 435.00
O'Donohue's bill for Iron Doors unpaid 3300.00
$7141.78

H. H. Bancroft Collection
Bancroft Library

Printed at Sunday Dispatch Office, opposite Post Office.

No. 5 San Francisco, Sept 15 1851

EUG. DELESSERT, LIGERON & CO.

[OFFICE HOURS, FROM 9 A. M. TO 4 P. M.]

Pay to Williams & Scripps or Bearer

One Hundred & Sixty two 50/100 Dollars,

John C Hays
Treft

H. H. Bancroft Collection
Bancroft Library

Printed at Sunday Dispatch Office, opposite Post Office.

No 1 San Francisco, September 10th 1851

EUG. DELESSERT, LIGERON & CO.

[OFFICE HOURS, FROM 9 A. M. TO 4 P. M.]

Pay to Mr. Donahue for "Sail Funds" Bearer

Two thousand seven hundred & fifty ~/100 Dollars,

John C Hays by B. F. Harley.

H. H. Bancroft Collection
Bancroft Library

Printed at Sunday Dispatch Office, opposite Post Office.

No 11 San Francisco, September 20th 1851

EUG. DELESSERT, LIGERON & CO.

[OFFICE HOURS, FROM 9 A. M. TO 4 P. M.]

Pay to P. D. Wadley for ase of Sail Funds" Bearer

Three hundred & eighty four 37/100 Dollars,

No 384.37/100 John C. Hays by B. F. Harley

H. H. Bancroft Collection
Bancroft Library

Printed at Sunday Dispatch Office, opposite Post Office.

No 12 San Francisco September 20th 1851

EUG. DELESSERT, LIGERON & CO.

[OFFICE HOURS, FROM 9 A. M. TO 4 P. M.]

Pay to Davis & Co "on ase of Sail Funds" Bearer

Fifteen ~/100 Dollars,

John C Hays by B. F. Harley

H. H. Bancroft Collection
Bancroft Library

No. 2. San Francisco September 12th 1851

EUG. DELESSERT, LIGERON & CO.

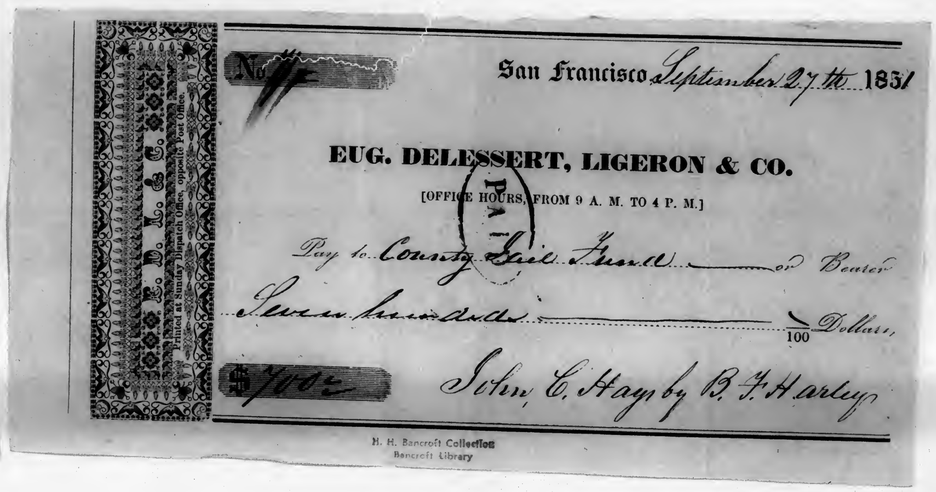
[OFFICE HOURS, FROM 9 A. M. TO 4 P. M.]

Pay to Hackbusch & Thompson or Bearer
on account of County Jail Fund.
Two hundred 100 Dollars,

$200 John C. Hays by B. F. Harley

Printed at Sunday Dispatch Office, opposite Post Office.

H. H. Bancroft Collection
Bancroft Library



No. 4 San Francisco September 27th 1851

EUG. DELESSERT, LIGERON & CO.

[OFFICE HOURS, FROM 9 A. M. TO 4 P. M.]

Pay to County Jail Fund or Bearer
Seven hundred 100 Dollars,

$700 John C. Hays by B. F. Harley

Printed at Sunday Dispatch Office, opposite Post Office.

H. H. Bancroft Collection
Bancroft Library

No. 6 San Francisco September 20th 1851

EUG. DELESSERT, LIGERON & CO.

[OFFICE HOURS, FROM [illegible] M. TO 4 P. M.]

Pay to Colton Treasurer "on a/c of Jail Fund" or Order
Three hundred & thirty 100 Dollars,

$330 John C. Hays by B. F. Harley

Printed at Sunday Dispatch Office, opposite Post Office.

H. H. Bancroft Collection
Bancroft Library

No. 8 San Francisco October 4th 1851

EUG. DELESSERT, LIGERON & CO.

[OFFICE HOURS, FROM 9 A. M. TO 4 P. M.]

Pay to Williams & Mugg for the County Jail Fund or Bearer
One hundred & fifty two 92 100 Dollars,

$152 92 John C. Hays by B. F. Harley

Printed at Sunday Dispatch Office, opposite Post Office.

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

We, the Subscribers, Citizens of San Francisco, hereby agree to pay to the "Committee of Vigilance," of said City, the sum of THREE DOLLARS each, to be appropriated by said Committee, and disbursed under their direct supervision, for the purpose of completing the County Jail.

To be paid over to Eq. Delinkett treasurer

H. H. Bancroft Collection
Bancroft Library

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H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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To be paid to Eug. Delessert
Treasurer

H. H. Bancroft Collection
Bancroft Library

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To be paid over to Eug. Delessert
Treasurer

H. H. Bancroft Collection
Bancroft Library

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To be paid over to [illegible]
Treasurer

B. H. Bancroft Collection
Bancroft Library

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To be paid over to [illegible]
Treasurer

B. H. Bancroft Collection
Bancroft Library

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To be paid over to Eq Dillman
Treasurer

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To be paid over to Eq Dillman
Treasurer

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

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E. Belleau — P — 3
[illegible] Belleau
Randal Cornell — P. — 3
Willis Gorse — [illegible] — 3
Thales Williams — [illegible] — 3
J. Bowtineau — — 3
B. H. Gaureau — — 3
Benjamin Davis — — 3
Mrs. A. Belleau — — 3
Miss E. Belleau — — 3
Miss E. Belleau — — 3

$30

Received Money
by [illegible]

B. H. Gaureau

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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J. C. Palmer	Paid	3 00
H. H. Haight	Paid	3 00
Jas McCormick	Paid	3 00
Saml H. Cornell	Paid	3 00
Judge H. G. Warner	Paid	3 00
Doct R. McMillan	Paid	3 00
J. N. [illegible]	[illegible]	[illegible]
Chas C. [illegible]	Paid	3 00
Hyam [illegible]	[illegible]	[illegible]
Capt J. Galloway	Paid	[illegible]
John Tuken	Paid	5 00
Miller Co	Paid	3 00
George Cornell	Paid	3 00
Richard Cornell	Paid	3 00

$143

Rec'd Forty four dollars
E. D. Tenney
Treasurer

H. H. Bancroft Collection
Bancroft Library

Wm Bank [illegible] 131
$46.00
Jail Fund

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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R. R. Lemmon	$3.00
M Lawton	3.00
N. Smith	3.00
[illegible]	3.00
[illegible]	Paid 3.00
[illegible]	Paid 3.00
Adam Cameron	Paid 3.00
Frank A Hendy	Paid 3.00
Matthew Maume	Paid 3.00
G M Gerst	Paid 3.00

Received thirty $
Treasurer

B. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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G Elliot	$3.00
Joseph G Cato	Paid $3.00
A L Tilden	Paid 3.00
S. J. Upton	Paid 3.00
Perry Stinson	Paid 3.00
Jacob H Schoubourn	Paid 3.00
David Kanary	Paid 3.00
Eli Cook	Paid 3.00
[illegible]	3.00
A Dewitt	Paid 3.00
C I Taylor	Paid 3.00
W Halsey	Paid 3.00
Chas E Case	Paid 3.00

Rec'd Thirty Dollars
E D [illegible]
Treas

B. H. Bancroft Collection
Bancroft Library

A.G. Randall's List
— No. 37 —

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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to be paid to Eq Delessert treasurer

James I. Knowlton —

A.G. Randall

Rec'd Six Dollars for E. Delessert Treas.
Camillo Martin

No. 37

[37 A G Randall]

B. H. Bancroft Collection
Bancroft Library

LETING THE COUNTY JAIL.

cisco, hereby agree to pay to the "Committee
E DOLLARS each, to be appropriated by said
supervision, for the purpose of completing the

to be paid to Eq Delessert treasurer

E. Brooks	—	not Paid.
Chas Gellmer	$3.00	Paid
F. W. Coffin	3.00	Paid
H A Pepper	3.00	Paid
W H. Pettorff	3.00	Paid
D O Dieter	3.00	Paid
L. Kunstein	3.00	Paid

Received the above
Eq Delessert

L. Kunstein

Lieut P

B. H. Bancroft Collection
Bancroft Library

C. R. Bancroft Collection
Bancroft Library

1 Cart 7—
1 Dr Lbars 12—
6 Dr Rifle Co
1 Dr Fuller covers 4-80
4 Dr Tents 3-87
3 Flats 1-50
3 Dr 75
10 Dr Stakes 1-10

-0961-

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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Eggers $ 3.
C. Beer " 3.
Alex. Tenfel " 3.
C. Lange " 3.
A. Kinner " 3
R. Esche " 3.
L. Steincke " 3.
Kroning " 3.
L. Eglasten " 3.
~~Isaac Hoops~~ " 3

$ 30.

Paid over by O. Esch.

B. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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J a McCrea $8.00 G J Brooks 3.00
E. G. Reed P 3.00 Brown & Hoyt [illegible] 3
O L Ruscatto Paris 3.00

24.00
6.00
30.00

J. A. McCrea

B. H. Bancroft Collection
Bancroft Library

V

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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To be paid by Ely Delittart

manner

R. R. Carrington	$3. Pd
Wm Henry Ouington	3. Pd
Fred. L. Hawks	3. Pd
W. L Ingals & Adlet	3
Isaac Steenbergen a Friend of Justice	3.
D. Gibb	12 Pd
J. Clark.	$3 Pd
	$33.

This amount handed in July 12th 1851 by

C. H. Brinley

H. H. Bancroft Collection
Bancroft Library

V

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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Bingham Reynolds & Bartlett & Co	$25	Paid
Cash	5.	Paid
J. B. Weis	5	Paid
Cash	3.	Paid
Cash McKoff	5	Paid
Police – Smith Capt	5	Paid
Cash	5	Paid
H. Mc	20	Paid
Smith & Thallman	5.00	[illegible]
Cash A Williams	3	Paid
Judge Bennett Supreme Court	5.	Paid
Horace Hawes Esq	7	Paid
Ch S Sarony	5	Paid
Jas. O'Grady	5	Paid
Dr Hubbard	5	Paid
William Higby	5	Paid
P. C. Lander	3.	Paid
Dr Tony McNulty & Co	10	Paid
Dr Nuttall	5	Paid
Judge Telford	3	Paid
	138. 80	

Rec'd from Mr Telford Esq – Receiver

H. H. Bancroft Collection
Bancroft Library

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James F. Curtis	paid	3.—
Edwd D Thomas	paid	3.—
Wm C Hinckley	paid	3—
L. McLane	paid	3.—
Frederick Sibley	paid	3.—
C Colburn	paid	3—
		$ 18.—

B. H. Bancroft Collection
Bancroft Library

Mr Debois

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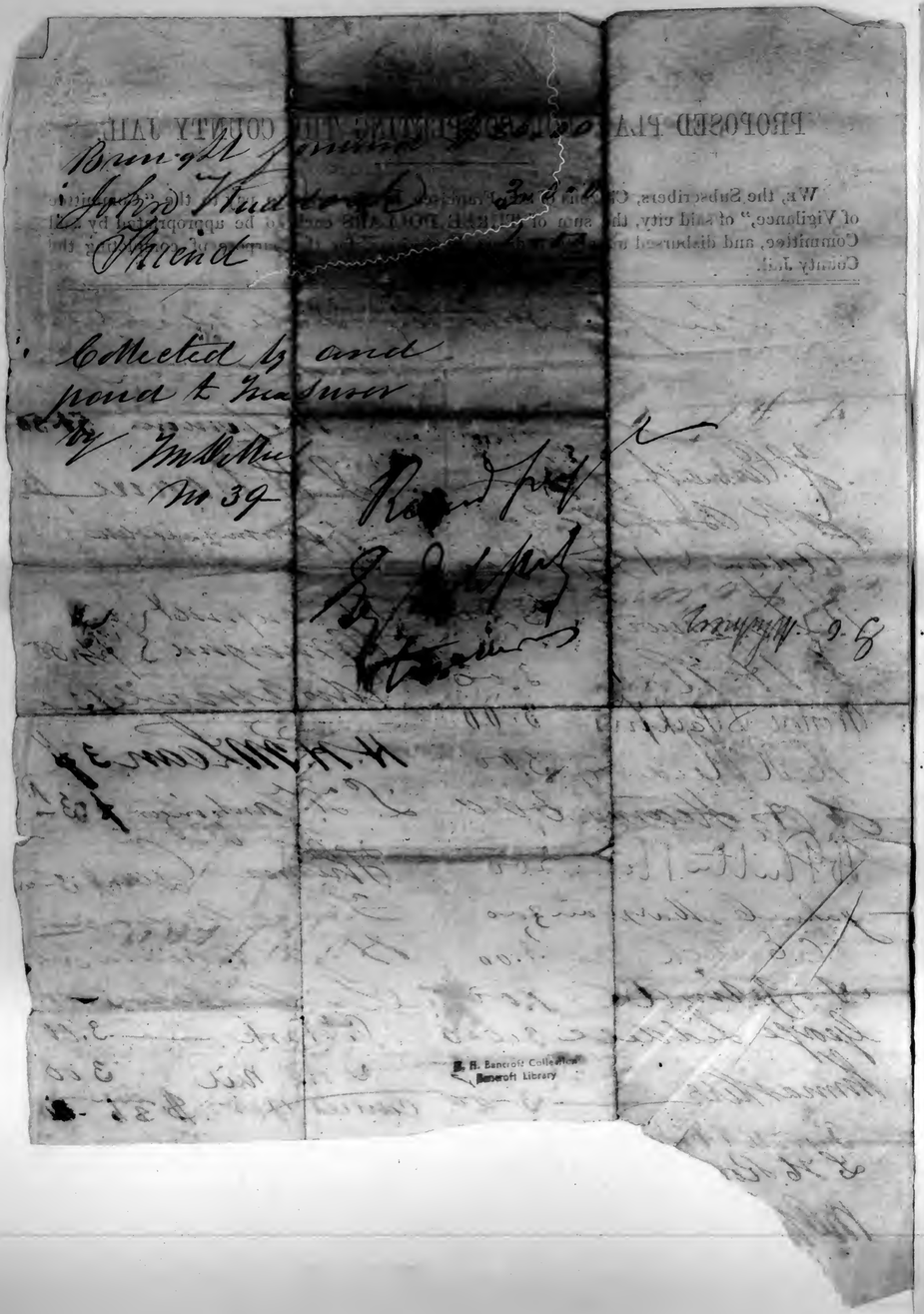
To be paid to by Dobbert Treasurer

		B Hymen	51.50
J. Carmelich	3.00	J H Doane	3.
J R Bonford	3.00		
Adams & Sant	3.00		
[illegible]	3.00	Jo Sampson	3.
		H Morgan	1.50
C. H. Ray	3.00	Edw Emerick	3.00
Norton & Perkins	3.00	H. H. McLean	3.
H R Reid & Co	3.00	L. L. Sanborn	3.—
[illegible] Sears	3.00	Thomas Grant	3.—
[illegible] Hutton Nes	3.00	Thos Mahon	[illegible]
John C Marston	3.00	[illegible]	[illegible]
H.C. Everth	3.00	[illegible]	[illegible]
A Blum	3.00	[illegible]	[illegible]
George Liddell	3.00	P. Clark	3.00
[illegible]	3.—	J. W. Neil	3.00
		carries over	$ 36.—

Ferrall & Fox
$ 76.50

B. H. Bancroft Collection
Bancroft Library



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Herrid Holman & Co	$ 6.00
Lewis & Bennett	$ 6.00
Daniel Stewart	$ 3.00
Cafe de Paris	$ 3.00
C P Huntington	12,00
	$ 30,00

C P Huntington No 275

Received the above Thirty Dollars

A. J. & Duffee

E. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

We, the Subscribers, Citizens of San Francisco, hereby agree to pay to the "Committee of Vigilance," of said city, the sum of THREE DOLLARS each, to be appropriated by said Committee, and disbursed under their direct supervision, for the purpose of completing the County Jail. Jas King & Co

Co be paid over to Engt Delevert

A. T. Lawton — $3.00 — Treasr

J R Hyde — 3.00 — Paid

Wm King Jr. 3.00 Paid

Wm Hammond 3.00 —"—

C. L. Bates 3.00 "

Frank Funk 3. "

H. I. Clayton 3 00 "

James King 9th 9.

29 Paid

Received thirty dollars

Engt Delevert

Treasurer

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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Alex paid to Engt Delevert Treasurer

R Wetter

H R Bernhard

E. Denis

I. Brierlammer

H Ironcrilleden

C Beecke

J Cramer

Beck & Elam

Thos Mack

Alex Kirchner

Received thirty dollars

Engt Delevert

Treasurer

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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B Dr Leon	$6.00
A. Taylor	$3.00
Jno. Shellard	3.—
Peche Grojean	3.—
Albert F. Rejan	3.
Richard Eightmeyer	
Eug. Delfs	

List of A. B. Stout

W. H. Bancroft Collection
Bancroft Library

Franklin Williams No 578.

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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C. W. Paul	$3.00 pd
A. Casanovoe	3.00 pd
H. L. Bunker	3.00 pd
B Lawrence	3.00 pd
John Bourne	3.00 pd
J. B. Cornell	12.00
Wm Franklin Williams	$3.00
Richard Shortz	
Eug. Delfs	

W. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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A. J. Ladd	paid	3.	
A. J. Colbert	paid	3.	
A. S. Solomon	paid	3.	
J. N. Lyons	paid	3.	
C. F. Lyons	paid	3.	
Nutting & Co	paid	3.	$18.00

Received Payment
L Bluxome Jr
Secretary

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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P M Scannell	$3-00	paid
Timothy Reed	3-00	Paid
T Skinner	3-00	Paid

Received payment
T Reed

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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To be paid to Eli Dekkert Treasurer

5	Chas R. Peters	$3.00 paid	300
5	James J. McComb	$3.00 not paid	
5	W. O. Tuttle	$3.00 paid	300
5	Chas Stokes	$3.00 not paid	
	Henry De Kleuss	$3.00 Paid	300
	George Gunstein	3.00 paid	300
	R R Ayres	$3.00 paid	300
	R Loomis	$3.00.	
	E Linn	$3.00. not paid	
	Emerage & Steeves	$3.00 Paid	300
	L. Markley	Not paid on this list but off some other 3.00	paid previous
Markleys	Whittaking	$3.00 not paid	
	H. Marett	$3.00 Paid	300
	Wm Guthrie	300 paid	300
	B. Dufay	300 do	300

Received Thirty Dollars

Jay

H. H. Bancroft Collection
Bancroft Library

Henry Moeller

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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Arnold Godefroy	$3.00
Eli Benhlaby	3.00 pd
N. Newstedter & Co	3.00 pd.
Markwald, Caspari & Co	$3 paid
Negleaus & Co	3.00 pd
Brandt Bro	3.00 Paid
Blum & Wertheimer	3.00 paid
F. M Goubert	3.00 paid
G. & Co	3.00 paid
Caire & Bony	3.00 paid
M Moryenthaler	3.00 paid
Bishop Shumacher	3 — paid
Shirly & Bayly	3.00 paid
G & M Snook	3.00 Paid
Conroy & Connor	3.00 Paid
Mundorff & Co	3.00 Paid

$ 50.—

H. H. Bancroft Collection
Bancroft Library

$ 18.000-

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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To be paid to Ex Delano Treasurer

× Thos. H. Law		
× [illegible]		
× [illegible]		
× Smith Brisan		
× [illegible]		
× Ch. Bertrand		
Edbrickcare		
× Faucher		
× Ch. Dufour & Co		
Em: Carita	Do	
A. Vanderwort	Do	12 3 36
Robinson & Co		

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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C Welch	five Dollars
M Van Houten	five Dollars
James A Ridgaway	three Dollars
Robert C Parker	three dollars
Eno H. Knibson	three dollars
Rufus Rowe	three Dollars
J B Morss	three "
J B Salandre	three "
Edward Seaman	three "
L Boostaver	three

34 ⅌

Received Thirty four ⅌
Jno Delano

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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Aug. Unsbelm — pd $ 3.—
Robt Rodgers — pd 3—
Cat Leiden — pd 3—
Thos Markfath — pd 3—
Gheuche — p 3.—

Recommend Thos H Dillon
Treasurer

H. H. Bancroft Collection
Bancroft Library

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Pay the same to Wm H Dillon
Treasurer

Harbo Bancroft — pd $
Wadsworth & Ravenis — $ 5.— (Pd)
C. A. Lafrenat — $ 3 (")
C. Abbot 160 — $ 22.— (")

3 Recommend Thos H Dillon
Treasurer

H. H. Bancroft Collection
Bancroft Library

1851

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

We, the Subscribers, Citizens of San Francisco, hereby agree to pay to the "Committee of Vigilance," of said city, the sum of THREE DOLLARS each, to be appropriated by said Committee, and disbursed under their direct supervision, for the purpose of completing the County Jail.

To be paid to Eug. Delessert Treasurer		
A V Snyder		3.00
C. J. Johnson	P.	3.00
S. H. Willey		3.00
Geo. H. Bouton.	Pd.	3. "
P. M. Leuld	Pd	3. "
M. W. Carey	—	3.00
Geo. Griffin	paid	3.00
Maid & Abrams	paid	3.00
Chas. D. Shea	paid	3.00
J. F. Manchester	Paid	3.00
B. Argyras	Paid	3.00
Chas Hutchins		3.00

Received thirty dollars
Eug. Delessert

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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Kirano E. Gravel	Not Paid	3.00
H. J. Brendlinger & John Kurtz	P	3.00
Wm. Law	Paid	3.00
Capt. Frisbey	P.	3.00
F. Richter	P	3 —
Mills & Fisher	P	3.00
Guillim Colgan & Co	P	3.00
G. W. Zirrine	P	3.00
C. Mowry	P	3.00
John A. Dall	P	3.00
M. Winn & Co	P	3.00
John J. Infield	"	3.00
Mr Mowry	P	3.00
Wm. Evans	Not Paid	3.00

$33 Rec'd Thirty three Dollars
E D Treadwell

John McConner	P	
Wm. J. Homer	P	3.00
		3.00

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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Sawyer		3.10 Pd
Jonathan Mero		3:00 Pd
A C Ross		3.00 Pd
E. L. Whiston		3.00
W. G. Derr	paid	3.00
John W. Webb	paid	3.00
Geo B Bradford		3.00

Twenty one

Received
Eug Kelly
Treasurer

Revere $21
Oakes "
Dyer "

S. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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To be paid by the Defaulting Treasurer		
Jno W Redmond	Paid	$3.00
Horace Haines	(Paid)	3.00
William G. Wood	Hundelun	Pd $3.00
Wm Chetwood	Saturday	10.00
Jonathan Edwards		10.00

Twenty nine Dollars

Eug Kelly
Treasurer

[$29.]

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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To be paid to the Treasurer

Sam'l Barrett Pd $3
Benj. F. Bonnie Pd 3
O B Winans Pd 3
C Paush Pd 3
Moore & Fichner Pd 3
Willm Downing Pd 3
Charles Del Tecchio Pd 3
A Friend 3
Reed & Carter Pd 3
Francis Brumley Pd 3
B Stenton Pd 3
John C Redmond Pd 3
White Brothers Pd 3

Rec'd Thirty seven dollars, $39 Jas C Ver
W H Jones

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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To be paid to the Treasurer

361

Edward Franklin ——— $3.00 Pd
Capt'n Wadsworthy ——— $3.00 Pd

Rec'd Two Dollars
Jas C Ver

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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Saml. R. Denson	$3.	J. W. P. Thomas $3
Jno. B. Semmes	3.	J. Solomon $3. Pd.
Newton Sanchez	3	
Thomas Bell	3	
Wm Barron	3	
Clinton Howe	3	
Henry Rice Jr	3	
Green	3$	
Ed Beecher	3.	
Sal. N. McKay	3$	
Solon Severance	3$	

Rec'd Twenty three Dolls
E. O. Crane
per W. H. Jones

Received Payment
H. H. Bancroft Collection
Bancroft Library

Proposed Plan for Completing the County Jail

We the Subscribers Citizens of San Francisco hereby agree to pay the Committee of Vigilance of said city the sum of Three dollars each to be appropriated by said Committee and disbursed under their direct supervision for the purpose of completing the County Jail -

Seth M. Swain	3 00	B
Wm M. Gwin	3 00	B
Edward Jones	3 00	B
Chas Wood	3 00	B
Dr M. A. Richter	3 00	P
Henry Macy	3 00	Pd.
Alex. M. Myrick	3 00	Pd
Frederick A. Smith	5 00	Pd
A Blum	4	
	$ 30	

Rec'd the above
A. Jell. Duffee

H. H. Bancroft Collection
Bancroft Library

Copy. —

Subscribers, for $3.- each, for completing the County Jail.

Daniel Reppert
J. H. Bosboom
C. N. van Hees
C. Koopmanschap
G. C. Flocke Lasonder
Jorgensen & Chase
James Drouhet
J. Menn
Pablo de la Roba
Barnet Kreing
Joseph Beden
Levison & Straube
M. A. Henderson
11 (Chinaman)

Collected by G. G. Mendell
and G. H. de Groote
Twenty-five Dollars
(Signed) G. G. Mendell

H. H. Bancroft Collection
Bancroft Library

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No 376.	Maurice A. Correa	$ 4.—
	Theo. Bahnsen	3.—
	Edwd. Giles	3.—
	Nic. Larco	3.—
	Francois Lavissa	3.—
	Nic. Lastres	3.—
	Capto Dodero	3.—
	Julio Garcia	3.—
	Kirchhoff & Solari & Co	3.—
	J. W. Finley	3.—
	J. K. Robert	3.—
	Dr. F. Zeile	3.—
	Geo. W. Macrae	3.—
		$ 40.—

San Francisco
July 14th 1851
Rcd. Forty dolls for E. D. T. V.
W. A. Jones

H. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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To be paid to Mr Delisser

N. D. Morgan $3,00

J. Gard & Co

Received [illegible]

B. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

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Bennett & Hall & S.

A. Christophe & Co

B. H. Bancroft Collection
Bancroft Library

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

We, the Subscribers, Citizens of San Francisco, hereby agree to pay to the "Committee of Vigilance," of said City, the sum of **THREE DOLLARS** each, to be appropriated by said Committee, and disbursed under their direct supervision, for the purpose of completing the County Jail.

To be paid over to Eug. Delessert
Cashier

H. H. Bancroft Collection
Bancroft Library

Subscription list in behalf of Jail fund
No. 310.

N. G. Eastaby.	5
Dewitt & Harrison.	10
W. H. Middleton	5
Wm. Meyer	10

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

No. 1 129 5.
163 — 5 —

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL

Committee, and dispensed under their direct supervision, for the purpose of accomplishing the
of Alameda", of said City, the sum of THREE DOLLARS each, to be appropriated by said
W.E. the Supervisors' Citizens of San Francisco, hereby agree to pay to the "Committee

County Jail.

Secretary
Vigilance Committee

H. H. Bancroft Collection
Bancroft Library

July 12/51

476	C. Russell	Prison Guard		$ 7.00
432	Talmage	"	"	48.00
	C.K. Gibbs	"	"	31.00
481	Capt Jamison	"	"	36.00
123	J. L. Cole	"	"	30.00
60	A. Marshall	"	180 "	30.00
				$ 182.00

Argenta $33

James R. Ball — $3.50

483 — J. Dubois — 90 —

James — 6 —

J. A. Spooner — 33

Blayney — 138 80

Silvovits — 33 —

483 — Wm Taber — 41 —

68 — Swift — 60

586 — Van Bokellen — 30

Harrison — 45

119 — J B Evans — 12

James Watterson — 18.

James Baker — 33.

Wm Berking — 75 —

Shockmorton — 35

Spooner 30

C. V. Gillespie $ 42.

N. T. Jones " 33.

Bunday " 33.

Goldenmeetin " 78.

Peter Camille " 45.

E. Delessert " 36.

A. C. Russel " 7.

Talmage " 48.

C. K. Gibbs " 31.

Capt Jamison " 36.

J. L. Cole " 27.

A. Marshall " 33.

J. M. Ball " 83.50

J. M. Dubois " 90.

Pat Jones " 6.

Spooner " 33.

L. Blayney & 2 " 138.80

Silvovits " 33.

N. Stokes " 41.

Swift " 41.

Van Bokellen " 30.

Harrison " 45.

J. B. Evans " 12.

J. Watterson " 18.

Jas Baker " 33.

W. Berking " 75.

Shockmorton " 35.

Schyman " 30.

Jacob 2 (Jewesses) " 47.

A. Moeller " 30.

H. H. Bancroft Collection
Bancroft Library

	Jones	$ 30 —
372	C J Corbett	30 —
320	Hickner	30. —
28	Cureton +	33. —
117	J Rayney	48. —
	J Cohen	30. —
	Ruckel	10 —
	R Gibbons	66. —
	Hatton	33 —
335	G C Rode	33. —
346		24. —
322	A Blankenship	30 —
398	D Lenall	20 —
	A Geiche	52 —
	D J Burgess	30 —
	C del Fuchs	40 —
	Mabenie	20 —
	W Revere	30. —
	Jas Kingsflow	54. —
	R Gibbons	50 —
82	C H Brown	45. —
	J Reveries	33. —
248	J Campbell	20. —
427	E Esche	35. —
431	A Snyder	30. —
134	Sawyer	20. —
116	Hutton	52 —
29	F D Evans	30 —
585	J Schumacher	

	C R Henry	$ 30. —
	Kentucky	" 30. —
348	James Clancy	" 54. —
58	Geo. Rivard	" 54. —
434	C Walsh	" 54. —
11	Jones	" 6. —
18	C R Bird	" 30. —
371	James Paul	" 30. —
191	C A Poor	" 30. —
302	J Elliott	" 33. —
238	Walbert	" 30. —
493	B Smith	" 30. —
424	P Jacks	" 30. —
334	B B Hamm	" 33. —
9	J. Ward	" 90. —
372	Cuffy	" 30.
445	J Smith	" 30.
228	J Gibson	" 3.
378	J Williams	" 30. —
100	N L Rabens	39
370	P Schlaxs	6.
80	J Dall	38.
	C Webster	30
	A R Starke	37
	J Middleton	87.
	McKanaka	30 —
20	Hartmann	22.
223	L Tapps	50 —

H. H. Bancroft Collection
Bancroft Library

324	B K Spencer		30 —
327	G Burke		30. —
	G A Brown		30. —
12	C Brannan		30. —
	Hatchfelt		6. —
17	Reynolds		3. —
233	H K Gray		21. —
191	G S Cooke		19. —
5	A Lynch		9. —
378	A L Brown		44. —
92	J C Wadsworth		30. —
40	J M Stubbs		7. —
248	W L Payne		
101	J P Casey		
347	Bundy		
485	L A De Groote		
34	Mulcahy		
374	A B Stout		
103	R H Peldon		
135	A Gubbs		30
422	M Ehrlich		30.
148	W Cate		30.
281	C B Loomis		33.
334	H Matthews		30 —
	C C Richmond		30
614	~~H B~~ A J Carroll		30
	J A Sutter Jr		1
611	Marshall		
	Cunningham		

H. H. Bancroft Collection
Bancroft Library

	Judge Barton Vol & Journ		6. —
325	M Mel		30 —
	Jones		
35	L Reinstein		25.
67	O M Blanchard		5. —
477	M Gross		30 —
	MacDuffie	2.	127.75
25	C L Dunbaughton		30 —
	Unknown		30. —
344	M Stebbins		93 —
	Richardson		30. —
49	R Hammond		18. —
14	C Bateher		30 —
44	J R Davis		18. —
57	A G Randall		6.
	A Rickard		
	Osgood		21.
446	M L Deuter		10.
339	Lewinton		12
190	D Berry		3 —
131	Wm Smith		4. —
	Jas Winters		18 —
25	Oriental Hotel		30.
56	M Cann		15.
			30.

H. H. Bancroft Collection
Bancroft Library

1851

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL.

We, the Subscribers, Citizens of San Francisco, hereby agree to pay to the "Committee of Vigilance," of said city, the sum of THREE DOLLARS each, to be appropriated by said Committee, and disbursed under their direct supervision, for the purpose of completing the County Jail.

To be paid to Eng Delessert
Treasurer

D W Snyder		3.00
O. S. Johnson	pd	3. 00
G. F. Weller		3.00
Geo. H. Bouton	Pd	3.00
N. M. Guild	Pd	3.00
S B M Creery	Pd	3.00
Geo F griffin (?)	paid	3.00
Maid of Monterey Dr A B	paid	3.00
Chas D Shed	paid	3.00
J. F. Manchester	Paid	3.00
B Argyras	paid	3. 00
Chas Hutchinis		$ 3.00

Received Herby Six
Eng Delessert

1 Coat	7 -,
1 pr Shoes	12 -
6 pr Rill	9
1 do Table covers	4.80
4 pr Pants	3.87
3 Hats 50	
3 Do 75	
10 Doz Stockings	1.10

Eug Delessrt
Treasurer

El Darado	10 $ paid
Chas Gulliver	$ 3.00 paid
F W. Greer	3.00
W A Piper	3 00 Paid
W H. Pottorf	3.00 paid
L. Reinstem	3.00 paid

Received twenty Do --
Eug Delessrt

L Remstein
List

1856

Copy

Subscribers, for $3.- each for Completing the County Jail

Daniel Neppert

T. H. Bosboom

C. N. van Hus

C. Koopmannschap

G. C. Hockee Lasonder

Yorgensen & Chase

James Dorchet

J. Menn

Noble de le Noba

Barnet Keesing

Joseph Beden

Levison & Traube

M. A. Henderson

--------- Chinaman ✓

Collected by C S Mendels and L. A. de Groote Received forty-five Dollars

(signed) Eug Delessert

Proposed Plan For Completing The County Jail.

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E Bollean	P	$ 3
H. Polland R		
Randal Corell	P	3
Willis Corse		3
Philips Williams		3
S. Bontincan		3
B. H Gamrean		3
Benjamin Diviso		3
Mrs. A Bellean		3
Miss Z Billean		3
E Bellean		$ 3
		$ 30

Received thirty p

Eu Delessart

B. E. H. Gauvsean's List. ✓

Jail funds — Check up —

	C V Gellespie	$42.
	W H Jones	"45.
	Brinley	"33.
	Gildermeister	"78
	Pedro Cauille	"45.
	F Delessert	"36.
	A C Russell	" 7.
	Talmage	"48.
	C N S Gibbs	"31.
	Capt Jaunin	"36.
	J. L. Cole	"30.
	S N Marshall	"33.
	J M Ball	"83.50
	T M Deblois	"90.
	Spooner	"33.
	I Bluxome Jr (?)	"138.80
	Petrovits	"33.
	W Jahu	"41.
	Swift	"66.
	Van Bokellen	"30.
	Morrison	"45.
	J B Evans	"12.
	J Wethend	"18.
	Jas Baker	"33.
	W Bruling	"75.
	Theschmater	"35.
	Seligman	"30.

1227.30
" 10

342	Jacobs ? (unknown)	"47.
	H Miller	"50.
	Jones	$40.
272	C J Cirbitt	30.
520	Alex ~~Hickner~~ Kirchner	30.
28	Cureven X	33.
117	J Rayner	48.
	J Cohn	30.
	Russell	10.
	R Gibbons	66.
535	Huton	33.
390	G C Rode	33.
322	A B Sarthunth	24.
398	Dr Sewal	30.
	H Geuhe	30.
	W G Badger	52.
	C Del Vechio	39.
	M A Curie	40.
	W Revere	21.
	Jas King of Wm	30.
	R Gibbons	34.
82	C H Brown H.S	30.
	J R Leveins	45.
248	J Canasmith (?)	33.
427	E Esche	30.
431	A W Snyder	36.
134	Sawyer	30.
116	Hutton	30.

984.6

29	J D Evans	$42.
383	G N Schumacher	"30.
	C F Stury	"30.
	Easterly	"30.
348	James Clancy	"53.
38	Geo.R Ward	"54.
434	C Walsch	"34.
11	Jones	" 6.
18	C R Burd	"30.
321	James Paul	"30.
591	C A Poon	"30.
302	G Elliott	"39. ✓
238	W A White	"30.
473	B Smith	"30.
421	P Jacks	"30.
537	B F Hanna	33.
9	J C Ward	90.
222	Gusby	30.
495	J Frank	30.
235	I Gihur	3.
578	✓ F Williams	30. ✓
110	N L Hobson	39.
320	P Schloss	6.
80	J Dahll	38.
	E Webster	30.
	H R Harte	37.
	J Middleton	87.
	McKanacher	30.

98 1/7

20	Hartmann	$22.
223	L Tuffts	50.
394	B L Gemeseau Gauvreau	30. ✓
527	G Bruche	30.
71	G A Wren	30.
2	S Brannan	30.
17	Draschfelt	30.
233	Reynolds	6.
190	S R Gerry	3.
5	G S Cakes	21.
578	S L Lynch	19.
82	H S Brown	9.
40	J C Wadsworth	44.
548	J W Stuling	30.
191	H L Payne	7.
347	J P.Curigan	9.
485	Brudels E.P. Trendelo	29.
	S A De Groote	20.
34	Huluman	33.
374	✓ A B Sturt Stout	18. ✓
163	R H Bilder	30.
135	A S Tubbs	30.
422	M Ehrlich	30.
148	Dr Gates	30.
281	C B Loomis	30.
334	H Matthews	33.
	C C Richmond	30.

100 45

683

614	A J Cavell	$30.
	J A Sutter Jr	30.
60	Marshall	10.
364	Cunningham	6.
	Judge Barton & McMudd	6.
325	Mr West	30.
	Jones	
356	L Reinstein	25.
67	C M Bluxome	5.
477	Mr Grass	30.
	MacDuffie ?	127.75
275	C T Huntington	30.
	Unknown	30.
344	W Stebbins	43.
617	Richardson	30
49	R Launandt	18.
74	C Botchee	30.
44	N P Davis	18.
37	A G Randall	6.
	A Relnaf	
	Osgood	21.
446	H L Dexter	83.
339	J C Nuten	12.
190	Dr Gerry	3.
131	Wm Ferst	46.
	Jas F Curtiss	18.
25	Oriental Hotel	30.
56	McCrea	15.
		30.

762.75 / 6 8

137

Omit

Minutes of Ex Com May 5. 1852

Jas C Ward in the Chair

Minutes of former Meeting read& approved

One bill from Herald for 12¢

" " " Alta California " 14¢

On motion of Jas C Ward

That a meeting of General Committee be called for Wednesday evening next

On motion of Jas C Ward

That a Committee be appointed to procure a buildong for the meeting of the General Committee and that they notify the secy of time & place

Mr Jas Dows, Jas Ward & M Ruddsdale

On Motion

Adjourned

Secretary

Vigilence Committee

Subscription list in behalf of Jail fund

No 310.

A. Y. Easterly.	5
Dewitt & Harrison.	10
W.H.Middleton	5
Wm Meyer	10

Easterly

Box 7: Book of names, n. d. (Folder 720)

3/6 M Rose 494 } Paid
J Laibly 5-96 } M Duffie

52562

680 Planery

Notice

Members are requested not to write in any place in this book, or in any way deface the same. The Sergt at Arms will make the entry of Paid members when he receives the money

M. J. M. Duffie

Book of Names

H. H. Bancroft Collection
Bancroft Library

C-A
77:720

H. H. Bancroft Collection
Bancroft Library

1,2,3	Denny	Rankin	3	5
4	Connell			
5	Dr Davis			1
6				
7	Connell			
8				
9	Ashbaugh			
10	Conner			
11	Ashbaugh			
12				

H. H. Bancroft Collection
Bancroft Library

1	S. E. Woodworth		&	Paid 5
2	S. Brannan	3		Paid 5
3	E. Gorham		&	Paid 5
4	F. A. Woodworth		&	Paid 5
5	G. J. Oakes		&	Paid 5
6	F. L. Mahoney	12		Paid
7	F. E. Webster	4	a	
8	R D W Davis	5		Paid 5
9	J. C. Ward		&	Paid 5
10	W. H. Thompson	9		Paid 5
11	W. H. Jones	9		
12	R. S. Watson	9		Paid 3
13	C. Winter	9		Paid
14	E. A. King	5		Paid
15	G. Mellis		&	Paid 5
16	J. B. Hunt		&	Paid 5
17	H. Druckfeldt	9		Paid 5
18	C. P. Bond	5		Paid 5
19	L. W. Haight	5		Paid 5
20	J. Ryan	7		Paid
21	D. B. Arrowsmith	8		Paid 5
22	G. H. Howard	5		Paid 5
23	Wm Brown	9		Paid 5
24	L. E. Tischmacher	5		Paid 5
25	C. Wyatt	2		Paid 5
26	R. Wells		&	Paid 5
27	C. H Brinley		&	

H. H. Bancroft Collection
Bancroft Library

28	S. B. Erwin	9	Paid 3d		
29	A. D. Evans	9	Paid Wilson		
30	A. W Salmon	5	Resigned		
31	J. F. Curtis		& Paid 3d 11		
32	D. Y. Bryant	10	a gone home		
33	B. Reynolds	11			
34	L Hukeman	10	Paid 3d		
35	E. Vickers	11	3d		
36	A. W. Macpherson	11	a Paid 3d		
37	A. G. Randall	5			
38	S. S. Egan	11	Paid		
39	F. F. Dibble	11	Paid 3d		
40	S. C. L. Wadsworth		& Paid 3d		
41	W. T. Thompson	29	Pd 1st away		
42	S. Payran		& Paid		
43	W. Hart	11	3d		
44	N. B. Davis	1.	Pd B. G. Davis		
45	C. Spring	10.	Paid 3d		
46	G. H. Gilwood		& Paid 3d		
47	G. Winter		a gone Home		
48	A Wheelwright	12	Paid		
49	R. S. Gamble		& Paid 3d Grant		
50	D. Shindler	7	Paid 3d		
51	V. D. Longeaud		a Paid		
52	D Southard		gone to China		
53	G. W. Bystman		& Paid 3d		
54	A. J. McDuffee	12	Paid		

H. H. Bancroft Collection
Bancroft Library

55	Z. H. Robinson	13	a & Paid 3d		
56	W. L. Bromley		& Paid 3d		
57	P. D. Headley		& Paid		
58	B. R. Ward		& Paid 3d		
59	A. Ottenheimer	13	Paid R		
60	S. C. Marshall	13			
61	C. L. Wilson	10	13 Paid 3d		
62	G. H. Davis	10	13		
63	H. Hazeltine	14	Paid C-		
64	W. H. Taber	14	Paid		
65	P. Frothingham	14	Paid C. 3d		
66	F. Otis	14	Paid 3d		
67	I. Blinson Jr		& Paid 3d		
68	B. E. Schenck		& Paid 3d		
69	S. S. Lambert	14	Paid R		
70	L. L. Bullock	10	14 a gone Home		
71	G. A. Worn	14	Paid 3d		
72	J. P. Haff	14	a gone Home		
73	J. W. Bider		& Paid 3d		
74	C. Bottcher	14	Paid 3d		
75	J. T. Hamm	10	14 a Paid 3d		
76	T. W. Walker	10	a		
77	T. Kuhlman	10	Paid 3d		
78	S. Marx	14	& Paid		
79	I. Seligman	6.	Paid 3d		
80	J. C. Dall	14	Paid C. 3d		
81	D. D. Thomas Jr.		& Paid 3d		

H. H. Bancroft Collection
Bancroft Library

82	✓ H. S. Brown		1.	Paid	3d/c		109		$10
83	✓ H. F. Von Lengerke		14	Paid	3d		110	✓ W. L. Hobson	2. Paid 3d
84	✓ I. G. Schultz		14	Paid	3d		111	✓ W. Meyer	15 Paid
85	I. D Fawcett		14	Paid	M Duff		112	I. R. Curtis	a Paid C.
86	✓ I. C. Derby		4.	Paid			113	W. H. Tillinghast	a Paid 3d/c
87	✓ I. P. Stephens		2.	Paid R	3d/c		114	✓ I. G. McKnaker	7. Paid
88	I. P. Lesse	✗	24	Paid R			115	✓ W. H. Graham	15 Paid 3d
89	✗ I. S. West		5.	Paid			116	I. F. Hutton	15 Paid 3d
90	T. M. Cahill			& Paid			117	✓ I. Raynes	5. Paid 3d
91	E. Wakeman			a Paid	2		118	I. H. Fisher	2.
92	W. T. Coleman		29	Paid R	3d/c R.		119	✓ H. Morrison	4. Paid 3d
93	W. B. Peake		14	Paid	Herman		120	I. H. Watson	15 Paid
94	✓ H Wadwell		12	Paid			121	I. Hilton	15
95	I. I. Clarke	✗	14	Paid C	3a/c		122	F. L. Dana	15 Paid R
96	✓ I. Mintern		11	Paid	3d		123	✓ I. Q. Cole	1. Paid 3d
97	I. H. Sloan		14	a gone Home			124	I. Pratt	15
98	L. Mintern	99	4.	a Paid			125	C. P. Sutton	15
98	C. H Clark	98 ✗	14	Paid C	3a/c		126	✓ B. W. Douglass	4 Paid 3d
100	✓ M. B. Lucas		7	Paid			127	✓ W. G. Badger	5. Paid 3d
101	I. D. Stevenson		14				128	I. I. Ellis	& Paid 3d
102	W. A Howard	✗	14	a			129	✓ C. H. Vail	15 Paid 3d
103	B. F. Hilland		7	Paid	Davy		130	I. I. Stabler	✗ 11. Paid C 3d
104	E. O. Wakeman			a Paid			131	H. M Tagler	pd Dwr 5 15 Paid 3d
105	H. F Tachmacher		5.	Paid C	3d/c		132	✓ W. Faust	15 Paid
106	I. T. Hunt		15	Paid	3d/c		133	W. I. Sherwood	✗ Paid
107	I. W. Jackson		8.	Paid	3d/c		134	✓ C. E. Sawyer	10 Paid 3d
108	✓ H. B. Hasty		10.	Paid			135	✓ I. L Tubbs	10 Paid 3d

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

136	E. W Travers		8.	Paid	
137	W. H. Hoston	10 f	15		
138	N. D. Hill		15	Paid	3 cts
139	W. Langerman		15		
140	E. Hart				
141	B. E. Babcock		5.	Paid	
142	T. E. Battelle		15		
143	J. C Treadwell		1.	Paid	3 Coll
144	N. Doy	10 f			
145	A. Bellenap		15	Paid	Coll
146	W. Burling		15	Paid	3 cts
147	S. F. Osgood		15		
148	H. S. Gates		16	Paid	—
149	T. V. Cazneau		16	Paid	3 coll
150	E. Wing	15 f	29		
151	J. Spaulding		16		
152	W. C. Graham		23	Paid	
153	J. M. Hunley	10 f			
154	J. M Coughlin		11.	Paid	3 cts
155	C. Minturn		16	Paid R.	
156	J. Morse Jr		16	Paid	3 cts
158	N Cunningham	158	16	Paid C.	3 cts
157	B. Clifford	157	16	Paid	3 cts
159	C. O Brewster				
160	C. Soul Jr		16	Paid R	3
161	C. L. Case		16	Paid	3 cts
162	C. J. Wood			Paid	

H. H. Bancroft Collection
Bancroft Library

163	R H Belden		16	Paid	3 cts
164	C. Moore		16		
165	W. F. Fell		16	816	
166	N. Smith	10 f	16		
167	O. R. Duff		1	Paid	3 cts
168	O. Doors		3.	Paid	3 cts
169	O. O. Earle		3.	Paid	3 cts
170	E. M Earle		3.	Paid	3 cts
171	E W Cromwell		4.	Paid	
172	R M Crosby	10 f	N. Y.	Gone home	
173	J. L Van Bokkelen		29	Paid	
174	A. H. Geldermeister		16	Paid	3
175	C. H. Hill		16	Paid	
176	J. Teale Jr		16	Paid	10 cts
177	G. H Blake		1.	Paid	
178	L. L. Phillips		16	Paid	
179	Dr W. C. Brown		1	Paid	3 cts
181	C. Del Vecchio		16	Paid	3 cts
181	J. A Atkinson			Paid	3
182	E. F Baker		11		
183	C. B. Marin				
184	J. Post		16	Paid	
185	C. Miller				
186	Asst Surg of U.S.		5.	Paid	
187	F Argentin		17	Paid	3 cts
188	C. V. Gillespie		13	Paid	
189	J. O. Boyd		17	Paid	3 cts

H. H. Bancroft Collection
Bancroft Library

190	S O Gary	5.	Paid	3d		
191	H. S. Payne	17	Paid	3d		
192	F. A. Ball	17				
193	F. C. Bennett	5.				
194	A. J. Grayson 10/	17	a			
195	R Mackintosh	2.				
196	J. S. Voget	18	a Paid	3d		
197	S. G. Haven (Paid)		& Paid			
198	G. Brooke	17	Paid	3d		
199	D. H. Hosefrass	17				
200	W. H. Silverthorn	17	Paid			
201	J. W. Hartman	17				
202	D. W. Smith	12	Paid			
203	J. B. Moro	17	Paid	3d		
204	B. L. Beckley	17	Paid	3d		
205	D. W. Hunt	9	Paid			
206	T Miller	17	& Paid	3d		
207	J M Dougall 10/	2	&			
208	W H Crowell	4	Paid			
209	J. T Smith	17		3d		
210	W. O. Johnston	17				
211	O. B. Mitchell 10/	17				
212	J. B. M. Crooks	1.				
213						
214	T Ripley	13	Paid	3d		
215	B. B. Beers	17	Paid			
216	C. H. Davis	7	Paid			

H. H. Bancroft Collection
Bancroft Library

217	J L Bleakly	absent during July		~~Paid~~	5	30
218	D. L Turner	26		Paid		
219	G. S. Robertson 10/	17				
220	W. H Hogg	17		Paid	3d	
221	J. Drake	3.		Paid		
222	A Engels Sr	11.		Paid		
223	L. Thffs (Expelled)	11.		Paid	R	3d
224	J. Schmidt 10/	17		Paid	R	
225	A M. Grath	17				5d
226	R. George	18				
227	J. Lee 10/	18				
228	Cyrus Palmer	9.		Paid		3d
229	J. C. Hasson	18		Paid	R	
230	M D Eyre 10/			a		
231	M H VanDyke	18				
232	C Pratch	18		Paid		
233	W. Reynolds			& Paid		5d
234	J. W. Cartwright			& Paid		5d
235	T. Bilton	1				
236						
237	C. H. Welling 10/	18		Absent		
238	W. A. White	18		Paid		
239	J. L. Wells	18				3d
240	G. H. Plum	1.				
241	C. M. Warner	8.		Paid		
242	A. C. Russell	18		Paid	R	
243	C. V. Doric	1.		Paid		3d

H. H. Bancroft Collection
Bancroft Library

244	S. F. Spencer			& Paid	2 a c	271	E. Carter	14	19	Paid	3.2
245	F. H. Ewer		8.	Paid	3d Pd	272	H. A. Torbert		19	Paid	3d Cole
246	R. A. Fish		7			273	T. G. Phelps		J.	a Paid	2d Cole
247	H. R. Story		J.	a Paid	3d cole	274	S. Dows		J.	& Paid	3d
248	C. Casaffonsith		18	Paid		275	O. L. Huntington		19	Paid	3d Cole
249	W. A. Cobb		18	Paid	R 2d Cole	276	S. T. Ackley		19	By bill	
250	S. R. Mobley		18	Paid		277	J. C. Potter		19	Paid	3d Cole
251	F. Panton					278	E. H. Hays		19	Cole	
252	R. E. Hunter			a		279	L. Cohen			& Paid	3d
253	J. L. Moffatt		18	Paid	Cole	280	H. Moeller		19	Paid	
254	J. Kellogg		18	Paid		281	C. B. Loomis	Survey No 5	J.	Paid	3d Cal
255	J. T. Timpson		18	a Paid		282	B. F. Wynn	10 #	19		
256	H. B. McCullough		18	Paid	3d	283	A. H. Ebbetts			a Gen. Hos	
257	C. E. Bowers		29	Paid	No Coll	284	J. Gibson	10 #	19		
258	J. N. Ball		18			285	E. W. Kessler		19		
259	J. Bundell		2.	Paid	3d Cole	286	R. Mathison		19		
260	C. Wilber		19	Pd	Jones	287	W. D. H. Howard		J.	Paid	R 3d
261	W. Newell		19	10.		288	J. H. Ruddach		7.	Paid	
262	J. Gordon	10 #	19			289	H. Root			& Paid	
263	W. Smith	10 #	19			290	G. A. Grant		19	Paid	R 60
264						291	N. P. Jones	10 #	19		
265						292	J. Haber		13.	& Paid	3d
266	R. Hookhoffer			& Paid	3d Cole	293	S. R. Bunker		19	Pd Cole	
267	W. O. Smith			& Chief of Police		294	G. W. Harris		19	Paid Cole	
268	A. N. Gray		2.	Paid		295	L. F. Oakley		J.	a Paid	
269	J. Sullivan			a San Quen		296	G. W. Schultz		J.	Paid	
270	A. McCoy			a Paid		297	R. W. Nevins		J.	Paid	3d

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

299	J. L. Wetherd	2			
300	J. Pendergast	19			
301	J. Porter	5.	Paid		
302	C. H. H. Cook	24	a		
303	H Yake	12	Paid		
304	F Horn	12	Paid		
305	J. H. Levins	20			
306	C. S. Simpson		& Paid	3d	
307	J. Dennis	21	Paid	3d	
308	J N Swift	7	Paid	3d	
309	D N Lansing	20			
310	A. Y. Edgerbury	20	Paid	Col	
311	C. C. Richmond	20	Paid	Col	
312	P Thompson	10	20		
313	Bo Turner		20	By bill	
314	L. L Davy		9	Paid	3d
315	A Roy	10		a	
316	T. P. Everett	10	20	Paid	
317					
318	P. S. Hunter		~~20~~	a	
319	L A Stark		20		
320	P. Schloss		10.	Paid	3d
321	J. Paul		11.	Paid	3d
322	C A Downs		9	Paid	Col
323	J. Rassett		9	Paid R	Col
324	N P Burns		20		
325	C H West		12	Paid	Col

H. H. Bancroft Collection
Bancroft Library

326	W Blackburn	2	Paid R		
327	D McKinley	20	Paid	Col	
328	W H White	12	Paid	Col	
329	D. D. Kinney	20	Paid	Col	
330	J. B. Evans	13			
331	E. R Sourwinkop	2.	Paid	Col	
332	M. Rudsdale	20	Paid	Col	
333	J de Long	8	Paid	3d	
334	H Washburn	20	Paid		
335	H Massey	13.	Paid	Col	
336	E Smith	2.	Paid	P	
337	H H Webster	2.	Paid R	Col	
338	W Hazeltine	20			
339	J. Porter	6.	Paid		
340	D. N Gladding	20			
341	D. E. Wolf	20	Paid		
342	M. D. Jacobs		& Paid		
343	D Livier	10	20		
344	W P Stebbins	21	Paid	3d	
345	D. Kinney	8.	Paid	3	
346	J M Tewksbury	21	5		
347	J. P. Corrigan	21	Paid	3d	
348	D. Clancy	21	Paid	Col	
349	J. Blackhawke	21	Paid	3d	
350	T. D. J. Johnston	21	& Col	3d	
351	P Tourget (P. Torquet)	21	Paid	3d	
352	A McDermmit	13	Paid		

H. H. Bancroft Collection
Bancroft Library

353	W H Bamlett		21	Paid 3 Col	380	R H Lord	
354	G. O. Whitney		6	by bill	381	S Mason Jr	22 Paid
355	B. E. Holland	10 ft	21		382	A. Gay	22 a Paid
356	L Reinstein		6.	Paid 3d	383	B B Lattimore	22 Paid
357	A. A. Smith		2.	Paid 3 Col	384	W H Mosher	22
358	A. S. Hallett		21	Paid R.	385	H Van Ratte	22 Paid
359	L. R Throckmorton		2.	Paid 3 Col	386	B Rafferty	12
360	R B Hampton		5.	Paid 3d	387	J Tucker	Paid 3d
361	O L Wiggin	10 ft	21		388	J. Ler	Paid B
362	A. L. Olney			Paid	389	S. N. Grant	22
363	S. B. Parker		21	Paid 3d	390	A. R. Bolton	22 Paid 3d
364	T. Cunningham		21		391	W Horner	10 ft Del Sell
365	B. B Lafitte		21	Paid 3d	392	S. Baker	10 ft 22 Paid R 3d
366	C. S. Mason	10 ft	6.	Paid 3d	393	P. Markey	10 ft 8.
367	E Wolfshorn		21	Paid	394	T. Curtis	22 Paid R
368	B H inckley	10 ft	21		395	P. Vrieslander	3. Paid 3d
369	E. C. R. Walker		12	Paid 3 Col	396	G C Bode	22 Paid 3d
370	A. H Blood		21	Paid	397	C L Buckner	22
371	A. Gavitt	6 ft.		Paid 3 Col	398	A B Sewell	a
372	B. A Patten		21	Paid 3d	399	J Hayne	7 Paid
373	C. W. Cook		21	Paid	400	W M Eddy	11.
374	A. B. Stout		2.	Paid 3d	401	P. C. Canille	22
375	A. E. dela Montaigne		21	Paid 3 Col	402	F. B Gould	22 Paid 3d
376	A. A Conrad		22	Paid 3d	403	W H Lent	22 Paid R
377	A. L. Skinner		22		404	R. Gibbons	13 Paid
378	N D Braham		22	Paid	405	J. H. Titcomb	10 ft 23
379	E. L Lord		22	Paid R	406	J. Blumoms	10 Paid 3d

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

407	S. D. Washburn		a		
408	A. Webb		23	Paid	
409	D. Jones		22	Paid	3
410	W. L. Higgins		7	Paid	
411	A. P. Shildon		23	Paid	
412	A. A. Sporner		23	Paid	3d/c
413	G. H. Nelson		23	Paid	
414	J. P. Manroe		23	Paid	R
415	L. Burgess		10	Paid	
416	T. A. Barry		23	Paid	3d
417	T. W. Sampson		23		
418	D. L. Oakley			E Paid	3d
419	E. Brown	10	23		
420	A. Wapler		8.	Paid	
421	P. Dasky		1	Paid	3d
422	M. Ehrlich		10	E Paid	3 Cab
423	F. Schultzer		10	Paid	3d C
424	A. Baldwin		23		
425	C. W. S. Gibbs		23	Paid	3d
426	G. H. Tay		7.	Paid	
427	O. Eske		8.	Paid	3d C
428	C. Conroy		23		
429	L. L. Batcheldor		23	a Paid	
430	M Behr		23	Paid	
431	A. W. Snyder		9.	Paid	R
432	T. H. Talmage		8.	Paid	
433	F. Mahony		23	Paid	

H. Bancroft Collection
Bancroft Library

434	A. Welch		4	Paid	
435	N. Alford		23	Paid	
436	W. C. Inman		23	Paid	32
437	R. M. Scissup		8	Paid C	3d/c
438	E. S. Custh		23		
439	E Delasert			E. Paid	3d/c
440	J. Middleton		6	Paid	
441	C. C. Bowman	R	23	Paid	
442	B. B. Hayden	10	24		
443	P. P. Hall	10	8.		
444	D. F. Schander	10	Exempt		
445	D. A. Johnson		24	Paid	
446	A. S. Dexter	R	24	Paid	
447	J. R. West	R	24	Paid	
448	M R Roberts		24	Paid	
449	J. M Taylor	R	24	Paid C	
450	E. Yonge		24	Paid	
451	R. Wilson		24		
452	J. H Kent		24		
453	J. G. Baker	10	24		
454	R Von Camap		8.	Paid	
455	J. C Ribling		24		
456	J. D. Edgerton		6	Paid	
457	J. T. Thompson	R	24	Paid	
458	F. J. Bayley	R	24	Paid	32
459	D. W. Thompson	10	24		
460	A. Oakesmith			a Paid	

H. H. Bancroft Collection
Bancroft Library

461	J. Perry Jr		24	Paid	
462	G.W. Soule	10 ft	8.		
463	G M Smith		10.		
464	A. Kinsey		24	Paid	
465	W M Shelley	10 ft	24		
466	W. Sharon		3.	Paid	3d
467	R.R. Harris	10 ft	[redacted] 24		
468	J. H Harris	10 ft	Not a member		
469	S. M Tibbits	10 ft	24		
470	J Ferguson		24		
471	W.B. Marston	2 ft	[redacted]		
472	O.D. Wilson		25		
473	B. Smith		25	Paid	
474	E. Toby		1.	Paid	
475	J.W. Gregory		22		
476	G. Bongrand	10 ft	25		
477	J.W. Goodrich		3.		
478	M. Millar		8 & 8	Paid	
479	J. M Gardner	10 ft	25		
480	T. Cronin		25		
481	J.A. McCrea		4	Paid	
482	G.O. Ecker	10 ft	25		
483	P. Petrovitz		2.	Paid	
484	W.O. Silver		25		
485	E.S. Mendles		25	Paid	3d
486	D. Amrine		25	Paid	3d
487	M Nelson		25	Paid	

H. H. Bancroft Collection
Bancroft Library

488	L. Martin		25	Paid	
489	E Grizar		2.	Paid	3
490	D.W Cady		25		
491	W.S. Tarbox		25		
492	M Rose		25		3d
493	S.J. Root		25	Paid	
494	J. Buckler Jr		25	Gone Home	
495	J Brandy		10	Paid	
496	M McIntyre			& Paid	
497	W. O Baker		25	Paid	3d
498	W A Baring		15	Paid	3d
499	P. De Laigude		2.	Paid	3
500	J.L. Marston		1.1		
501	J A Sutter Jr		15	Paid	3d
502	C. VanDewater	10 ft	25	Paid	3d
503	D Coggeng	10 ft	a		
504	Not to be Paid				
505	A T Ladd	6	[redacted]	Paid	3d
516	B Dexter		25	Paid	
507	L. Merritt		2.	Paid	85
508	C Griswold		25	Paid	3d
509	A Wetherbee	18	[redacted]		
510	A.J. George		7		
511	J.H. Edwardson		4	a Paid	
512	B B Davis		1	Paid	
513	R.A. Eddy	10 ft	26 a	Manjorder	
514	M Cheeseman		6 a		

H. H. Bancroft Collection
Bancroft Library

515	J M Ker		a	Paid	gone				
516	A A Barling		a	Paid	absent				
517	L P Bordale		a	Sandwich Is					
518	L D Lynch	26		Paid					
519	E A Anthony		a	Paid	Memphis				
520	A Kilbourn	4		Paid	5d				
521	D Noah	23	a						
522	A B Southwick	12		Paid	3 21/0				
523	S W Britton	4			5d				
524	C T Oakley	26		Paid	3				
525	D Mason	26		Paid	Col				
526	D Bandman	10		Paid	3 50				
527	G Reineke	26		Paid	Col				
528	A Bodfish		a	Paid	at Sea				
529	A Pavillier	26							
530	R A Parker	10	a	Jamaica					
531	E P Southard	6	a	Jamaica					
532	L A Delsotte	6		Paid	5d				
533	E Brambach	26		Paid	Col				
534	W Rice	3	&	Pd	Col				
535	R Horton	26							
536	D Lobdell	10.		Paid	3 40				
537	B F Hanna	7.		Paid	5d				
538	T Mason	26		Paid	Col				
539	Not to be at Sea								
540	J W Stillman	1.		Paid					
541	I K Labatt	26		Paid	3 26				
542	L P Woodward				&				
543	W M Randell	5.		Paid					
544	A G Cage Jr		a						
545	H Martin	4		Paid	5d				
546	A I Hall	July	4	a		5d			
547	D R Hawley	July	10		Paid				
548	J W Sterling	July	10		Paid	3 40			
549	M Feigenbaum	"	6		Paid	6d			
550	P D Hickey	"	7		Pd July				
551	G H Dove	"	4	a	July	5d			
552	H K Squire	"	26		Pd July	3			
553	W Helman	"	6		Paid	3			
554	P W Van Winkle	July	4th	26	Pd July	Col			
555	H Hale	July	4.		Pd July	3 50			
556	G R Winslow	"	26		Pd July				
557	J Walker Jr	"	26		Pd July				
558	G L Dudley	"	26		Pd July				
559	J Burr	"	7		Paid	3			
560	G H Hitchcock	"	26		Paid	Col			
561	C Franklin	"	26		Paid	July			
562	B Elliott	"	7		Paid	6d			
563	W H Clarke	Boat			Paid				
564	C Thompson			a					
565	E Hull		26		Paid				
566	T Dimon		22		Paid				
567	E S de St Marino		27		Paid	3			
568	R O J de St Marino		27	a	Paid				

H. H. Bancroft Collection
Bancroft Library

569	W. W. Baker	~~Pd~~		a Pay bills	596	J. Laidley		&	Paid 30
570	J. Sweeny		27	Paid	597	N Cobb		27	Paid
571	L W Sloat		27	Paid 33	598	S. M. Morrell		3	Paid
572	N L Ford		27	Paid	599	J. P. Peachey		27	Paid 34
573	T. P. L. Smiley		&	Paid 3d	600	O. H. Boyd		1	Paid Col
574	E. S. Dimmitt	~~Pd~~	27		601	T. O. Eldridge		8	Paid
575	P. B. Clark		27	Paid 30	602	O. G. Goulds		13	Paid
576	M. S. Goff		3.	Paid Col	603	D. Olsen	~~Pd~~	5	Paid Col
577	E Goff		27	a Paid	604	J. E. Fuller	~~Pd~~	13	Paid Col
578	F Williams		13	Paid	605	J. Eyre		&	Paid 30
579	J. B. Ludlow		27	Paid Col	606	C. S. Libby		9.	Paid Col
580	P. A Roach		27	Paid	607	D H Rand		13	Paid 37
581	D Levitt		13	Paid 35	608	~~H. C. Dodd~~	N.C Dowy		Paid
582	L A Levy Jr		27	Paid 32	609	C. E. Parker		27	Paid
583	J W. Shoemaker		27	Paid Col	610	H. H. ~~Cobby~~	Ellis	28	Paid
584	J. Gardner.		12	Paid	611	M H arth		1	a Paid
585	A H. Guild	~~Pd~~	27	Col Col	612	~~E. J. Clark~~	~~John Kaye~~ John Neep	12	Paid 30
586	E. Swift		12	Paid	613	B. Brown		28	Paid
587	T. B. Bryant		12	Paid	614	A. J. Connell		1.	Paid 3
588	B. C. Sanders		2	Paid Col	615	J. C. Coult		28	Paid
589	H. C. Coy		27	Paid 36	616	N Whaler		28	Paid 3
~~590~~	~~H. H. Bishop~~			~~Paid~~	617	~~A. J.~~ Richardson		~~4~~ 8	Paid
591	C. A Poor		7.	Paid 32	618	T Goin		8	Paid 3
592	N D Brimagin		&	a Paid	619	C N Davis		4	Paid
593	G. H. Fuller	~~Pd~~	27	Paid Col	620	R. Calhoun		28	Paid 30
594	B. L ~~Hudson~~ Gaureau		27	Paid Col	621	L N Denbow		6.	Paid 30
595	Louis Dent			a Paid	622	T. Taylor	~~Pd~~	28	Paid a 32

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

623	D A N Demet		28	Paid		659	E. L. Williams	12	Paid	X
624	D. W. Virgin		10	Paid	5¢	651	W. Broadhurst	28	Paid	X
625	F. C. Kilborn	~~X~~	11.	Paid		652	W L Ryckman	26	Paid	X
626	A A ~~Rhoades~~			& Paid		653	G. P. Kingsley	11	Paid	X
627	E. S. ~~Hoshmore~~	Moorhead		Paid	12	654	A. S. Ellis	8	Paid	X
628						655	E. Kingsbury	12	Paid	X
629	Sam'l W Moore		28	Paid	5¢	656	G. Stanley	28	Paid	X
630	A. C. Bennett		10	Paid		657	B. B. Gore	28	Paid	X
631	C. ~~Bohrer~~ C. Bohrer			& Paid		658	E. Thebault	28	Paid	X
632	C. H. McLellan		1.	Paid		659	R. H. Elam	28	Paid	X
633	C. G. Scott		28	Paid		660	R. S. Jenkins	1	Paid	X
634	E. S. Deane		8.	Paid		661	Oliver Woods	29	Paid	X
635	J. E. Gillespie		12	Paid		662	Daniel Cronin	6	Paid	X
636	D. E. Mitchell		28	Paid		663	John Parratt	6	Paid	X
637	J. Wormser		6.	Paid		664	George Laidley		& Paid	X
638	C. E. Edwards		28	Paid		665	J. B Snyder	9	Paid	X
639	J. J. Bell		9.	Paid	3¢	666	F. Morton	10	Paid	X
640	D. C. Conroy		4.	Paid	3¢	667	A. Moore	18	Paid	X
641	J. J. ~~Va~~ Bokkelen		28	Paid	3¢	668	G. W White	12		
642	S. N. Mallett		28	Paid	5¢	669	Jacob Weber	10	Paid	X
643	C. Gulliver		6.	Paid	3¢	670				
644	R. B. Page	August		Paid	X	671	D N Chasten	18	Paid	X
645	Daniel Kenniff		13.	Paid	X	672	D. C. Woods	20		
646	G. Waters Jr		28	Paid	X	673	M. Calkins	20	Paid	X
647	L. W Lockwood		9	Paid	X	674	J. Gourley	6	Paid	X
648	J. D. Dodge		11.	Paid	X	675	S. W Blunt	29	Paid	X
649	N Pierce		10	Paid	X	676	L Maynard	29	Paid	X

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
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677	S Zuncher	14	Paid
678	J Doherty	11	Paid
679	D. W. Chauncey	11	Paid
680	S. Bradstreet	9	Paid
681	F Vassault	6	Paid
682	A. V. H. Ellis	6	Paid
683	Henry Owner	11	Paid
684	D. P. Cambell	1 $	Paid
685	S. W Staghill	17	Paid
686	Chas H Hutchings	5	Paid
687	H. N. Lewis	3	Paid
688	H. B. White	9	Paid
689	D. E. Sweitzer	15	Paid
690	A. D. Rudd	9	Paid
691	W. T. Reynolds	4	Paid
692	J. C George	4	Paid
693	J. M Reid	4	Paid
694	A H Bryant	4	Paid
695	A A Knox	14	Paid
696	R. Rust	9	
697	Wm Shrawbridge	4	Paid 6
698	W B Perry		Paid 6
699	L. P Whitman	4	Paid 6
700	T. W Carroll		Paid 6
701	James Wright		Paid 6
702	H. S Lagas		Paid 6
703	L W Skinner		Paid 6

H. H. Bancroft Collection
Bancroft Library

704	Geo A Bouton	Paid 6
705	Henry Randall	Pd. M Diffie
706	A. C Workman	Paid 6
707	R. S Dorr	Paid 6
708	W A Patten	Paid 6
709	Jas Hawthorne	Paid 6
710	J. R Singleton	Paid 6
711	Wm Mac Michael	Paid
712	Edward Connor	"
713.	Charles A Dorn	"
714		
715	Thos D Green	"
716	J B G Isham	"
717	Chas Eigenbrodt	"

H. H. Bancroft Collection
Bancroft Library

Box 7: Book of names, July 1851-June 1852 (Folder 721)

Every Member is to pay $5.10 to
the Treasurer

Oct 20th 1851

John Longhurst Proposed by L. Oakley

Approved
F. D. Woodworth
G. W. Rydstrom

B. H. Bancroft Collection
Bancroft Library

412
54

B. H. Bancroft Collection
Bancroft Library

C-A
77:721

Every Member is to pay $5.00 to
the Treasurer

Every member is
to pay $5- - for
to the Treasurer

412
54

H. H. Bancroft Collection
Bancroft Library

C-A
77:721

52560

List of Names Committee on Names	Approved by the Qualification By whom proposed
Dr Dimon Signed	A M Ellis
B. F. Lowe	J. P. Mannon
O. G. Preston	do
N. C. Page Signed	Capt White
E Curtis	~~A Bovett~~
~~Capt Babridge~~	Dr Graham & Skinner
Capt Muirhead	Capt Wakeman
R Roberts	do
F C Gray	do
C. E. Hunter	do
W O Baker	Chas Soule
G W Bowland	do
J L Windsor	J F Curtis
Chas Brewster	Dresbfeldt
R Garcia	do
C. Bours M.D	J. F. Curtis
C Gombir	J A Smith
F Marriott	B J Lamot
G M Hutton	E Kemp
A Weisenhall	do
Thos Goin Signed	J. C. Teachumacher
L Noyes	G. E. Schrenck
J. Laidley Signed	~~D L Oakley~~
~~N B. Gill~~	~~D. Bovett~~
~~D Hubbard~~	W H Jones
D W Boulton Signed	do
J W Jones	D F. Spence
A Guild	J. J. Hilton
D Holland	W H Jones
F Byrne	do
D B Carter	A. J. Ellis
Ward Eaton	

B. H. Bancroft Collection
Bancroft Library

NAMES	By whom proposed
L A Levy Signed	D. E. Woolfe
J Sweeney Signed	L Tuffs
Edwin Hall Signed	G W Ryckman
John Scillin	S. Haber
J Harlow	R Root
W Rathbone	A.M. Ebbets
F R Lenig	S.H. Ruddock
S Layard	J Noah
P.B. Clark Signed	S W Britton
D. A.M. Dermot Signed	F. A. Woodworth
Mr Caspar	C H West
A.D. Haley	Thomas
M Gosp Signed	Capt Britton
M.G. Gosp Signed	M Gerke
John Stout	S Pfaff
G M Burnham	R Gibbons
John Knapp Signed	F Horn
T.D. Green Signed	Von Bokkelen
~~John Allen~~	S Haber
Capt Sweeney Signed	D L Tuffs
J Taylor Signed	S.E. Woodworth
Henry Randall Signed	Pulaski Jacks
Robt B Brimagion Signed	do do
J.B Barker	D Noah
E Thibault Signed	F Mahoney
A de Grotte Signed	do
W Clark Signed	Rigging
Capt Page Signed	do
Frank Williams Signed	C.R. Story
Mr Owner Signed	L.D. Kinsey
J Fredricks	F.O. Wakeman
Capt Ford	L Tuffs
Christian Russ	E Yonge

Name	By whom proposed
July 11 1853	
Franklin Williams Signed	Chs R Story
Capt Jas Gardner	S H Ruddock
Franklin Whitney	L S Cayard
L D Dodge Signed	"
D.H. Rand Paid Signed	"
J Chittenden	"
S Libby Paid Signed	"
D H Dearborn Paid Signed	"
G Whitney	"
M C Dorr Paid Signed	"
Elijah Swift Signed	Hugh McShane
Chs. B Bryant Signed	"
Chas A Poor Signed	A Cunningham
C Burba Ludlow Signed	C S Stubbs
Philip A Roach Signed	L Sweeney
Jas G Gould Signed	Chs H Hall
Dand Leavitt Signed	S Haber
Horace C. Coy Signed	G.W. Ryckman
J.R. Rollinson Signed	J. Perry Jr.
Jno Shoemaker Signed	M.R. Roberts & L Thomas Jr
H C Coult Signed	G.E. Schenck
Approved	
Frank A Woodworth	
G.E. Schenck "	
Geo. Appraid	
Geo. Joy Yulles	
Geo H Howard	

Committee

H. H. Bancroft Collection
Bancroft Library

Names	July	By whom proposed July 12 1851
A Fuller	Signed	J Van Bokkelen
H C Coy	Signed	Ryckman & A Hyde
Oscar H Boyd	Signed	C Jacks
Andrew J Rivell	Signed	D.
Lewis Dent	Signed	A Sill Duffie
Paul Oakson	Signed	J Van Bokkelen
Jacob Fuller	Signed	D.
A Fonda		D.
Capt Van Pelt		C L Case
" Vail		D.
John Peachy	Signed	I Van Winkle
Joseph Eyre	Signed	D J Flanery
Charles G Scott	Signed	Jas Shindler
C L Deane	Sig'd	W L Bunday
H C Lagey		I Kelton
D S Lee		W H Bagley & L Rayney
B L H Emoreau	Signed	B F Hanna
Approved		
Geo. R Wand		Committee
G E Schenck		
Fredk A Woodworth		
H. A Hughey		B F Hanna
E S Moorhead	Sig'd	Geo. H. Paun
Geo.	July 14 51	
A. G. Richardson	Signed	Thos E. Bowie Jr
C. H. Davis	Adams & Co Signed	"
F. A H		

Names	July	By whom proposed July 13 1851
Henry Cole	Signed	Capt Nelson
Jno M Merrill	Signed	Mitchell Jeffers
Capt Frank O. Ellridge	Signed & Sealed	Jas F. Carter
	July	15 1851
M Hauth	Signed	C Jacks
John Mallett	Pd & Sig.	John T Smith
T C Kilburn	Signed	W W Jones
Joseph Green		D.
D Symmes		D.
Joseph Tryon		D.
Benbin Brown	Signed	B F Hanna
Chapter F Deane	Signed	Jas Delany
× Chas McDonald		J Paxton & J E Gorby and Frank O Ridge,
H. H. Ellis	Signed	J W Fisher
D C Conroy	Signed	A Kirchner
H E Shrubsbury		
Capt H Constant		3 A. F. Hutton
Approved		
Geo. R Wand		Com'ts Grant
Thos L. Case		
Fredk A Woodworth		
G E. Schenck		

H. H. Bancroft Collection
Bancroft Library

Names	By whom prepared
July 18th.	
Matthew Scott	C Wyatt
Joseph Spinney	R S Cammett
Geo Steely M.D.	R Gibbard
[illegible]	[illegible]
Saml W Moore Signed	W Locke & Jno Lawson
G P Kingsley Signed	John S Logan
A A Rhoades Signed	
Geo W Virgin Signed	H H Baker
Henry C Macy	A Ripley

Approved
Geo Ward
Chas L Cass
G E Schenck
S Brannan
Geo Millard

H. H. Bancroft Collection
Bancroft Library

Numbers	proposed	approved
	July 22d.	
Thomas Scully.	proposed by	B. C. Saunders
I Wormser	Signed "	L. Cohn
Cpt. G. N. White	Signed "	A. J. McDaffee
Brian Donnelly	"	I W Rider
[illegible]	[illegible]	[illegible]
George Bird	"	Vi Turner
Capt Jno C. Bennett	Signed	Signed W. F. Baker
Saml A Carr	"	D P Johnson
I. P. Borman	"	"
Capt C. H. Swain	"	Chas Thompson
I. C. Coult	"	G. E. Schenck
Danl. Kenisy	Signed "	I McKarraher
Jacob Weber	Signed "	I. C. Woolf
Jas McCaffa	Signed "	Wm Hogg
E. P. Mc	"	Simon Haber
Danl. Cronin	Signed "	A. G. Randall
Chas Gillen	Signed "	L Rinstein
C. Bohrer	Signed "	F. O. Wakeman
I. I. L Van Bokkelen	Signed "	I. R. West
E. Kingsbury	Signed "	G. W. Ryckman
Wm L Ryckman	Signed "	"
Chas. McLellan	Signed "	J. Q. Cole
I. J Felt	"	G. Elliott
Thos Allen	"	Wm White
Capt Gillespie	(adirondack	Signed Beers
Capt Mitchell	(Bruter)	Signed "
C R Edwards	Signed	W Blackburn July 23
Frodk. A Woodworth		
S. Brannan		
Geo Ward		

H. H. Bancroft Collection
Bancroft Library

July 26th 1837

Capt Richd A Ewell
R B Gen
D P Lockwood Signed
G Waters Signed
Nelson Pierce Signed
C L Williams Signed
Wm Broadhurst Signed
Green
[illegible]
Henry Johnson
Geo Laidley Signed
Geo Loomis
Hiram Winchester
Wm Lloyd

Approved
Geo Howard
Geo Ward
Frdk A Woodworth
F E Schenck
Jas Ward
A J Ellis

Committee

L Suffolk
Henry Graham
Jas Laidley
J C Derby
John Sullivan

July 28th 1837

Names — By whom proposed

J [illegible] — [illegible]

Secy

R P Elam Signed
John Parrott Signed
Andrew Jellison Signed
L C Connell
R J Jenkins Signed

E L Williams for
G H Howard "
Redmond Gibbons
Schenck
Hollanshead
Attorneys
R C Burnap + Van Bokkelen

Approved
Geo H Howard
Geo Ward
Geo Gerard
G E Schenck
A J Ellis

Committee

Aug 12 1837
C J Janson — C C Williams

Geo Ward
Loyd Phoenix
Frdk A Woodworth
A J Ellis
G E Schenck

H. H. Bancroft Collection
Bancroft Library

Augt 15-tn

Capt Frdk Morton — Inspected by Capt W. W. Baker

approved
Frdk A Woodworth
G E Schenck
Geo R Ward

Aug 19

G. J. Brooks	W. L. Barger
D W Chauncey Signed	J. L. Burbekelow
Saml Gourley Signed	P Jacks
Rich Reed Signed	A. M. Suffic
Jas Hawthorne	R. W. Page
S W Staghill Signed	B. F. Hanna
Asa D Rudd Signed	L Palmer
Milo Calkins Signed	F. Williams
Oliver Woody Signed	Jas Shindler
David Woody Signed	W Blackburn

Approved
Geo R Ward
Frank A Woodworth
G E Schenck

Aug 20

C. Meredith	F A Woodworth
C B Steinbrugge	E Sullivant
Jas C Hudson	W A Darling
L Maynard Signed	
J Z Blunt Signed	L D Beachey

Approved
Geo R Ward
Frank A Woodworth
G E Schenck

Aug 22d

Stockton Shawbridge Signed	W Darling
Jas Doherty Signed	W A White
Robt Martsh Signed	Wm H White
Jamel Bradstreet Signed	L Perry
Jas N Stevens usn	G E Woodworth
Capt F Schuckly	do
Jas M Reed Signed	J Melton
Jas C Gorge Signed	do
A. A Bryant Signed	do
Saml Lincker Signed	Col Turner
C Perry do	Jas Laidley

Approved
Geo R Ward
Frdk A Woodworth
G E Schenck

H. H. Bancroft Collection
Bancroft Library

Names approved Augt. 24th

Augustus H Ellis Signed proposed by A. I. Ellis
Chs Barkeillet — B B Hammond
Jas B Campbell Signed — Geo W White
N M Lewis Signed — J Mary
Edward Duplain — Rd Summers

Approved
Geo Ward
Frdk. A Woodworth
A. I. Ellis

Edward Duplain proposed by Rd Summers

Aug 25th

Chas. Hutchins Signed — Chs. A Tom
Wm J Reynolds Signed — Howard Cunningham
Jimes C Hackett — N Marshall
A C Nichols — C Griswold
J J Parker — Wm. J Goss
Royal Kirk
Assented Signed
Chas Watmus.
Capt Banta — W Cartwright
W H T Crowse — C B Lafitte

Approved
Geo Ward
Frdk A Woodworth
G E Schenck

Aug 26th 1851

J Johns proposed by Jno J Eggan
A B White M D Signed — R Calhoun
Jas A Wright Signed — Wm A White
Nicholas A King Rd & Sy. — Jas Doherty
Albert A Beatty — R S Jenkins
Jas C Sweeten Signed — R P Kingsley
A Sawyer

Approved
G E. Schenck
Frdk. A Woodworth
J Brannan
Geo Ward

Augt 30th 1851

Luther Patterson — B F Hammond
Capt Smiley — Do.
Hiram W Cavall — John W Jackson.
Capt Chs J Lovett — John C Bennett

Approved
Frdk. A Woodworth
Geo Ward
G E. Schenck

H. H. Bancroft Collection
Bancroft Library

Sept 9 1851

Capt C L Libby
J M Lean Addison
P Desendorff
G. H. Boulton
A I Bartol
Col A C Wakeman
A L Tubbs
F A Woodworth
P Jack,
D L Oakley
I K Bakkille
J E Woodworth

Approved
Geo R Ward
Fredk A Woodworth
Geo W Howard

Members proposed & approved Oct. 2d 1851
Proposed by

Geo N. Shaw — Capt Botham
Ralph Dorr — "
Charles Schofield — F. A Woodworth
W. H Patten — G. W. Ryckman

Approved
Fredk A Woodworth
Chas L Cain
G. W. Ryckman

Jno Donaldson proposed Oct 20th 1851
By D L Oakley
F. A Woodworth
G W Ryckman
J. F. Sutton

R. G. Binford proposed by D L Oakley
Oct 31st 1851 & B. L Gauvreau
F A W
G. W Ryckman
J. F Sutton

O H. Frank proposed by H. F VanLonyenke
Oct 31st 1851.

G. Josephs proposed by B. L Gauvreau
Nov. 13 1851

E. Conner (Alta California) by F. A Woodworth
Jany 14. 1852
R. G Binford
F A W
G W Ryckman
J. F. Sutton

Capt Wm McMichael
Capt. Isham
~~[redacted]~~
Edward C. Kimble
Capt Ottinger U. S Navy
} by F. A Woodworth "

Approved
F A Woodworth
G. W. Ryckman

B. H. Bancroft Collection
Bancroft Library

Capt Wm M Lawrence
Juny 28th 1852

proposed by O A Boyd
& Palaski Jacks

J. F. Toodsmith
G. W. Ryckman

Accepted 28th

Wm G. Lambert Jr
January 29. 52

Proposed by Jas B Hale
& J. H. Cartwright

Wm N Brown
Dr Alex G Ramsdell
January 30th 1852

} Proposed by
Isaac Bluxome Jr
G. W. Ryckman approved
Jno H. A Woodworth

Captain C A Nickels of Batt Fly Fick
proposed by Geo. Read &
G. E. Wordworth

Daniel Wright
proposed by

} E M Ryckman
June 30. 1852

Chas. A, Orem
Sacramento Exchange, Montgomery St.
between California St. & Adams & Co.
Proposed as an active member of
V. C. & vouched for, good & strong
by
Mar 1/52

Palaski Jacks,

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

Box7:Roll call book and undated attendance report (Folders 722-723)

52563

Roll Call

Executive Committee

of 1857

Executive Committee

H. H. Bancroft Collection
Bancroft Library

L-A
77:722

H. H. Bancroft Collection
Bancroft Library

1. Signifies present ::

		24th Sept	27th Sept	1st Oct	2d Oct	8 Oct	15 Oct	22 Oct	29	Nov 5	Nov 12	Nov 19	Nov 26	Dec 10	Dec 17	Dec 24	Dec 31	Jany 7. 1862	Jany 14	Jany 21	Jany 28	July 4	" 11	" 25	March 3	" 10
Sp. Res.	~~S Cagnac~~	1	1	1		1	1	1	1		Resigned															
Res	~~W Dell Howard~~	—	—	Resigned																						
—	Sam Brannan	1						1										1								
—	W J Coleman	1					1				1															
—	Jas C Ward		1			1		1														1		1	1	
—	B C Saunders					1	x																			
Pres & Sec Com.	S C Woodworth		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1				1	1	
—	Jas King of Wm		1																							
—	Jas Dowes	1				1							1	1	1			1	1	1	1	1	1		1	
—	H F Teschemacher	1		1			1				1				1	1			1	1						
—	Dr A B Stout	1		1						1															1	
—	F Bussault	1					1											1								
One Meting	~~J J Parrott~~	1	—	—	—	—	—	—																		
—	R M Jessup	1					1					1		1	1					1					1	
—	Jas B Hill	1		1			1			1	1											1				
—	~~Jos Post~~	1																								
—	Chas Grismold				1	1	1	1		1	1	1		1		1									1	
—	H A Cobb	1		1				1				1														
—	G M Garwood	1	1	1		1	1			1	1		1	1	1							1				
Pres & Sec	G W Ryckman	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
—	J J C Smiley	1	1	1	1	1	1	1				1	1			1	1	1	1	1	1	1	1		1	
—	J W Cartwright	1	1	1	1	1	1	1		1				1	1	1	1	1	1	1	1					
—	Wm W Thompson	1					1					1			1	1										
	~~A D Hinman~~																									

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

	24th Sept	27th Sept	1 Oct	2 Oct	8 Oct	15 Oct	22 Oct	29	Nov 5	Nov 12	Nov 19	Nov 26	Dec 10	Dec 17	Dec 24	Dec 31	Jany 7 1852	Jany 14 -	Jany 21	Jany 28	Feby 4	" 11	" 25	March 3	" 10
A Kirchner	/	/	/	/	/		/			/		/	/		/										
Wm A White	/		/	/	/	/	/			/	/	/	/	/	/				/	/			/		
John Raynes	/		/	/		/				/	/			/				/							
D Jamvier	/		/		/	/	/	/	/	/	/	/				/	/			/			/	/	
Jas M Swift	/		/				/		/	/	/						/				/				
Geo R Ward	/	/	/	/	/	/	/		/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
H M Naglee	/	/	/	/		/		/	/			/		/		/				/					
~~H Bunting~~	/			/		/			/																
I Delong	/	/	/	/	/	/	/		/	/	/	/	/	/									/		/
N C Annan			/	/	/	/	/																		
C Maynard			/	/		/	/											/							
W A Darling	/	/	/		/	/		/	/	/	/	/	/	/		/	/	/		/		/		/	
I J Sutton	/	/	/	/	/	/	/			/								/							
Sand Dewey	/	/					/		/	/				/		/									
J Argenti	/	/	/	/	/		/	/	/	/	/		/	/	/	/	/	/		/	/	/			
E Delessert	/		/	/		/	/		/	/	/		/	/	/	/	/	/		/	/	/			
Chas L Case	/		/			/		/		/															
I Blunome Jr	/	/	/	/	/	/	/		/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
J Woodworth	/	/	/	/	/	/	/	/	/	/	/	/	/	/		/	/	/	/	/	/	/	/	/	/
~~Geo I Bailey~~	—	—	/		/	/	/																		
I Ed Wadsworth	—	—	—	—	—	—	—			/	/	/	/	/	/	/	/	/		/		/		/	
A I Alma	—	—	—	—	—	—	—	—	—	—	—	—													/
J Panton	—	—	—	—	—	—	—	—	—	—	—	—													
W L Bromley	—	—	—	—	—	—	—	—	—	—	—	—													
	34	8	28	19	22	29	24	4	19	21	21	16	19	22	12	14	11	19	12	13	12	11	11	6	5	17

H. H. Bancroft Collection
Bancroft Library

	Nov 19	Nov 26	Dec 10	Dec 17	Dec 24	Dec 31	Jany 7 1912	Jany 14.	Jany 21.	Jany 28	Feby 4		July 11	" 25	March 3	" 10
James F Curtis	1	1									1		1			1
D W C Brown			1	1				1	1	1	1					1
Jas Murray			1	1	1		1	1		1				1	1	1

[137]

R. H. Bancroft Collection
Bancroft Library

R. H. Bancroft Collection
Bancroft Library

	1852 Apl 2d	" 7	" 15	Extra '52					
Jam[s] Brannan									
Jas C Bard	1		1	1					
B C Saunders									
T C Woodworth	1	1	1	1					
Jas Dows	1	1	1	1					
Dr Stout	1								
H A Cobb									
G M Garwood									
G W RyckMan	1	1	1	1	1				
T I L Smiley	1	1		1					
Wm A Thompson	1								
Isaac Bluxome Jr	1	1	1		1				
C Kirchner									
Jas M Swift									
Geo R Ward	1	1	1						
Jas DeLong	1	1							
W C Annan		1	1						
L Maynard									
W A Darling	1								
E Dellessert	1	1	1	1	1				
F Woodworth									
I C L Wadsworth	1		1		1				
Pulaski Jacks	1	1	1						
W A Howard	1		1						

H. H. Bancroft Collection
Bancroft Library

	1852 April 2d	" 7th	" 15									
Capt Wm Mac Michael	1	1	1	1								
James Murray	1	1	1		1							
E Thibaut												
Eugene Hart	1	1		1								
John T Ellis												
Joseph E Dall												
Joseph E Smutser												
T R Gerry												
E M Earle	1	1	1	1								
Noah Ripley												
Geo H Hossefros												
E R Story												
R Hoch Klofler												
A M. Ebbets	1				1							
M Rudsdale		1	1	1								
J P Corrigan		1		1								
R T Vamotte	1											
B G Vattimer												
D W Hawley												
Chas G Scott	1			1								
	22	16	15	16	6							

H. H. Bancroft Collection
Bancroft Library

12	Saml Brannan	25, meetings	3 times	present	ab
6	W J Coleman	" "	3 "	"	✓
12	James Ward	" "	4 "	"	
12	B C Saunders	" "	2 "	"	✓
6	J C Woodworth	" "	18 "	"	
6	Jas King of Wm	" "	1 "	"	✓
12	Jas Dows	" "	12 "	"	
6	H F Teschemacher	" "	8 "	"	✓
12	D Stout	" "	3 "	"	✓
6	F Bassault	" "	3 "	"	✓
6	R M Gissup	" "	6 "	"	✓
6	Jas B Stuit	" "	6 "	"	✓
6	C Griswold	" "	9 "	"	✓
12	H A Cobb	" "	4 "	"	✓
12	G M Garrood	" "	10 "	"	ab
6	G W Ryckman	" "	23 "	"	
12	J J L Smiley	" "	18 "	"	
6	J W Cartwright	" "	18 "	"	
12	Wm A Thompson	" "	5 "	"	✓
12	A Kirchner	" "	10 "	"	ab
6	Wm H White	" "	10 "	"	ab
6	John Raynes	" "	8 "	"	✓
6	D Janvrin	" "	14 "	"	
12	Jas M Swift	" "	8 "	"	✓
12	G R Ward	" "	22 "	"	
6	H M Naglee	" "	11 "	"	✓
12	J DeArmy	" "	14 "	"	
12	W C Annan	" "	5 "	"	ab
12	S Maynard	" "	5 "	"	✓
12	W A Darling	" "	16 "	"	
6	J F Hutton	" "	9 "	"	✓
6	Saml Dewey	" "	7 "	"	✓
6	F Argenti	" "	16 "	"	ab
12	C Delisser	" "	19 "	"	

H. H. Bancroft Collection
Bancroft Library

C Chas L Case	25 meetings	5 times	present	6	ab
I Bluxome Jr	25 "	23 "	"	6	
F Woodworth	21 "	19 "	"	12	ab
J C L Wadsworth	18 "	10 "	"	12	
A J Alma	13 "	0 "	"	12	✓
F Panton	" "	0 "	"	12	✓
W L Bromley	" "	0 "	"	12	✓
Jas F Curtis	15 "	4 "	"	6	✓
D W C Brown	15 "	6 "	"	6	✓
Jas Murray	15 "	8 "	"	6	

Report of Secretary
Read & placed on file—

H. H. Bancroft Collection
Bancroft Library

12	SamlBrannan	25 meetings	3 times present		ab
6	W T Coleman	" "	3 " "		
12	James Ward	" "	4 " "		
12	B C Saunders	" "	2 " "		
6	S E Woodworth	" "	18 " "		
6	Jas King of Wm	" "	1 " "		
12	Jas Dows	" "	12 " "		
6	H F Teschemacher	" "	8 " "		
12	Dr Stout	" "	3 " "		
6	F Vassault	" "	3 " "		
6	R M Jessup	" "	6 " "		
6	Jas B Huie	" "	6 " "		
6	C Griswold	" "	9 " "		
12	H A Cobb	" "	4 " "		
12	G M Garwood	" "	10 " "		ab
6	G W Ryckman	" "	23 " "		
12	T J L Smiley	" "	18 " "		
6	J W Cartwright	" "	18 " "		
12	Wm N Thompson	" "	5 " "		
12	A Kirchner	" "	10 " "		ab
6	Wm H White	" "	10 " "		ab
6	John Raynes	" "	8 " "		
6	D Janvrin	" "	14 " "		

12	Jas M Swift	25 meetings	8 times present		
12	G R Ward	" "	22 " "		
6	H M Nagler	" "	11 " "		
12	I de Long	" "	14 " "		
12	W C Annan	" "	5 " "		ab
12	L Maynard	" "	5 " "		
12	W A Darling	" "	16 " "		
6	J F Hutton	" "	9 " "		
6	Saml Dewey	" "	7 " "		
6	F Argenti	" "	16 " "		ab
12	E Delessert	" "	19 " "		

Chas L Case	25	meetings	5	times	present	6	ab
I Bluxome Jr	25	"	23	"	"	6	
F Woodworth	21	"	19	"	"	12	ab
J C L Wardsworth	18	"	10	"	"	12	
A I Alma	13	"	0	"	"	12	
F Panton	"	"	0	"	"	12	
W L Bromley	"	"	"	"	"	12	
Jas F Curtis	15	"	4	"	"	6	
D W C Brown	15	"	6	"	"	6	
Jas Murray	15	"	8	"	"	6	

Report of Secretary

Recd & placed on file

Box 7: Fine book (Folder 724)

E. CW

V. C. xx

52561

C-A
77:724

H. H. Bancroft Collection
Bancroft Library

(Front pay fines)

			July	Aug	Total	
~~Ackley S. D~~	276	Illin.	$5	5	$35	A
Alford, M.	435	Ill		$5	$15	B
~~Argentic F~~	184	Ill			$10	C
						D

H. H. Bancroft Collection
Bancroft Library

		No. of Votes	Avg	Total
	T. W Britton Jr 523.	11		
	B Bond 648.	1.	$5	$10. Error —
	W. Broadhead 646	1.		Error
	S. Buckle Jr 494	III.	$10	$20 Error
	W. O. Boker 497	III.		$10
	J G Baker 453.	III	$15	$25
	T J Bayleys 458	+ III	$5	$15
	E Botcher 74	III.	$5	$20
	W.G. Badger 127	III	$5	$15
	T K Battle 142	III.	+	
	A Bel Knap 145	III.	+	
	T J Bayles 458	I		See above
	S Buckle Jr 494	III.		See above
	J.m Ball 258	+ III.		
	F R Bunker. 293	III.		
	G H Blake 177	I.		
	J. J. Boyd, 168	+		Error
	J C. Bennett 193	III		
	T Baker 392	+ III		Paid by Bill Stacy upfold
	C L Buckner 397	III		
	E Brown 419	+ III		
	A Baldwin 424	III		
	M. P. Burns 524	III		
	J Bandeman 526	III		Paid Bro
	C E Bowen 257	II		
	J. Bass	+		Error —
	C C Bowman 400	III		
	W Bahn 430	+ III		
	J. R Bolton 390	III		
	Baker 392	I		
	396			

B
C
D

H. H. Bancroft Collection
Bancroft Library

C-A
77

T. Cronise 480 A.

C

D

H. H. Bancroft Collection
Bancroft Library

C-A
77

	No of Times		
S. C Coulter. 615	1.1.1.		
P. B. Clark 575	1.11		
H C Coy 589	1.1.1.1		
H Cole 599	11 ×		
D.W. Cady 490	1111		
E Cronine 480	111.		
H A Cobb 249	11.		
E Carter 271	111111		
T Curtis 394	1111		
C Conroy 428	111.		
E S Curtis 438	1.111		
T Cunningham 364	111		
A Coy 382	11111	Deserted	Cunningham prisoner
H.C. Conroy 640	111	Sent	Kapsthaul
W H Crowell 208	1.		
~~J. B. Curtis~~	1.1.1.	Paid	
C W Cook 373	111		
J.P Corrigan 347	111.		
J Clancy 348	111		
J. Cassaforth 248	111.		
H a Cobb 249	1.1.1		
J M Clausen 671	1.		
J.N. Cazoneau 149	11.		
H Cunningham 158	11.		
C L Case 161	11.		
~~G Clifford~~	~~1.11~~		
~~J M Coughlin 1111~~			
D Cronin 68	1		
J. B. McCook 212	111		
D Cole 12	1		
H Cattle			
A Lane			

C
D

R. H. Bancroft Collection
Bancroft Library

C-A
77

D

E J Dimmitt	574	1.1.1.1	
G L Dudley	558	1.1.11	
H S Dexter	446	1.1.1.1	
J Dimon	366	1.111	
G H Davis	62	1111	
~~J E Dabb~~	~~80~~	~~111~~	Paid Inv
~~J L Dana~~	~~122~~	~~11~~	gone home
J R Duff	167	1.1.	
~~J Dennie~~	~~307~~	~~1111.~~	wont pay
Jir de St Marino		=	see S--s
J. C Derby	86	1.1	
A R Davis	44	1.1.	
Jas Dews	168	1. x	
Jno "	174	1.	
C H Davis	619	1.1	
De La Montagne	375	1.1	
A D Dodge	648	1.1	
M C Doros	608	1.1	
C A Doring	322	1.1	
L A Degrotte	532	1.	
R D W Davis	8	1.	
G H Dorce	537	1.	
J Drake	221	11.	
~~P Delaine~~	~~499~~	1	Error

H. H. Bancroft Collection
Bancroft Library

220

77

E R Edwards	638	Ill.	
R N Elam	659	1	
~~R A Eddy~~	~~513~~	~~Ill.~~	Marysville
G. O. Ecker	482	1.1.111	
E. M. Earl	170	1.	
"			
N. J. Eastburg	310	1.	
F. O. Eldridge	601	111	
T. D. Everett	316	Ill.	
W. M. Eddy	400	11	
A Engles Jr	222	11	
J. S Egan	38	1.1	
G Elliot	562	1.	

E

H. H. Bancroft Collection
Bancroft Library

H L Ford	572	1.1.1.1.
E Franklin	561	1.1.
J Ferguson	470	1.11.
P Frotheringham	65	111.
R A Fisk	246	1.1.1.
J N Fisher	118	111.
J D Farwell	85	1.1.
Fleishacke	349	1.1
W. F. Fell	165	1.1.
W. Forest	132	111
J. E. Fuller	674	1.11
J. J Fell	639	1.1
M Feigenbaum	549	1

H. H. Bancroft Collection
Bancroft Library

A d Guila	383	III.	
J M. Gardner	479	III	
~~C. Griswold~~	~~308~~	~~IIII~~	
A. Grayson	194	IIII.	
R Gerse	226	IIII	
A. J. "	310	I. I.	
T Gihon	235	I.	
J Gordon	262	III I.	
H M Gray.	268	I. I. I	
J Gavitt	371	I.	
T. F. Gould	402	IIII	
J. J Gardner	479	I. I.	
N D Graham	378	I. I. I	
G H Grant	389	I. I	
G Gibson	284	I. I	
G. H Grant	290	I. I	
~~C. S Gibbs~~	~~425~~	~~I. I~~	Oakley's Private
W H Graham	115	I. III	
R Gibbons	404	I	
J Gardner	584	I. I.	
H Gerke	303	I	
~~E Grivas~~	~~469~~	~~I~~	Error

H. H. Bancroft Collection
Bancroft Library

W L Hobson 110 1.1

R Horton 535 1.1.1
G. Hitchcock 560 1.1.1
E Hull 565 1.11
G. G Hayden 442 111.1.11.
J. F Hutton 116 1111
J Hilton 121 1111.
W A Horton 137 11111
J. M Huxly 153 1.1
G H Hosxitroff 1.1.
W M Hogg 220 1.1
C. Huntington 235 1.1111
E M Hayes 278 1.1
G. W. Harris 294 111
W Hazeltine 338 11111.1
B. E Holland 355 1111.1
A S Hallet 358 111.
B Hinckly 368 1.1.1.1
R R Harris 467 111.
J. T. Hamm 111.
D A Hawley 547 1.
P J Hickey 550 1.
N S Hallet 358 111
~~C D Huntington 235 1111.~~ above
J. C Hanson 229 1.1.1
C H H 175 1.1.
N D 138 1.1.1
~~S Haven~~ ~~D Huntington~~ Error
T Horn 304 111
R D Hart 112 1.1
J Hayne 299 1.
N. Hallman 1.
C K Hayward
A T Hall
C Hyde

H. H. Bancroft Collection
Bancroft Library

G. a. Johnston.	445.	1.1.1.1.11	
F. J. J. Johnson	350	111.11.1.1.	
R M Jessup	437	1.11.	
N P Jones	291	1111	
D. Jones	409	111.	
~~F. J. Johnston~~	~~350~~	~~11~~	
W. O Johnson	210	1.1	
F. Iken	66	1.1	
W. H Jones	11	1.1.1	X

H. H. Bancroft Collection
Bancroft Library

J. H Kent	452	1 1 1 . 1 . 1 .	
J. Kellog	254	1 1 1 1 1 .	
W. D Kinney	329	1 1 1	
E. S Kenster	285	1 . 1	
C Kingsbury	655	1 . 1	out of town
T. C Kilbourne	625	1 . 1	
G. P. Kingsbury	653	1 . 1	
E Kirkas	35	— 1 . 1	
J Krambach	533	1 .	

H. Bancroft Collection
Bancroft Library

J.B. Ludlow	579	1.1.1	
~~L a Lewis~~ Jo	~~582~~	1.1.1.	Dick
S. I Lynch	518	1.1.1.	
G. G Lambut.	69	1.11	
M. B Lucas	100	1.1.1.	
D. M. Lansing	309	111111.	
E.C. Lord	379	1.1.1	
R H "	380	1.11	
B G Lattimer	383	1.11	
W.M. Lent	403	1.11	
C B Lapsley	366	1.	
G Levrier	343	1.1.1.	
Jas Lee.	227	1.11	
W. Langerman	139	1.1.	
D Levitt	581	1.1	
J ~~Lobdell~~	536	1.1.	
D K Labatt	541	1.1	

R. H. Dimsdale Collection
Bancroft Library

		no of Fines	
~~A Monroe~~	~~11~~		
Geo M Dougal	207	1.111.1.	
D A M Dermot.	623	111.	
D E Mitchell	636	111	
S.W. Moore	629	1.	
T Masson	538	1.1.1.1	
E.S. Mendes	485	111	
C Martin	488	11.	
A Murray	464	11	
W. F. Martin	471	11.1.1.	
W.M. Meyer	111	1.	
T. Mason Jr	381	1111	
~~H Moore Jr~~	~~156~~	1.5	out of town
J B Mitchell	211	1111.	
J L Moffat	253	11111	X
R Matthew	286	1.11.	
W H Mosher	384	1111.	
P Markey	393	1.11.	
J. P. Manrow.	414	1111	
T. Mahony	433	111.	
J Middleton	440	1.111	
J. Murray	343	111	
J McKinly	327	111	
H Miller	280	1.	
A Moore	667	1.	
J. R Maloney	250	1.1.1	
H.D. s McCulloch	256	1.1.1	
~~J B Moore~~	~~203~~	1.1.	Error
S Marx	78	1.1.1.	
G.S. Morehead	627	1.	
C.S. Mahoney	6	1.1.	95.
T. Ventura	96	1.	
W McPherson	36	1.1	
J Middleton			
[illegible]	3[illegible]		
[illegible]	4		
[illegible]			

P. Bancroft Collection
Bancroft Library

W Newell	261	IIIII.
G. W. Nelson	413	IIII.
I Neale Jr	176	I.
I Neep	612	I
I Norton	339	IIII

H. H. Bancroft Collection
Bancroft Library

C. J. Oakes. 524	1111.
A Ottenheimer 59	1.1
D Otteson 603	1.

B. H. Bancroft Collection
Bancroft Library

J. P. Racky	599	I.
C. F. Parker	609	I.I.I
A Parillieu	529	I.II
I Perry Jr	461	III.
Jas Paul	321	III
I. Pratt	124	✓ IIII
T. G Phelps	273	I.III.
G. C. Potter	277	IIIII
I Pendegrast	302	III
R B Page	644	I.
T. B Parker	368	I.I
C Pretch	232	I.I.I.
N. I. Payne	191	I.
S S Philips	178	I.I
I. Post	184	I.I.
C Palmer	228	I.I
I Parrott	663	I.I
P. Potrowitz	483	I

H. H. Bancroft Collection
Bancroft Library

W.L Ryckman	652	III.	
G Renycke	527	III	
I Root	493	III	
M.R. Roberts	448	III	
I.C. Ribling	455	III	
I Ryan	201	I.	
G.I. Robertson	219	IIII	
B Rafferty	386	I.	
M Ruddeduc	332	IIII	
C C Richmond	311	III.	
A.C Russell	242	III.	
G F. Reeve	215	II.	
N Ripley	214	I.I	
A.G. Richardson	617	I.	Says he's losing.
W.M Randell	543	I	

B. H. Bancroft Collection
Bancroft Library

J. P Stephens	87	1.1
G. Healey	656	1
E. J. De St Marins	563	1.11
K J. G. " " "	568	2.1.1
J. Sweeny	570	111.
L W. Sloat	571	1.1
I W Shoemaker	583	111.1.
B Smith	473	1111.
W. J. Silver	484	1.1.1
W N Shelly	465	111.
Jesse Southam	52	111
C Spring	45	111
J. D. Stevenson	101	1.
D. W. Smith	166	1.111
S. a. "	337	1.11.
W. "	263	1111.
W Schreithorn	200	11111
N. C. Skinner	877	1111
J Schmidt	224	1111
F M Sampson	417	11111
W. Sharon	466	1.11.
N. P. Sheldon	411	1.1.
J N Spooner	412	1.11
W P Stebbins	344	1.1.
J. T Smith	209	1.1
C. Soule Jr	16.	1.1
O P Sutton	13	111
[illegible]		
[illegible]		
[illegible]		
F Schutte	463	1.1
[illegible]		
[illegible]		
[illegible]		
[illegible]		

B. H. Bancroft Collection
Bancroft Library

		no of Times
S Taylor	622.	1. X
Thibault	658.	1.
W. S Tarbox	491	III.
I M Taylor	449	I.
S T Thompson	457	I.
D. W. "	459	III
S. M. Tibbits	469	I.
P. Thompson	312	IIII
N. T.	41	I.
I T Temple	113	I.
I N Titcomb	405	III.
Vi Turner	313	IIII.
I. M. Tewksbury	346	IIII.
P Torquet	351	I.
C. G. Torbert	372	I.
E Toby	474	I.
C L Tuffs	223	I
E W Travers	136	I.
N H Talmage	432	I
G H Tay	421	I
S Turner	218	I.

H. H. Bancroft Collection
Bancroft Library

P Van Winkle.	554	1.1
I Vandewater.	502	1.1
A T Von Longake	83	1.1.
W H Vandyke	231	1.1.
T. Van Rutter	385	1.11
C H Vail	129	1.
P Verplanck	395	1.

H. H. Bancroft Collection
Bancroft Library

		No of Trips	
H Whaler	616	11.	
G. Waters	br. 646	11.	
O Woods	661	1.	
GR Winslow	536	1.11	
J Walker Jr	553	1.11	
JD Williams	472	111.	
H Wetherbee	509	1.11	
J. R West	447	1.1.11	
R Wilson	437	1.111	
~~J.L. Watson~~	~~120~~	1111	Volunteers after
B F Wynn	282	1111	
H. a. Webster	337	1.1.11	
~~J. E Wolf~~	341	1111	Paid Off
C L Riggins	361	11111	
E Wolfshein	363	1111.	
E C K Walker	369	1111	
H Webb	408	1111.	
A Cooper	420	1.1.	
F E Webster	7	1.1.	Previous to his going to Aleya
R. S Watson	12	11111	
H Wohler	616	1.	
J. Wilber	260	1.1.	
J L Wells	239	111.	
G A Brown	71	1.1.	
C L Carlson	61	1.1.	
W H White	398	111	
C H West	535	111	
T A White	668	1.	
H Williams	48	11	
F J Holmes			
C Welch			
C Carr	63		

H. H. Bancroft Collection
Bancroft Library

E Yonge. 450 III.

H. H. Bancroft Collection
Bancroft Library

Reyes
Larabee
Brady

F. 3. 40. 56 19

189-

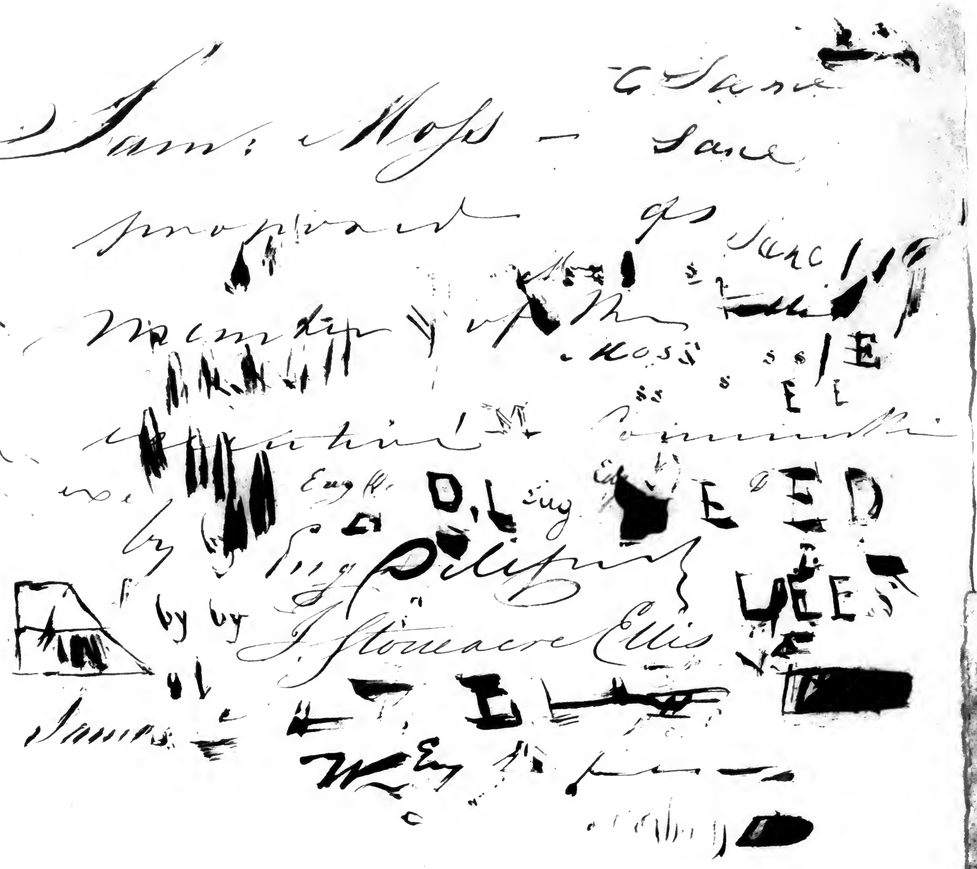
C Bohrer Dr To Cash 250

~~Setzgnian — for Barber $5~~

Dexter from Scotts $10

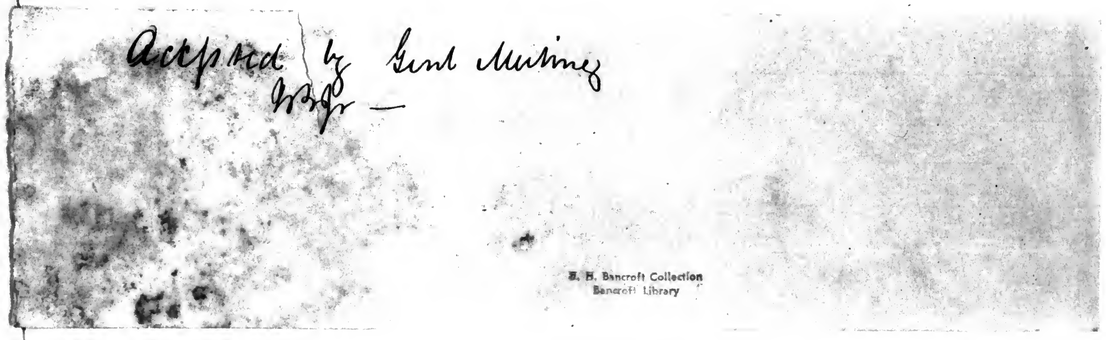
H. H. Bancroft Collection
Bancroft Library

Box 8: Miscellaneous records (Folders 725-729)



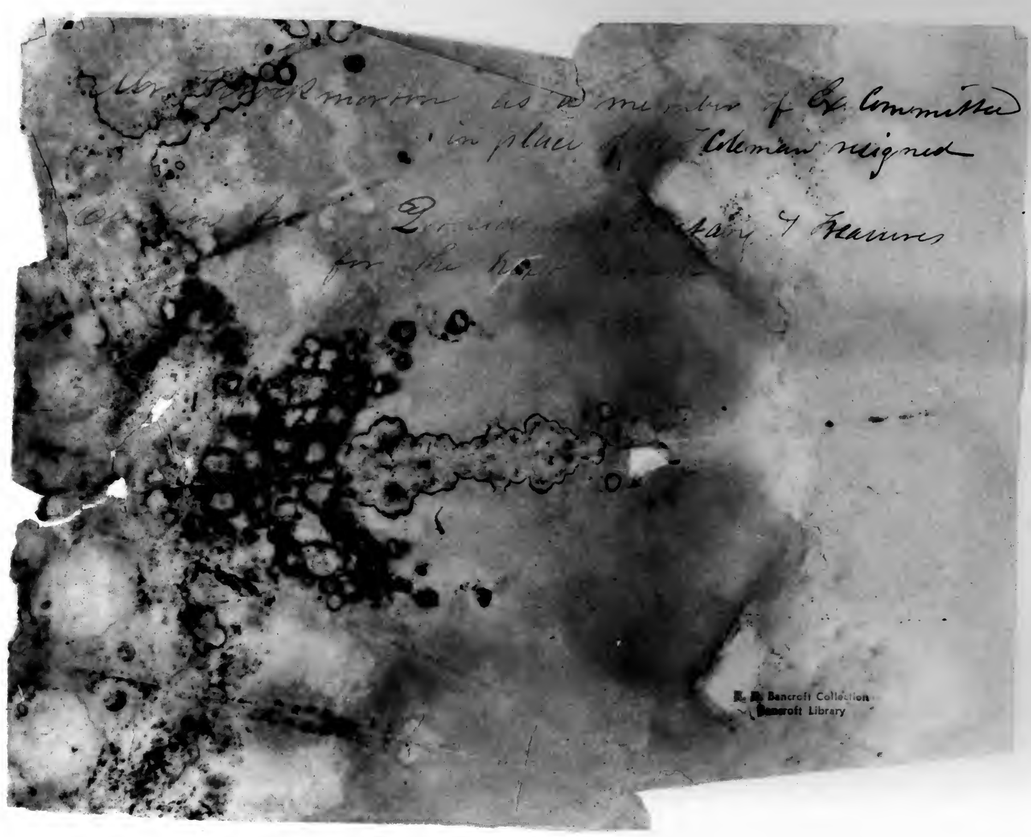
Accepted by Genl Meeting

I Z B Jr -



B. H. Bancroft Collection
Bancroft Library

B. H. Bancroft Collection
Bancroft Library


R. H. Bancroft Collection
Bancroft Library

Motion that regular meetings be held evg at 7 'clk - and that no business of importance be transacted at any other hour, without a special call of the President of Ex Com -

Also that any five members have power to meet at any time in order to examine prisoners or to issue police orders — no less than 5 members shall at any time transact any business whatever ---

Also that no Strangers visiters shall be introduced to Ex Com room while in session ---

---

A guard to be stationed at the Ex Com door when in session

Motion that regular meetings be held every eve at 7 o'clk — and that no business of importance be transacted at any other hour without a special call of the President of Ex Com —

Also that any five members have power to meet at any time in order to examine prisoners or to issue police orders — no less than 5 members shall at any time transact any business whatever —

visiters also that ~~when~~ no Strangers shall be introduced to Ex Com room while in session — no

---

guard to be stationed at the Ex Com door when in session

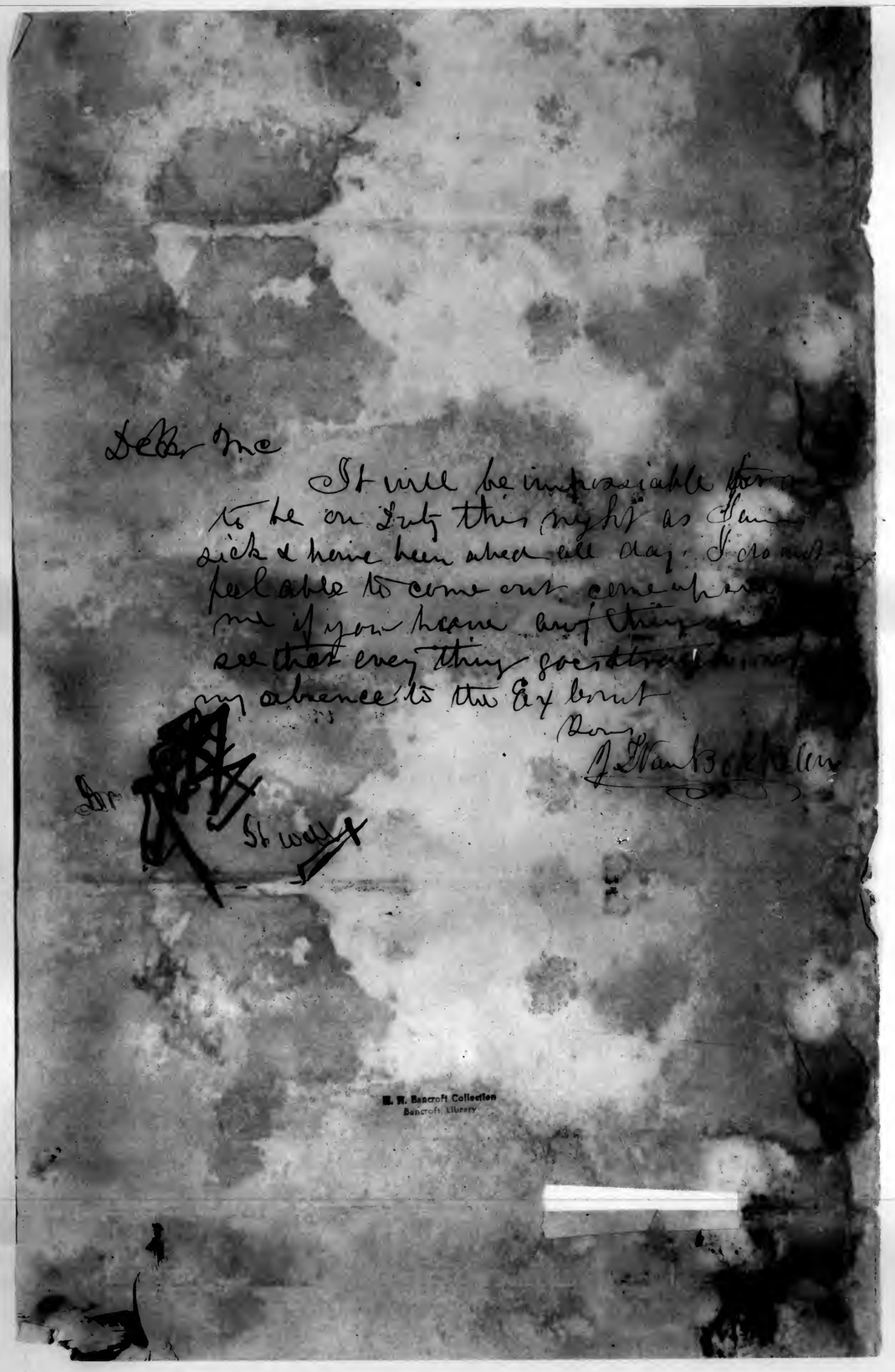
H. H. Bancroft Collection
Bancroft Library

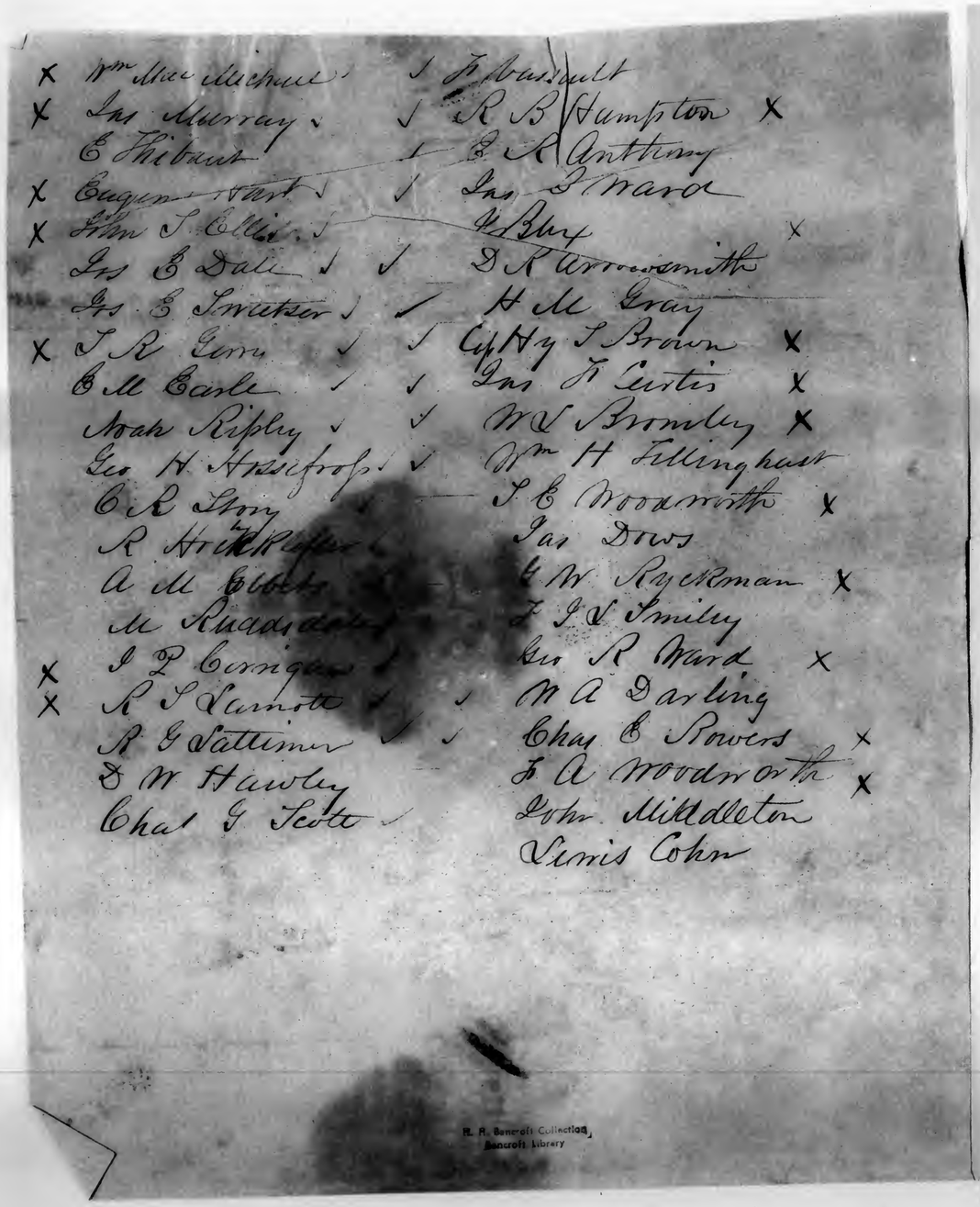
De Mr Mc

It will be impossible for me to be on Duty this night as I am sick & have been abed all day, I do not feel able to come out come up see me if you have anything on hand see that everything goes through, report my absence to the Ex Comt

Yours

J Van Bokkelen





X	Wm Mac Michael	F Vassault	
X	Jas Murray	R B Hampton	X
	E Thibaut	E R Anthony	
X	Eugene Hart	Jas B Ward	
X	John S Ellis	I Blux	
	Jas E Dale	D R Arrowsmith	
	Jas F Swatser	H M Gray	
X	S R Gerry	Capt Hy S Brown	X
	E M Farle	Jas F Curtis	X
	Noah Pipley	W L Bromley	X
	Geo H Hossefross	Wm H Tellinghast	
	C R Story	S F Woodworth	X
	R Hockklofler	Jas Dows	
	A M Ebbets	G W Ryckman	X
	M Ruddsdale	T J L Smiley	
X	J B Corrigan	Geo R Ward	X
X	R S Lamott	W A Darling	
	R G Lattimer	Chas E Bowers	X
	D W Hawley	F A Woodworth	X
	Chas G Scott	John Middleton	
		Lewis Cohn	

H. H. Bancroft Collection
Bancroft Library

37
240

No	339	Jos Barr
	233	C Orld (?)
	123	G. H. Tag
	279	J H Rudderick
	132	Forst
	156	B f Hanna
	545	G R Gun
	559	P B Clark
	589	A T Hall
	348	I Seligman
	382	J Cagrnean
	353	Dr Payne
	562	J. T. Temple
	412	Ball
	345	Mr Garth
	587	Bond
175		Bluxome Jr
85		Bandan
		E Smith
		Hutton
		H Martin
		Rupert
		Franklin
		H Odseman
		Williams
		D Jones
		V Turner

B. H. Bancroft Collection
Bancroft Library

J Ewoodworth
Jas. Kellogg.
Wadsworth
Jas. Clary
Fogelsanger
White
A. L. Tibbits
Winslow
J G McGee
Pomeroy
Galen Sanders
J. Van Rensselaer
J E Tuckerman
J Paul
J C Derby
Wm Graham
W H Lowry
Eng. Oliphant
A Randall
M. Coy
M. Sanders
M Williams
M Southmayd
T. N. Dibble
H D Evans
F C Ewen
J A Spooner
Robt Wells
Steph Bargen
H Morrison
C Bond

S. V. Marshall
Thos Kilbreham
Shoemaker
H Gregory
M R Roberts
Brinkerhoff
D. N. Hawley.
C. H. Wait
Goldsmith
H H Watson.
Schenck
J Murray
Hunter
Fisher
R H Lord
Sayers
Drake
Sloat

Cornell University Library

F. J Kin
Ranlett
E Miott
J Rapelte
Jackson
R D W Davis
Don Cassille
I Bluxome
F Woodworth
W Stuting

J E Woodworth
Jas Kellogg
Wadsworth
Jas Clany
Figrubanin
White
A L Tubbs
Winslow
J G Mc Gar
Bromley
Galen Borden
J S Van Bokkelin
J E Trickwarten
J Paul
J C Debby
W C Graham
W H Jones
Eug Delessert
A G Randall

S V Marshall
Thos Kuhtchan
Shoemaker
H Greggory
M R Roberts
Brinley
D N. Hanley
C H West
Gildmester
J H Watson
Schenck
J Murray
Hunter
Fisher
R H Lord
Squires
Drake
Sloat

M Cory
Mr Sanders
M Williamd
Mr Southworth
T N Drbloss
H D Evans
F C Even
J A Spooner
Robt Wells
Stef Burgan
H Morrison
C K Bond

Good officers

Wm Gardiver

Arty "

Thomas Ruks

W H.H. Brooks

best { Thos R Eadge
Jas Patterson

D H T Moss

I will vouch for

Jas C Ward

Capt Antony

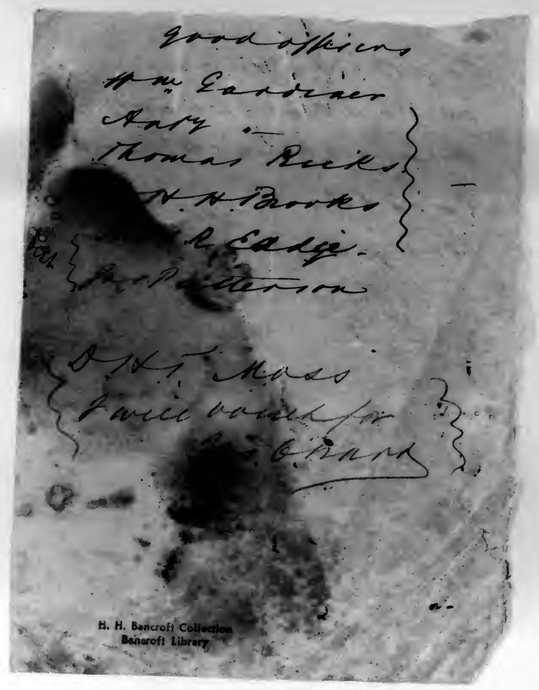
on Central wharf

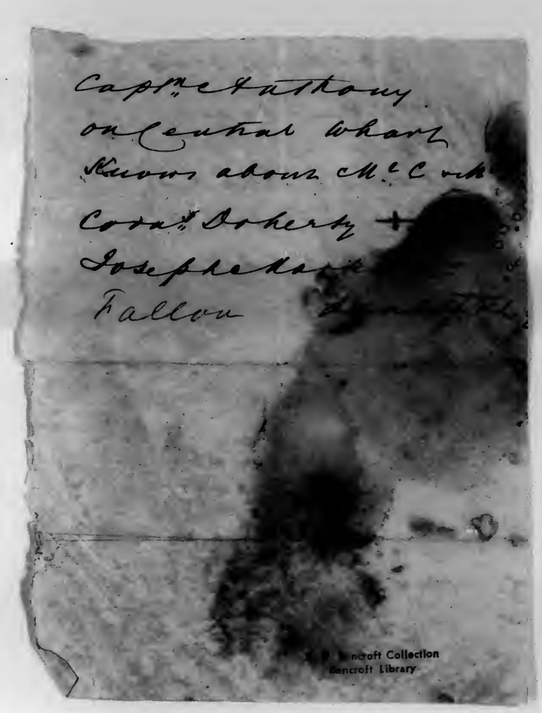
knows about Mc C & Mc J

Coas. Doherty + bad

Joseph Mark "

Fallou doubtful




Capt. Anthony
on Central Wharf
Knows about McC
Cora & Doherty
Josephedo
Fallon

Bancroft Collection
Bancroft Library

		Elected	Resigned			
6	ms	17 Sep	19th Nov	D W C Brown		Nov 26
12	"	17 "	15th Oct	J C L Wadsworth		22d Oct
12	" Saml Brannan	17 "				
6	" W T Coleman	17 "				
12	" Jas C Ward	17 "				
12	" B C Saunders	17 "				
6	" S E Woodworth	17 "				
6	" Jas King of Wm	17 "				
12	" Jas Dows	17 "				
6	" H F Tischemacher	17 "				
12	" Dr A B Stout	17 "				
6	" F Vassault	17 "				Sep-19 Nov
12	"	17 "	15th Oct			22d Oct 5 Nov W L Brom
6	" R M Jessup	17 "				
6	" Jas B Huie	17 "				
12	"	17 "		A J Almy		19 Nov
6	" Chas Griswold	17 "				
12	" H A Cobb	17 "				
12	" G M Garwood	17 "				
6	" C W Ryckman	17 "				
12	" T J L Smiley	17 "				
6	" J W Cartwright	17 "				
12	" Wm W Thompson	17 "				
12	"	17 "		F Panton		19 Nov

		Elected	Resigned			
12	ms A Kirchner	17 Sep				
6	" Wm H White	17 "				
6	" John Raynes	17 "				
6	" D Janvier	17 "				
12	" Jas M Swift	17 "				
12	" Geo R Ward	17 "				
6	" H M Nagler	17 "				
6	"	17 "		Jas Murray		26 Nov
12	" J De Long	17 "				
12	" W C Annan	17 "				
12	" L Maynard	17 "				
12	" W A Darling	17 "				
6	" J F Hutton	17 "				
6	" Saml Dewey	17 "				
6	" F Argenti	17 "				
12	" E DeLessert	17 "				
6	" Chas L Case	17 "				
6	" I Bluxome Jr	17 "				
12	" F Woodworth	17 "				19 Nov
6	"	17 "	1st Oct			1st Oct 27th Oct Jas F Curtis

		Elected	Resigned							
6 mo	~~A Dupuyster~~	17 Aug	9th Nov	D W C Brown	Nov 26					
12 "	~~H Dell Howard~~	17 "	15th Oct	J C C Wordsworth	22 Oct					
12 "	Sam'l Brannan	17 "								
6 "	W J Coleman	17 "								
12 "	Jas C Ward	17 "								
12 "	B C Saunders	17 "								
6 "	J C Woodworth	17 "								
6 "	Jas King of Wm	17 "								
12 "	Jas Davis	17 "								
6 "	A F Tuschemacher	17 "								
12 "	Dr A B Stout	17 "								
6 "	F Passault	17 "								
12 "	~~J J Parrott~~	17 "	15th Oct	~~Geo H Howard~~	22nd Oct	5 Nov	W A Bromley	19 Nov		
6 "	R M Jessup	17 "								
6 "	Jas B Hull	17 "								
12 "	~~Joseph Post~~	17 "		A J Ulmy	19 Nov					
6 "	Chas Griswold	17 "								
12 "	A A Cobb	17 "								
12 "	G M Garwood	17 "								
6 "	G W Ryckman	17 "								
12 "	J J C Smiley	17 "								
6 "	I W Cartwright	17 "								
12 "	Wm W Thompson	17 "								
12 "	~~C D Kinney~~	17 "		F Panton	19 Nov					
12 "	A Kirchner	17 "								
6 "	Wm A White	17 "								
6 "	John Raynes	17 "								
6 "	D Sannier	17 "								
12 "	Jas M Swift	17 "								
12 "	Geo R Ward	17 "								
6 "	A M Nagler	17 "								
6 "	~~Wm Burbing~~	17 "		Jas Murray	26 Nov					
12 "	I De Vng	17 "								

The Bancroft Collection
Bancroft Library

12 "	W C Annan	17 "									
12 "	C Maynard	17 "									
12 "	W A Darling	17 "									
6 "	J S Hutton	17 "									
6 "	Sam[t] Dewey	17 "									
6 "	F Argenti	17 "									
12 "	C De Sisseet	17 "									
6 "	Chas L Case	17 "									
6 "	J Blaxome Jr	17 "									
12 "	F Woodworth	17 "									
6 "	~~Capt C Graham~~	17 "	1[st] Oct	~~Geo J Oakes~~	1[st] Oct	27[th] Oct	Jas F Curtis	19 Nov			

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

Print

Due

Dr. Hann $5

Ryckman

Gerham

Delesert

Sloat

S. E. Woodworth.

Certificates.

Cal Turner	———	$5	✓
Iken		$5	✓
Trauit		$5	✓
De Deliry		$5	
J. R. Dingleson		$5	✓
H. A. Cobb		$5	✓ X
Wm L. Hobson		$5	X
A. M. Ebbits			

Dow
Dr Hann 355 $5

Ryckman
Gorham.
Delesert.
Sloat
~~Hart Gow B~~
S E Woodworth

U. C. Bancroft Collection
Bancroft Library

711 Ryan Ave Mich[illegible] St. Louis
371 S Garrett St. Louis
349 Stallknecht St. Louis
257 E 8th Brown St. St. Louis

Certificates

Cal Farmer $ 5.—

Dyer " 5.—

Franck " 5—

Delany " 5.

J R Douglass " 5—

H A Cobb " 5— +

Wm L Hobson " 5. +

A M. Ebbets

H. H. Bancroft Collection
Bancroft Library

Duplicate Copies

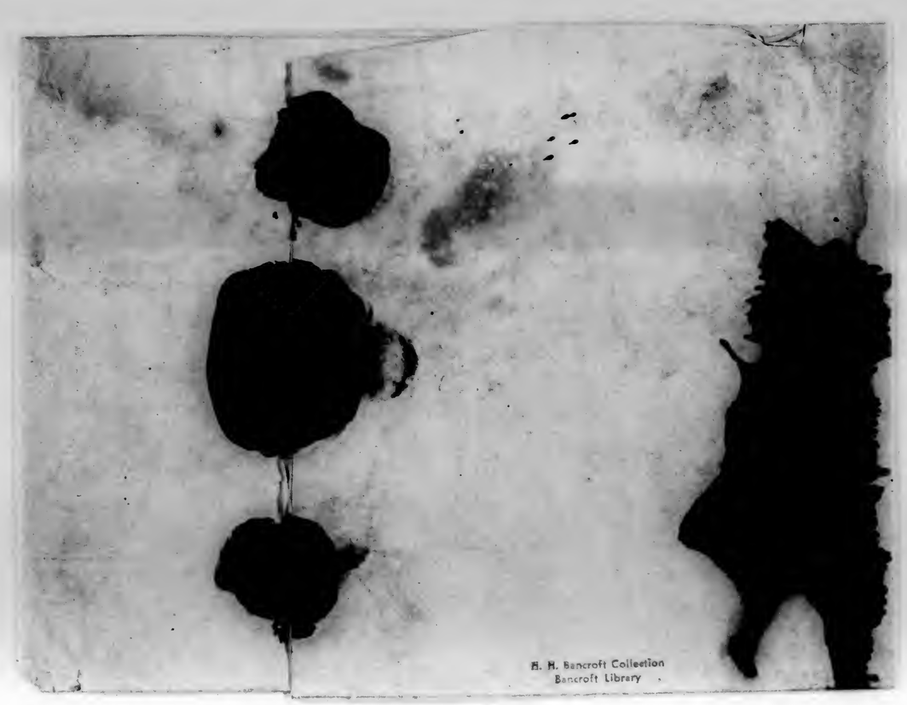
Containing

Stewarts
Whittakers
McKenzie's
Hetherington's
Mrs Hogans

Confessions

1837

H. H. Bancroft Collection
Bancroft Library


H. H. Bancroft Collection
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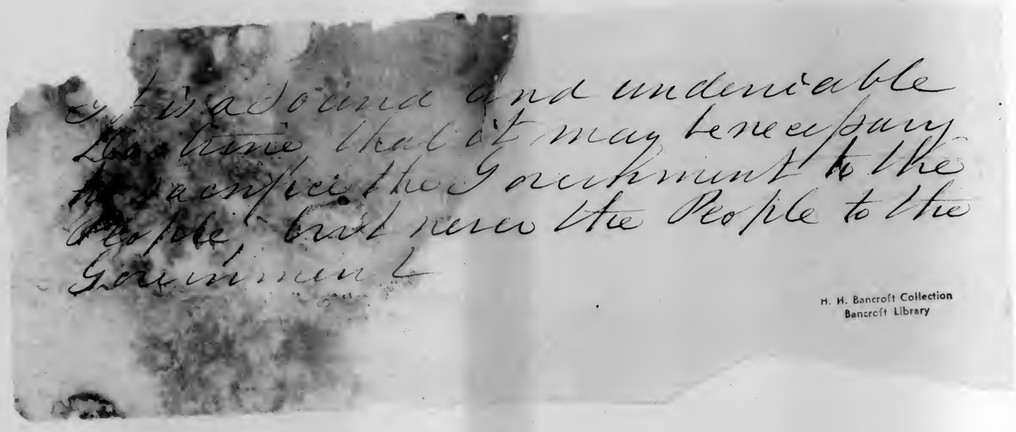
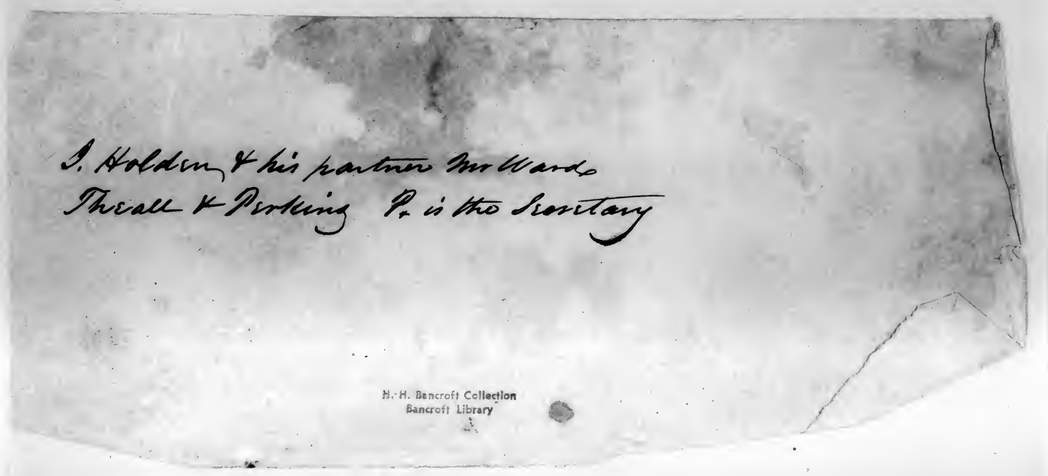


H. H. Bancroft Collection
Bancroft Library

I. Holden & his partner Mr Wards

Theall & Perkins P. is the Secretary



H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

Wm Clay

- Tall-- (illegible)

Wm Gregory

Edward Edwards

at Edwards a Mrs tom

Big Bill

Welson a boatman

a man George a Steward

(illegible) a waiter

Dick Smith N. B.

Thos Holt

Wm Ping & companion

Blury

a dirty little Jew Pork

Martin Stock from Sac City

a Baker at Mission Dolores

John Darke

Long Bill B Stout

a cooper a slang Shotman

Joseph Turner

Mrs Turner

Thos Williams

P. J. Barnes Tin man

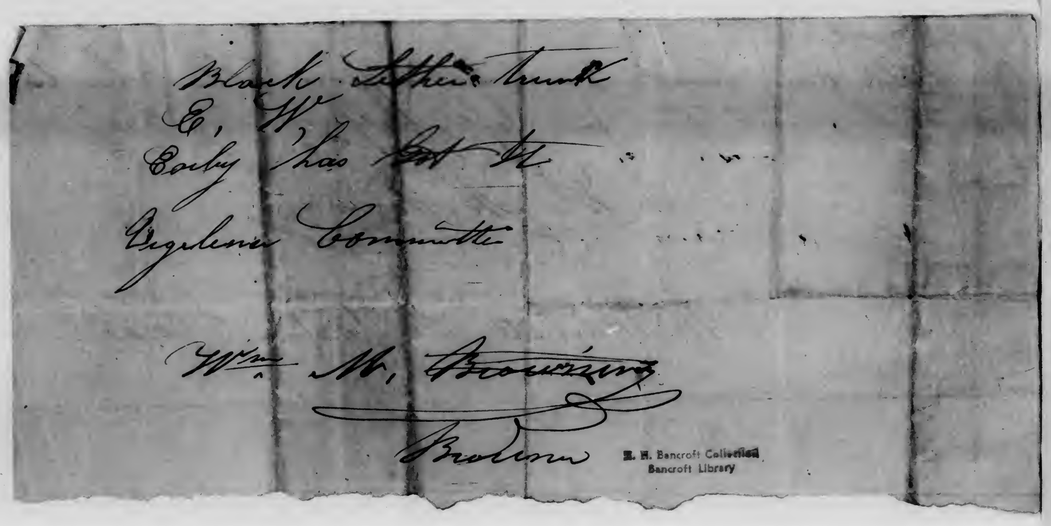
Remarks Regarding -

Robt Ogden

Davis Pacific Street N. B.

a Corbin a Stanz Photmer
Joseph Farmer
Mrs Farmer
Thos Williams
P. J. Barnes Farmer
Ramon Reguera
Robt Ogden
- Davis Peaje Stockton -

B. H. Bancroft Collection
Bancroft Library



Earl Trunk -
Bourus

Black Lether trunk

E. W,

Early has Got it

Vigilence Committee

Wm M. Browning

This said trunk was taken from the Columbo at the last fire for Safe keeping By Earl

W. M. Bourus

Mr Mitchell at Union Place

This said trunk was taken from the Columbo at the Last Stop for Safe keeping By Carl

W. H. Bowers

Mr Mitchell at Union Place

H. H. Bancroft Collection
Bancroft Library

2

Saw the good lying where they were taken from - did not know what kind of goods -- (prisoner said he took the goods down to Pacific Wharf - same as the goods were given him & left them in four bundles

on motion

ordered that the prisoner be discharged with reprimand -- prisoner thrpon discharged -

Moved that the chief of police be requested to take charge of prisoners and deliverthem now to the recorder - for trial -

Carried Unanimously

Atonce reconsidered

Ellis move prisoner be taken up -

Mexican Bonz(?) Antonio -

Schloss Witness - say liv at Parker house - with Boots shoes pantaloons --- I S Eagan testifies the saw Payran - ordered that prisoner be handed over to Recorder

Ayes & noes ordered

Court unimportant.

Verify Rd. Je 22 n 23.
Jp 53?

H. H. Bancroft Collection
Bancroft Library

Hayes

What do you Know of the Police Officers receiving bribes ? -

What do you know of Hayes?

Executive Committee of the Committee of Vigilance of San Francisco Upper California

In the matter of Patrick Ahern

To the Chairman of the U.S.A.

What do you Know of the Police Officers receiving bribes? — what do you Know of Hayes?

H. H. Bancroft Collection
Bancroft Library

H. H. Bancroft Collection
Bancroft Library

Wm Shasen

Resolved

August 2 1851

That no person be allowed admittance to this Com as a member on or after Tuesday Evening August 5th 1851, unless all dues and fines against him be cancelled

#418

W Fill	V L Hobson	E M Earle
Geo R Ward	Col Jas Huie	Geo I Oakes
Danl Freeman (?)	Dr Gates	Mahloney
Beng Theynotils	Robt Wells	D E Thomas Jr

Press~~es~~ Committee ---

Jemmy from Town ~~saw~~ said he had a pair of Calips in the valise - Jemmy from T - said them belonged to Adams & asked Welsh to take them & ~~throw~~ fring them out of the boat so Adams should not see them. At Marysville I see Jemmy from Town have them & he gave them to Baker to take care of - all of them - pistols belonged to Welsh who was in Jail --

Leave space of one line
8 pt #[addressed:] Ex Commmittee Present
10 pt 9
Indent

Mr Hamilton offers to take our (prisoners) passengers to Sudney in the Brig Galnare

Refer to Mr Deblois

Indent
9 Oakley
~~Ca Rby~~ #418

Edward Davis -
Bush Street
Harvard -
Corner Howard

D Bowen -

Cook a day away

Tall. Stout man
flat nosed
fair complexion

B. H. Bancroft Collection
Bancroft Library

Hamilton offers to take our (prisoners/
passengers to Sydney in the Brig Galnare -
Refer to Mr Deblois -
No

Ca Rby #418

B. H. Bancroft Collection
Bancroft Library

Ex Committee
Present

Doct Mac Intosh

last night was called to see man who was poisoned - (illegible) saw constable - Saw the man in great pain hanging up - stated to me that he had been drinking with Brown at Scott's home head of Montgomery St - A tailor - that he had been poisoned by them & had (illegible) insisted he second time was stopped by constable to inquire particulars - saw him again today - the man was Russel think it was Thomas Scott between Pacific and Boradway - left side did not analyze his discharges - seemed to be in great pain - do not know Burns - have resided in Australia - did not know Burns - my patient did not describe Burns - Never knew that Russel lived in Stockton -

H. H. Bancroft Collection
Bancroft Library

Evidence of
Doct Macintosh
Hon Jas S Wethered
Baltimore Md
Augst
Assembly
Remurer Recorders
Court
Jas H Wethered
James S Hill
ames S Wetherd
aswer me
as mankin

A. S. Dungan Esqr

Hon Jas S Wetherell
Sacramento
August 1 Mo
assembly
Recorders
Court
Jas H Wetherell
James S Wetherell
asver me
as mantion

A. J. Dungan Esqr
Remember me
you Pass by as
Yu
San Francisco

Mr Remember
man as
you Pass by
as you an now

Remember north corner
Pass by as you an now
Si one has Remember

Frederick
Doe Alameda

C H Miller
Colm

H. H. Bancroft Collection
Bancroft Library

Mrs. Langmead who left her husband here and Mrs White instructed Sullivan to go Mrs Langmeads house and robbed her. Betsy lives in a house of a Mr Curtis on Broadway formerly kept as a livery stable, Mrs Beckell lives in a little cottage on the right side of Stockton near Mr Glenn Stores a blue cottage

Ital/ Center —
Mm

Statement in relation to
Wm/ Langmead

~~Endorsed on back~~

Mrs/ Langmead who left her husband here and Mrs/ White instructed Sullivan to go Mrs/ Langmeads house and robbed her, Betsy Rives in a house of a Mr/ Curtis on Broadway formerly kept as a ~~living~~ livery stable, Mrs/ Beckell lives in a little cottage on the right side of Stockton near Mr/ Glenn Stores # ~~(illegible)~~ a blue cottage

~~On large blue page - n.d. official handwriting~~

Date?

June 20
June 20?

Testimony of John Rives
Betsy
Testimony of William Bratt
Mrs

H. H. Bancroft Collection
Bancroft Library

Statement
in relation to Mr Lenepmead

B. H. Bancroft Collection
Bancroft Library

after July 15?

Mrs Briajes. Lives in a Brown Cot house in Bush Street above Montgomery, whose brother kept a tavern in Sydney. Will give information in regards to a Female leader from the ship Adriondach, whose house in Sydney was a receptic le for stolen goods and has been the means of leading more into vice than any other Female in that country. She has already taken a house, and there is no doubt it will be seen one of the Greatest Cribs in California.

152. (Wm. C. Graham)

Mrs Brajes. Lives in a Brown Cot house in Bush Street above Montgomery, whose brother kept a Tavern in Sydney will give information in regard to a Female Leader from the Ship Adrondach, whose house in Sydney was a receptacle for stolen Goods & has been the Means of leading more into Vice than any other Female in that Country. She has already taken a house & there is no doubt but will soon be one of the Greatest Cribs in California.

152

H. H. Bancroft Collection
Bancroft Library

John E. Magary - I was walking along the Mission Road at or about half past two O'clock, not far from the first Gate, there is a House near by, I sat down to ease myself while thus engaged, there were two or more men talking in a coarse voice, I did not see them, they came up behind me and seized me, put a Hhdf over my Eyes and robbed me of $750 in $50 pieces they put their own Hkdf over my Eyes, but took that off and put my own Hkdf over my Eyes, they threatened that if I moved or made a noise they would shoot me, and said that if moved the Hkdf he would blow my brains out, soon as they left me say two or three minutes I took the blind of my Eyes, and saw nothing of the men, when I came out on the road I saw three or four mens, I told them what happened, one of them said just such a thing happened to him in Savannah

John E Magary

I stop at Capt Poor over Flint & Peabody's - near Clarks Ppoint I am in the habit of visiting JosephAllsworth who keeps a Dance House on Pacific Street between Kearney & Dupont St has a girl living there called Domingo - I owe the money to Charles Filton and John Colbert & two others, names not recollected on Board the Schr Edden Maria -

Lawrence Steinberg - John E Margary made a bargain with Capt Sole of Ship Haider to ballast the ship for 750$ - and afterwards he asked Mr Johnson if he would ballast the ship for 700$ - John agreed to do it - After he had taken two loads on board the vessel I bought Mr Johnson & gave him 200$ for the 2 loads and for his one fourth of the Schr Eda Maria - After I bought him out I took two more loads on board the vessel and that ballasted the ship - After I had finished I went to Mr Magary and told him I had finished - he said he would go and see the Capt I asked him if he would give me an order on the Capt - he told me that he would attend to it himself and would see the Capt - he went to the office and could not see the Capt he was not there - I then took a boat and went to the ship to see if the Capt was there the Mate told me the Capt had gone ashore and was going to Sacramento that evening

I

John E. Magary — I was walking along the Mission Road at or about half past two O'clock, not far from the first Gate, there was a House near by, I sat down to case myself while thus engaged, there came up two more men talking in a Coarse voice, I did not see them, they came up behind me and seized me put a Khaf on my Eyes and robbed me of $750 in $50 peices they put their own Khaf on my Eyes, but took that off and put my own Khaf on my Eyes, they threatened that if I moved a made a Noise they would shoot me, and said that if moved the Khaf he would blow my brains out, soon as they left me say two or three Minuts I took the Kind off my Eyes, and saw nothing of the Men, when I came out on the Road I saw three or four Mens I told them what happened, one of them said just such a thing happened to him in Savannah

John E Magary

I stop at Capt Pond's Hotel at Peabody's — near Clarks Point.

I am in the habit of visiting Joseph Allsworth who keeps a Dance House on Pacific Street between Kearny & Dupont St, has a Girl living there called Domingo — I owe the money to Charles Nelson and Wm Colbert & two others, names not recollected, on Board the Schr Eudora Maria —

H. H. Bancroft Collection
Bancroft Library

Laurence Steinberg – I the 8 Magary made a bargain with Capt Cole of Ship Haidee to ballast the Ship for 750 $– and afterwards ~~he did not to George Johnson~~ he asked Mr Johnson if he would ballast the Ship for 700 $– John agreed to do it – after he had taken two loads on board the vessel I bought Mr Johnson & gave him 200 $ for the 2 loads and for his one fourth of the Schr Edna Maria – after I bought him out I took two more loads on board the vessel and that ballasted the Ship – after I had finished I went to Mr Magary and told him I had finished – he said he would go and see the Capt I asked him if he would give me an order on the Capt – he told me that he would attend to it himself and would see the Capt – he went to the office and could not see the Capt he was not there – I then took a boat and went to the Ship to see if the Capt was there the Mate told me the Capt had gone ashore and was going to Sacramento that Evening I

H. H. Bancroft Collection
Bancroft Library

Monkhouse
Boy 26?

Thomas Monkhouse

From Sydney - born in Durham England Left the Port of Liverpool about twelve years, in the Ship Canton, I left Sydney and arrived in the Adriondack on or about the 1st August, myself & wife have been in service for a man by the name of Davis, and are now engaged in washing, I took the bundle belonging to Pat Sweeny to Mr Ferguson's on the North Beach near a large Iron House, also a note - contents of note were please buy me or send me a pair of Boots also money to pay my passage to Sydney -

I was not transported from England - I showed the Vigilance Committee my account Book which satisfied them - I came out from England with the Rev F. S Wilkinson to Sydney -

Pat Sweeny

1

Thomas Monkhouse

From Sydney - born in Durham England Left the Port of Liverpool about twelve years, in the Ship Canton, I left Sydney, and arrived in the admon dack on or about the 1st August, myself wife have been in service for a Man by the name of Davis, and are now engaged in washing, I took the bundle belonging to Pat Sweeny to Mr Ferguson's on the North Beach near a large Iron House, also a note - contents of note were please buy me or send me a pair of Boots also money to pay my passage to Sydney - -

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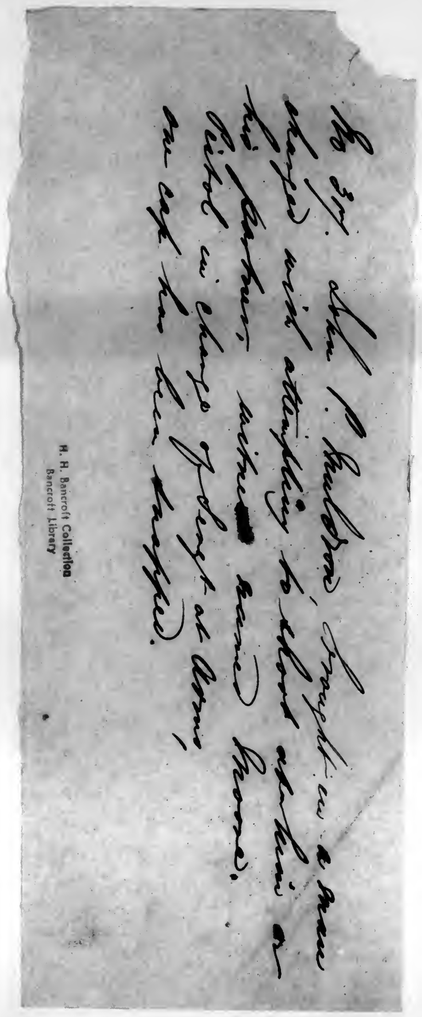
B. H. Bancroft Collection
Bancroft Library

No 37. John P. Muldron brought in a man charged with attempting to shoot at him or his partner, witness named Moore.

Pistol in charge of Sergt at Arms,

one cap has been snapped.


H. H. Bancroft Collection
Bancroft Library

Mr W R Richardson to be found at the Eastern Exchange
Long Wharf

Gentlemen the undue mentioned Vessels are as many as I can Recollect, not having any documents in my possession to guide me

Ship	Chapman	
"	Fame	Royal George
"	Dick	Elisabeth
"	Almond	Matilda
"	Johnson	Martha
"	General Steward	
"	Dutches of York	
"	Globe	
"	Sally	
"	Commodore	
"	Prince Regent	
"	Tottenham	
"	Moffit	
"	Saint George	
"	Hashme (?)	

" Royal George
" Elisabeth
" Mortitota
" Martha

O Boyle's

Statement taken

Gaurd deputed

Cut examined

report it as a bad place,

and worthy of attention, being

a resort for Felons

The (illegible) bears the same

information which he wishes to lay before the Com

H Brinley

B. H. Bancroft Collection
Bancroft Library

O Boyle's
Statement to Theis.

Gave a deputies
Cert. Ex amined
report. A as a bad
place and unthy
[illegible] being
[illegible] pr. Flows

The Bancroft Collection
Bancroft Library

John O'Boyle, I lived in Sacramento Street near Mr Tiffany Office, I leased the ground of him & paid him 45$ per month G.R. I built the House it cost me $1700 - my wife during my absence at the Mines sold the Good Will of the House - I came home about three weeks ago and brought home $198. I gave it all to her, the next morning after I gave it her she huked me out of the House - She has been living with a Blackguard who had broken jail, on Pike Street at the corner of Clay it is next door to the Butcher Shop. This is a regular Den There are four or five - thieves & robbers living at the same house - There is much stolen property in the house I can point out where it is. The men have no work - nothing but rob and Steal. Sleep during the day - prowl about nights - They want to get me out of the way - I know too much about them.

H. H. Bancroft Collection
Bancroft Library

Mrs Whites Statement - There are two blue houses on the rise of th hill from the water - A man by the name of To m lives in one of those houses with a woman lately arrived from Sydney - This man Tom was an Associate of King - does nothing for a living - was a witness in the case of Howe for the murder of Brewer

Mrs White Tom King

48 June 18
65 June 20
67 "
68 "
72 June 21
126 - June 30
131 - Norman Statement July 1
132
238

Ca. June - July

5

12 King Hance Clark.

I called on Mr T. B. King this morning relative to the Prisoner & he says it will be useless to refer to him, as he himself was robbed in the house of Hance

Respy W W. Clark

6 Sept 9?

I called on Mr T. B. King
this morning relative to the Prisoner &
he says it will be useless to refer to
him, as he himself was robbed in the
House of Hance

Respy W W Clark

H. H. Bancroft Collection
Bancroft Library

Knew nothing of character of uncle Sam hall been in Cal before
he commenced making (illegible) about her property --
her friend Hennesey

Knew nothing of Character of Uncle Sam
hall been in Cal before
he commences making love to her
about her property -
her friend Hennesy

H. H. Bancroft Collection
Bancroft Library

Baltimore

Philadelphia

New Orleans

Philadelphia Albany

New York

New York

Royal Purple.

H. H. Bancroft Collection
Bancroft Library

Witnesses in the case of Robert Hensly -

A boy named Hull works in the Market with Brittersham -

heard him threaten & c

Brown will testify that his cattle was cut up as represented by

Hensley

H. H. Bancroft Collection
Bancroft Library

Isabella Howe, otherwise called Hall, my husband is in Prison, I have been here San Francisco about eighteen months altogether I came from Sydney to this place and went to the Islands and stopped about two months and returned again, I married Hall in San Francisco, I did not know Hall in the Colonies, I was living at the North Beach, Hall and another man came to me and wanted me to become a Bar maid for him, I engaged and went to his House on Jackson Street near Mont
gomery Street, Hall courted me and I married him, I knew Jin Smith called ony Jin Smith King otherwise called Barker, I have seen Teddy McCormick I knew Mrs Hogan in Sydney - I live in Broadway - between Ohio & Kearney street South Side; I did not know Mrs Yates or her Husband, I know them by eye sight, I do not know Mr Robart, I never knew of a Robbery of a Jewellry store,

Aug. 27: Mrs. Hall
fears to appear before the
Committee
Co. Hist. 7 f 1

H. H. Bancroft Collection
Bancroft Library

Isabella Howe, otherwise called Hall, my husband is in Prison, I have been here San Francisco about eighteen months altogether I came from Sydney to this place and went to the Islands and stopped about two months and returned again, I married Hall in San Francisco, I did not know Hall in the Colonies, I was living at the North Beach, Hall and another man came to me and wanted me to become a Bar maid for him, I engaged and went to his House on Jackson Street near Mont
gomery Street, Hall courted me and married him, I knew Jin Smith called ony Jin Smith King otherwise called Barker, I have seen Teddy McCormick I knew Mrs Hogan in Sydney - I live in Broadway - between Ohio & Kearney street South Side; I did not know Mrs Yates or her Husband, I know them by eye sight, I do not know Mr Robart, I never knew of a Robbery of a Jewellry store,

H. H. Bancroft Collection
Bancroft Library

Thomas Baldwin, from Baltimore, fearing that a camplaint may be made against him by a man named Carlisle, a Sydney man, living toward Rincon Robinson point, on first street, refers for character to Hillard & Rider, Wm Devier, Austin of the firm of Dall, Austin & Co. Winter & Lattimer.-

Thomas Baldwin, from Baltimore, fearing that a complaints may be made against him by a man named Carlisle, a Sydney man, living toward Rincon Point, on first street, refers for character to Hillard & Rider, Wm Devier, Austin of the firm of Dall, Austin & Co. Winter & Lattimer.—

H. H. Bancroft Collection

Docket ?

Endorsed: Wm C McDougal in relation to a Mr Malcom

To

The Viginlence Committee

Gentlemen

Feeling it to be My duty,--as I conceave it to be with every good Citizen, to report to the Vigilence of this City, the names of desperate men whom they know who have committed Licentious offences against God & man, that they may be brought to a just account,--I have this morning,been informed that a leader of a bandity by the name Malcom is in this City, who committed a horrible murder near Mazatlan in Mexico, by shooting Doctor Thompson from his mule, and then firing at his servant who made his escape,--Malcum I have been informed was taken by the Mexican Authorities--but fought his way, killing three Mexicans, he is conceaved to be a desperate man, and is at this time acting as Auctioneer on long warf,--as there is two witnesses, present, who knows him well, & can be easily identified they do not recollect the name of House, but will assertain and inform your Court. the witnesses can be found at the California Temperance House on Clay Street.

Your respectfully

Wm C McDougal

Witnesses

Cubberly Richardson)
)
Charles C Banks)

To

The Viginlence Committee

Gentlemen

Feeling it to be My duty,- as I conceave it to be with every good Citizen, to report to the Vigilence of this City, the names of desperate men who have committed Licentious offences against God & man, that they may be brought to a just account,- I have this morning, been informed that a leader of a bandity by the name Malcom is in this City, who committed a horrid murder near Mazatlan in Mexico, by shooting Doctor Thompson from his mule, and then firing at his servant who made his escape, - Malcum I have been informed was taken by the Mexican Authorities - but fought his way, killing three Mexicans, he is conceaved to be a desperate man, and is at this time acting as Auctioneer on long warf, - as there is two witnesses, present, who knows him well, & can be easily identified they do not recollect the name of House, but will assertain and inform your Court. the witnesses can be found at the California Temperance House on Clay Street.

Your Respectfully

Wm C McDougal

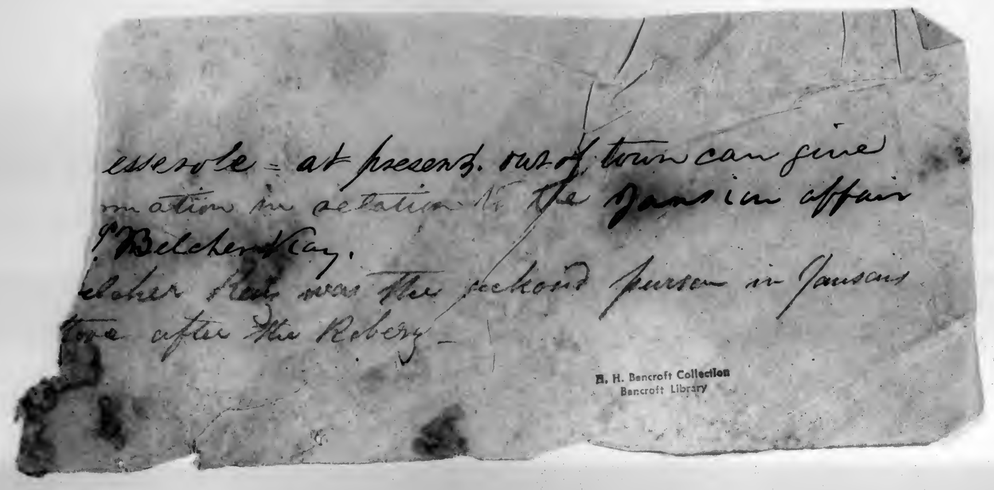
Witnesses

Cubberly Richardson
Charles C Banks

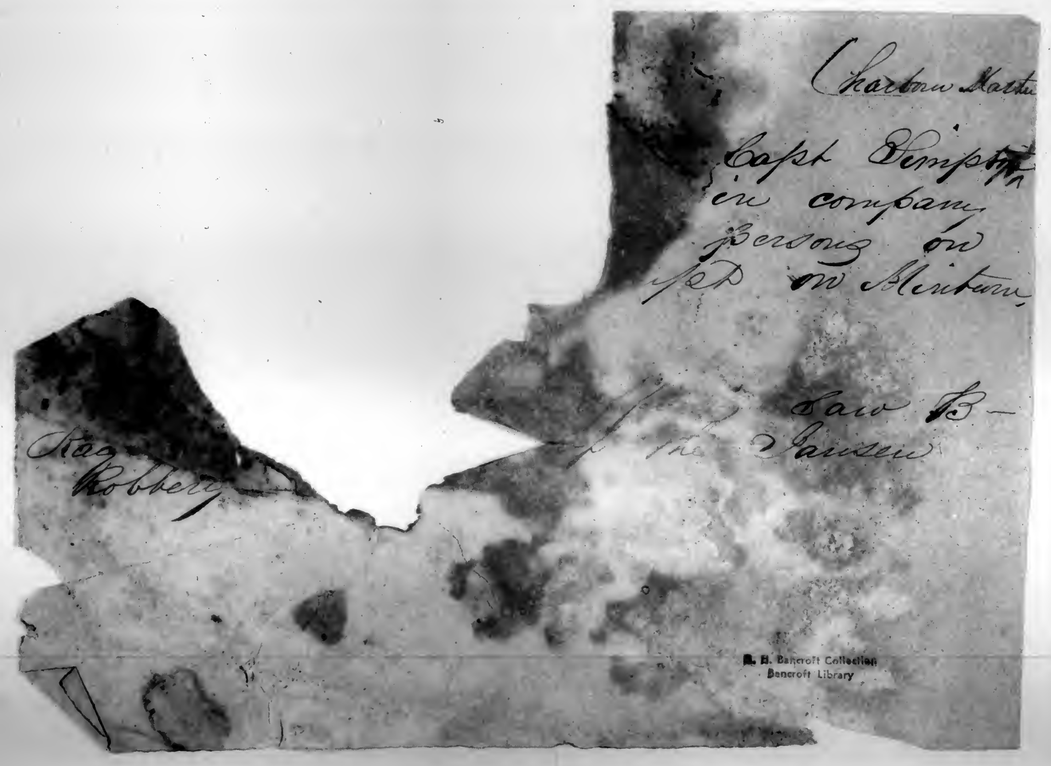
H. H. Bancroft Collection
Bancroft Library

Wm C McDougal
in relation to a
Mr Malcom

B. H. Bancroft Collection
Bancroft Library



B. H. Bancroft Collection
Bancroft Library



B. H. Bancroft Collection
Bancroft Library

No date
Omit

Frederick Mills - Belonged to the Schooner Sea Serpent - next Schooner ~~Frederick~~ Ferdinand and next Ship Matilda - next on the Emerald & ~~stay~~ there now # Enquire for his character - if bad enter the names, in the blanks below, of witnesses ~~and~~ + where they may be found # Particularly enquire his character for truth and veracity

Barnard Bishop - Enquire same of him - now lives in Montgomery St # used to be about the house in Washington Place kept by Mrs Nolan # Berney Bishop and Wm Jones are partners -

Wm Jones - has been called Wm Thomas # used to be about Mrs Nolans - see one Nelson and one Capt White as to character

Money Tucker - used to be about Mrs Nolans - enquire same of him - now lives in Pacific St - keeps the White Squall -

[John Radford] - Enquire same of him - Keeps a public house on Broadway between Powell & Stockton

Blank line _____

+ Footnote - 8 pt.
Blank spaces _____ for the addition of further information, follow each name listed on this sheet.

· crossed out.

1852 ?

early, 1851?
late - July?

H. H. Bancroft Collection
Bancroft Library

X Frederick Mills - belonged to Schooner Sea Serpent - next Schooner Ferdinand next ship Matilda - next on the Emerald & stay there now Enquire for his character - if bad enter the names in the blanks below, of witnesses + where they may be found Particularly enquire his character for truth & veracity

X Barnard Bishop - Enquire same of him - now lives in Montgomery St used to be about the house in Washington Place kept by Mrs Nolan Barney Bishop & Wm Jones are partners -

X Wm Jones - has been called Wm Thomas used to be about Mrs Nolans + see one Nelson + one Capt White as to character

X Money Tucker - used to be about Mrs Nolans - enquire same of him. now lives in Pacific St - keeps the White Squall -

X ~~John~~ Radford - Enquire same of him - keeps a public house on Broadway between Powell & Stockton

H. H. Bancroft Collection
Bancroft Library

July 7-57

John Mc Adams,

I know the person before me. I saw him in Social hall Jackson Street I was born in Londondery - aged 37 left Ire. for the States. aged 14 years, was appointed a cooper at Albany N. Y.- I lived in Bridgeport conn. over 7 years. I came to California in the Ship Balance in Nov. 1849, open a cooper shop in Sact. Street worked there a year and then went to the mines staid there months and then here from Caison Creek.

I was sent to the station house on charge of stealing some emty kegs and was in there Nienty Two days. and was honorably discharged by Capt. Lambert of the Police

B. H. Bancroft Collection
Bancroft Library

July 7?

John Mc Adams Statement

disposed of

John Mc Adams,

I know the person before me. I saw him in Social hall Jackson Street I was born in Londondery - aged 37 - left Ire. for the States. aged 14 years, was appointed a cooper at Albany N. Y.- I lived in Bridgeport conn. over 7 years. I came to California in the Ship Balance in Nov. 1849, open a cooper shop in Sact. Street worked there a year and then went to the mines staid there months and then here from Caison Creek.

I was sent to the station house on charge of stealing some emty kegs and was in there Nienty Two days. and was honorably discharged by Capt. Lambert of the Police

date ?

John McAdams

Statement

Abstracts

The Bancroft Collection
Bancroft Library

Box 8: Clippings (Folders 730-736)

Publication Office of the Herald in Naglee's Building, just back of Gregory's Express Office. Entrance on Merchant street.

The Excitement Yesterday.

Our readers will find elsewhere in this paper a report of an immense meeting of citizens, convened hastily on yesterday in front of the city hall, for the purpose of taking the man Benjamin Lewis from the hands of the police, and executing upon him such summary punishment as the atrocious crime with which he stands charged would richly merit. The crowd, which was generally composed of highly respectable citizens, after being assured that the prisoner should have a speedy trial, and should in the meantime be properly guarded, forbore to press their demand for his immediate rendition, and the storm of popular excitement, which at first was lowering, gradually became calm, and at length subsided altogether.

Although strongly opposed, as must be every lover of fair play, to the summary execution of even such a character as Lewis, without a patient and impartial trial—we yet must declare that we regard the demonstration of yesterday with the highest gratification; and we trust that, if the man be proved beyond a reasonable doubt to have committed the crime, the citizens will supply any deficiency that may exist in the law. We say this, fully alive to the expectation that we shall therefore be accused of advocating Lynch-law. If this man be guilty of setting fire to the house on Long Wharf, and if the law do not adjudge him the penalty of death therefor, we do most unquestionably advocate Lynch-law. Let this thing be at once arrested now, and let the people have some security that they shall not be burned up in their houses.

But, above all things, let the accused have a fair trial. To put to death an innocent man, because there are certain circumstances apparently implicating him in this guilt, would be to commit a crime as atrocious as that the people wish to punish, and such a crime we are sure the citizens of San Francisco never will be guilty of.

We warn the authorities of one thing. They are right in taking all necessary and proper means to secure the prisoner from violence, so long as he is not convicted of the crime with which he stands charged. That is a duty for which none can blame them; and in the performance of which they are justified perhaps in making a strenuous resistance to the popular will; but let them not go farther. If the accused be proved guilty, let no blood be shed in his defence. This could not be justified, and should not be tolerated. Suggestions were made yesterday and orders said to have been issued, which should be condemned, and which would have jeopardized the peace of the city to attempt to carry them into execution.

It is worthy of remark, that since the establishment of the volunteer patrol, no undetected crime against property or life has been perpetrated within the wards where the patrol exists. The fire of Monday night is the only thing attempted within the Third Ward since the volunteer police first commenced their watching. If the citizens in each ward would unite with those of the Third, Fifth and Seventh, we should soon be free from the depredations of the burglars and incendiaries who infest the city.

But the citizens must go farther. It will not be enough to punish one man for a crime in which he has one hundred accomplices—all ready at a favorable moment to imitate his example. There are various notorious characters around town known to the police to be thieves of every grade in the profession. These persons are mostly convicts from the British penal colonies, and their haunts are well known in this city. There are several dens where such characters congregate to concoct their plans for robbery and murder. This whole class should be arrested, placed on board a ship, and sent out of the country. It is very easy to point them out, and still easier for the people, if they will but go about it temperately and resolutely, to get rid of them effectually by these means.

THE HERALD.

Wednesday, June 4, 1851.

Great Excitement at the City Hall.

The Recorder was engaged all day long yesterday, in examining the evidence in the case of Benjamin Lewis, charged with setting on fire the Collier House, on Central Wharf. A great many spectators had been present during the day. The numbers gradually increased as the trial in which the Court was engaged got noised abroad through the city, until towards evening the room became crowded with anxious listeners. The most profound silence and perfect order was kept until a little before 4 o'clock. The evidence had been concluded, the counsel were about closing, when an engine, called out by some alarm of fire down town, rushed by the City Hall. Many at once imagined it was a ruse of the prisoner's friends to get him off in the excitement attendant upon the crowd's rushing out. The cry at once resounded through the room of "Hold that man fast—see to the prisoner!" A hundred men leaped forward to lay hands on him, whether to prevent him from escaping or to wreak vengeance upon him cannot be determined. The officers in an instant rushed to his side—a struggle—a swaying to and fro of the eager crowd ensued, and the prisoner was seen, with haggard face and clothes all torn, borne bodily by the police through the crowd.—With little ceremony he was fairly whisked off into the adjoining room of the Recorder.

After his departure, order was restored—the Recorder resumed his seat, and Mr. Van Buren closed his speech, taking occasion at the same time to deprecate any violence on the part of the citizens. Mr. Platt, the District Attorney, followed in the same strain, stating that the Grand Jury, composed of the best men in the community, was then in session—the District Court, before which the prisoner would be tried, was presided over by one of the best Judges in the State, and that the statute adjudged death as the penalty for arson. The people, therefore, might rely on justice being meted out by the law.

Judge Waller was debating the propriety of bringing the prisoner back, that he might give his decision in his presence. His counsel however stated that if it was the Judge's intention to send him on for trial, there was no necessity for bringing him in again.

His Honor then stated that it was his intention to send the prisoner up before the District Court for trial, on the charge of arson, and took occasion to admonish the people present to respect the laws. He presumed there would be no danger in having the prisoner brought back; he did not suppose any one would undertake to molest him.

At this moment an outcry was heard without, and confused cries, as from a great multitude. The crowd within rushed out pell mell, supposing the prisoner was in the hands of the people outside. The street in front of the hall was already filled with an excited multitude, crying "bring him out."—"hang him," while thousands of citizens were seen swarming up Kearny street from the Plaza. In a few moments several thousand people were upon the ground, crowding the balconies and windows of the hall and the adjoining houses. A portion of them were wrought up to the highest pitch of excitement, and burst out in hoarse cries of "hang the incendiary—bring him out, bring him out." A large force of the police and officers of the city government planted themselves in front of the Recorder's door, and no the porch leading along the side of the house. Against them the crowd made a rush with wild shouts and cheers; for a moment they would be forced back by the sheer weight of the body against them. The crowd for a moment gained a foothold upon the landing—another moment and they would have forced their way in; but the officers, and some of the citizens assisting them, rallied and rushed upon those of the assailants nearest. A fierce and exciting struggle here took place. One moment the officers prevailed, and forced back the crowd—the next they were themselves borne down by the press.

Finally, the officers made a last rally and succeeded in clearing the landing of assailants. Then, standing shoulder to shoulder, they succeeded in resisting all efforts to break them. At this moment, while the crowd was comparatively quiet, Col. Stevenson stepped upon the landing and addressed them. He stated that no man was more ready to stand by the laws than he, but all had become convinced that there was no security under those laws, as at present administered, for either life or property. No man could lie down in safety—no man could say that all he was worth might not to-morrow be consumed by the hand of the incendiary. The citizens of San Francisco had suffered enough, they had forborne long enough, and it was now time to act. He considered that the crisis had come, when it was imperatively required, in common prudence, in self-preservation, for the best and most law-loving citizens to take this matter in hand, and execute summary justice upon the first offender that was found guilty. He found that the attempt had been made to fire the property which he had honestly devoted to the payment of his creditors. He found counsel engaged for the prisoner—none for the people. He had applied to the judge and to the Mayor; neither could obtain any counsel for the people. He had then gotten Mr. Van Buren to undertake the prosecution. He had listened to the evidence, and he fully believed the prisoner guilty, and for himself he thought that he should be executed. The crowd listened attentively, occasionally, as some sentiment chimed in with their own ideas, vociferously applauding the speaker.

Mayor Brenham here appeared upon the balcony of the second story, but for some minutes the crowd would not hear him. When he was heard, he expressed himself surprised that a citizen like Col. Stevenson could give utterance to such inflammatory language, or that citizens of San Francisco could applaud it. He was astonished and mortified beyond measure. Here he was interrupted by most discordant cries and hisses.

Again he appealed to hear him. Cries of "Hear the mayor!" "No—no!" Cheers, groans, hisses, catcalls—every conceivable noise arose from the vast multitude that swayed with excitement to and fro. Finally the mayor stated that the prisoner was not in the building, and requested the crowd to disperse. He exhorted them as Americans and as good citizens to preserve the laws inviolate, and assist the authorities in the discharge of their duties. While he was speaking from the second story balcony, two young gentlemen were grinding away below stairs to the knot immediately around them. The aforesaid young gentlemen could not be heard in the uproar, but from the violence of their gesticulation, their fiery red and excited countenances, and the fierce cries of those around, it was evident they were counselling the last resort.

The people were again becoming violent in their demonstrations, making rush after rush to break into the hall, when Mayor Brenham again appeared upon the balcony. When he could make himself heard through the din he asked the people to stand by him, to act like men—here his voice was drowned amid a perfect tempest of cries. He became excited and leaning down to those just under him, commanded the police to preserve the laws if they perished in the attempt. He called upon all good citizens to help him, and if he died for it he would never see those laws outraged. His earnest and vehement appeals were received with cheers by a portion of the crowd, but with vociferous cries of "hang the incendiary," "bring him out," from the majority.

Mr. Van Buren then stepped forward and the people listened respectfully to the remarks he made. He stated that he had prosecuted the prisoner without pay or reward—that he believed him guilty, but never could favor the hanging of any man merely from the belief of another and without having a fair trial by a jury. He urged the people to let the law take its course—that all was going on well, the prisoner had been committed for trial, which would be immediate, and that if guilty, he would unquestionably be hung. He pledged himself to do his utmost to convict him; if guilty, to see justice done him; and if the officers of justice should prove recreant to their trust he would assist in hanging him.

His remarks were well received, but did not apparently change the general determination to bring him out. Marshal Crozier then stepped forward and again stated that the prisoner was not in the building, nor anywhere near it. He did not know where he was—but the officers had him in charge. He asked the people to disperse; he would do all in his power to keep him safe until justice was done in his case. He was frequently interrupted by voices from the crowd, declaring that the prisoner would escape—he would get off as the others had done, and a number of remarks of the same kind.

Louds calls were now made for "Brannan." That gentleman came forward in response, and made a few remarks, which he concluded by suggesting that the Volunteer Police should take charge of the prisoner and keep him safe. This suggestion was received with shouts of approval, and a resolution to that effect was offered to the meeting and carried.

The crowd finally becoming convinced of what the authorities had declared, that the prisoner was not in the City Hall, and not knowing where he was, they gradually began to drop off. The tact of the officers had tired them, and it was no use for them to remain and work themselves up into a fever for nothing. So they seemed to think, and slowly dispersed. Little knots of the more excited remained upon the ground discussing the merits of the case and the probabilities of the prisoner's guilt. But gradually they calmed down, and by six o'clock the ground was entirely clear, and all went on as usual.

FROM LOS ANGELES.

Great Excitement at Los Angeles—Indian Fight.

By a slip from the office of the *Los Angeles Star* dated Monday, May 26th, we have the following intelligence:

A company of men, numbering about forty, have been encamped near this city for some weeks past. They were commanded by Capt. Irving, a Texan, who proclaimed that he had been invited by the Governor of the State of Sonora, in Mexico, to furnish aid to exterminate the Apaches. A number of depredations were committed while the company remained in this vicinity, and many people suppose that Irving's company is nothing more nor less than a band of robbers.

Yesterday morning, expresses reached this city from Col. Magruder, Capt. Lovell, and from several rancheros, giving information that Irving's company were moving down the valley, stealing horses, killing cattle, and conducting themselves in a most outrageous manner. They had threatened to ravish the females; and men, women and children had left the ranches, and fled to Gen. Bean's camp for protection.

A meeting was held yesterday, and the people stirred up to put an end to these otrages. Gen. Bean came in from the Cajon last evening. He will take the command of such force as can be raised in this city and at Chino, together with his own company.

The forces are congregating at Chino.

Our citizens are now mustering, and we judge from the spirit manifested that few prisoners will be taken.

The whole county is arming, and in the event of a failure to arrest these marauders, an express will be sent to Major Heintzleman, at the Colorado.

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4/51 Herald June 4

Courier June 4 '51

June 4

Examination of Benjamin Lewis, before the Recorder, on a Charge of Arson.

Bryan Donnelly, police officer—Testified that he was walking on Monday night, between the hours of ten and eleven, on Long Wharf, when the cry of "Police!" was heard; asked what was the matter; was told that there was a fire up stairs, and to look out for suspicious characters; saw two men on the stairs; one was preventing the defendant from coming down; caught him and told him to stop; whistled for the officer to come up, and gave defendant in charge of some men; and went up stairs to look after the fire; found the room where the fire was, fastened; pushed it open; it was full of smoke; lifted up the mattress and found the fire underneath; when it was raised, it began to blaze; put out the fire; was told that the man whom he had stopped occupied the room; he had gone away; searched for him and found him in the El Dorado, standing over a monte table; asked him to walk down to Long Wharf with him; asked him whether he was there at the time of the fire; said he was; then inquired why he left; he replied because he was burnt out at the last fire, and did not want to be burnt out again; said he was going up to bed, and smelt the smoke and returned.

Mr. Hellmann being sworn testified that he resided in a room in the same house in which the fire occurred; saw the defendant about two o'clock Monday afternoon; said he was going to the mines; met him afterwards and he said he was not going; witness was sitting in his room between 10 and 11 o'clock at night, sewing, when he heard some one softly ascending the steps; heard the person go into the defendant's room; stayed about five minutes; came out and went down stairs; heard the same light footstep come up stairs again; witness suspected that all was not right; came out and saw defendant at the door; he smelt the smoke shortly afterwards; was applied to know whether there was any fire in his room; stated that there was not; saw Mr. Keith stop the defendant on the stairs; corroborated the evidence of the last witness about the nature of the fire; did not see any stains of oil on the floor, saw some that he took for spit.

George Simmons being sworn stated that Mr. Leith saw oil dripping from the cloth ceiling; mentioned it to Mr. Stowell who keeps the lower part of the house; Stowell went up and found the door locked, came down, met the defendant who said there was no oil there.

Stephen M. Keith testified that he lived next to the Collier House and was going to bed between 10 and 11 o'clock, when some parties who lived in a sail loft overhead asked if he had any fire about his premises, replied no; went then and examined other rooms in the house; found the fire was not there; went next door into Collier House, met defendant on the steps; asked him about the fire; he said there was no fire in his room, that it must be down stairs; witness told him he must go with him to see where it was; corroborated the statements of the other witnesses relative to the nature and locality of the fire.

Mr. Johns being sworn testified that he lodged in a room opposite to the one occupied by the defendant; that a short time before the alarm of fire he heard a man come up twice into defendant's room; heard him trying to light friction matches. The man stayed a few minutes and went down stairs. Heard him come up a third time and again heard the rubbing of friction matches; heard a low whispering in the room at the time; went to the door and saw the defendant at the top of the stairs.

The rest of the witness's evidence was a repetition of that of those preceding him.

Mr. Nickerson was the room-mate of the last witness. Heard the rubbing of the matches in defendant's room, and the whispering. Room-mate opened the door and stated that it was the defendant outside. He then went to bed, was roused by the cry of fire, came out and saw the prisoner on the steps.

Several other witnesses were examined but no new facts were elicited—their evidence was merely cumulative. No witnesses were brought forward by the defence. Mr. Van Buren of Stockton and Mr. Platt, the district attorney, conducted the case on behalf of the people, and Col. James for the prisoner.

After addresses from Mr. Van Buren and Col. James, the Recorder sent the prisoner for trial on a charge of arson before the District Court.

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Public Opinion in Stockton.

The *Stockton Journal* of Wednesday has an able leader on the stirring topics now engaging the attention of the citizens everywhere—the judges and the people. It says:

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The people had other business, and therefore government was formed to protect the aggregate; and the officials were paid with exorbitant stipends to shield the public and private weal from wrong and outrage. Events of a most stirring nature were daily transpiring, and men were so perplexed with business that they paid no heed to the records of the Courts or the judgments of the Beneh. The course pursued by the authorities was recognized as right and just, and the sanction of the master was given to the award of the agents. Insolence followed, and crime arose in such appalling magnitude, endowed with such controlling wealth, that Judges, Juries, Lawyers, Sheriffs, Constables, *et id genus omne*, forsook the cause they were hired to defend, and compounded with rascality, letting loose through the loops of conscience and the flaws of the law, scoundrels and felons whose breath should have been cut as short as the time allowed to do it in would permit. Under such circumstances, the sovereigns of the State—the makers of legislators, judges and officers—the source from which power is derived—have arisen in the land, proclaiming the fundamental law of mankind—that unwritten code of the human heart, springing directly from the God that made it, and enduring as justice—that they themselves would punish crime—that they would protect themselves from arson and roguery.

The Sheriffs throughout the country have been more true to the interests of the people, and more honest in the discharge of their duty than any other class of officials. We know of but two instances in the State in which the Sheriff has come under the ban of public censure. In respect to this office, San Francisco, Stockton and Sacramento are peculiarly fortunate.

CITY MATTERS.

Daring Attempt to Fire Buildings on Long Wharf.—A man named Benjamin Lewis, was brought up for examination before the Recorder, yesterday morning, charged with having attempted to fire a building on Long Wharf, known as the Collier House, at about eleven o'clock on Monday evening. H was arrested at the El Dorado Saloon, by officer Donelly of the 3d district, who states that at about eleven o'clock on Monday evening he heard an alarm of fire, which proceeded from the inmates of the upper part of the above named house. He immediately entered the house, and in going up stairs was met by a person whom he recognizes as the prisoner, who was evidently in haste to leave the premises, and upon his asking him what he was doing, he said that he had been burnt out by the last fire and he meant to get out of the way this time. The officer then left him in charge of some person, and proceeded up stairs and discovered smoke issuing from a room, and upon bursting open the door found the room filled with smoke, caused by the burning of a couple of straw mattresses which were lying on the floor, and with the assistance of the inmates, and several of the volunteer Police, the fire was extinguished without further damage.—Upon inquiry being made by officer Donelly he learned that the person with whom he met on the stairs, was in the habit of sleeping in the room which had been fired; he immediately went in search of him and succeeded in arresting him at the El Dorado Saloon.

The officer being disposed to make sure of his man, conveyed him back to Long Wharf, where he was recognised by several of the lodgers as being the man whom they had suspected of setting fire to the room.

Upon the examination before the Recorder, a man named Hellman, who lodges in the room adjoining the one occupied by Lewis, testified that just before the alarm of fire, he heard some one creep softly up stairs and cautiously enter the before mentioned room. Soon after, he heard a person going down stairs using the same cautious manner, and upon opening his door, saw a person whom he recognised as the the prisoner. Mr. Johns, another lodger, who sleeps in the room opposite, also states in addition to the evidence given by Hellman, that he heard persons whispering, and soon afterwards a sound produced by the igniting of matches, and upon opening his door discovered the prisoner in the act of leaving his room.

Considerable other testimony was introduced, all circumstantial, but going to show pretty conclusively the guilt of the prisoner. Before the cause was concluded, however, the sitting of the Court was disturbed by the entrance of the "SOVEREIGNS" EN MASSE, when the prisoner was taken off, to him at least, more secure quarters. It is understood that the Recorder would bind him over for trial on the charge of arson.

Still Another Attempt to Fire the City.—A daring attempt was made yesterday morning at about 2 o'clock to set fire to an unfinished building on commercial street. The owner of the building was on duty at the time as a volunteer policeman, and seeing a person issue from the house, he entered and found that a lot of pine shavings under the stairway had been set on fire. He was fortunately able to arrest its further progress. Had he not discovered it at the moment, the wind being very high at the time, a large amount of property would have undoubtedly been destroyed.

Bank Exchange.—Our old neighbor Burlin Brown, has fitted up his establishment at the old stand in the most gorgeous style, superior to any thing of the kind ever got up in the city. His fine lunches and choice liquors has heretofore made his house one of the most popular in the city. The house re-opens permanently to-morrow morning.

Great Excitement—Threatened Mob-Law.—Yesterday, while the prisoner Lewis was under examination, an alarm of fire was given, which brought together a large crowd on the Plaza. There has been much feeling among our citizens since the great fire, owing to the numerous attempts made to fire the city, and a deep settled determination to visit the most summary vengeance upon any offender who should be caught. Without any concert of action or purpose, the crowd went to the City Hall, and made a simultaneous rush for the prisoner, it having been rendered pretty certain from the testimony, that he was guilty of the charge alleged against him. He was, however, kept in the custody of the officers, and thus escaped no doubt, a speedy punishment. Several speeches were made to the crowd by different persons, among others Mayor Brenham and Marshal Crozier, when they dispersed, having first appointed a volunteer police to guard the prisoner.

CITY NEWS.

Clark's Point.—The lower part of San Francisco, round about Clark's Point, is perhaps as little suited by nature for building a city as the crags and peaks of the Highlands. Telegraph hill, with its steep sides and rough ascent, runs down to the water's edge, terminating in some places in a lofty bluff. Spurs shoot out in various directions, producing a surface so broken and rugged that nothing but the requirements of a great commercial city could ever have induced men to think of locating houses upon such a spot. The lower part of Broadway street has been excavated through the base of the hill, leaving a cliff on one side on whose summit not even the squatter has yet ventured to perch his cyrie. Farther to the north along the water's edge, a still more formidable work has been undertaken. The hill has been cut down with great labor and expense—a road or street made through solid rock, that towers on one side upwards of a hundred feet high, while on the other is a steep descent to the water's edge. The earth removed in these excavations has been applied to the filling up of the water lots. The energy of man has overcome the difficulties of nature, that at first sight appeared insurmountable, and now rows of houses, wharves and piers—some of stone, others of plank, attest the triumph of art over nature. The hill sides are fast becoming covered with cottages, each with its little patch of green around—while up the little ravines a shanty or a tent meet the view—so small at times that one would suppose a man could hardly roll himself up inside. No order is here preserved in the arrangement of these many fashioned dwellings—they are stuck around wherever the slightest sinking of the hill affords a chance to locate them. Drinking and dance houses, low cabarets, are the nightly resort of hundreds of desperate characters. In this vicinity is the far-famed Sydney Town, whence emanate so many of the desperadoes that sally out at night, prowling like beasts of prey, in dark places and narrow alleys, in search of plunder. After ten o'clock at night a man must have urgent business to be induced to traverse this quarter alone. With some of the characters who there resort, twenty-five cents will offer sufficient inducement to commit a robbery. The policeman on his beat treads warily and suspects every one. Rarely is he able to make an arrest here single-handed—for the offenders are mostly old hands, who fight desperately before being captured. The dark nights, rendered still gloomier by the shadows of the hill, afford a cloak for many a dark deed; and there are men in our city, adepts in villany of every class—graduates in crime of every grade, who would hesitate at nothing. The honest and respectable citizens of this section, for there are such to be found here, keep within doors after dark. By day all is fair—nothing but the stir of business pervades the streets; but it is at night that the ruffian who fears the eye of day, emerges from his retreat to commit his depredations upon the unwary. After the last great fire upwards of $10,000 worth of stolen property was recovered by the officers from the huts and cabins of this same Sydney town. To its inhabitants it was a glorious occasion for plunder, and they swarmed forth like corruption worms, to riot on the remains of the city. The slung-shot and club are as dear to them as the trophied blade to the hero. With them, as among the Spartans, the successful thief is honored; it is only when detected, that he is despised.

This is a dark picture, but it portrays a dark spot in our city. It is the necessary consequence of our proximity to the English penal settlements. They have inundated us with the material ready wrought for a thousand felons, and to them are we indebted for a Sydney Town in San Francisco. The time will come when the rank growth that has sprung up in our midst will have to be weeded. The Augean stables must be cleansed. Every great city has had such plague spots in its midst; but few have been as greatly cursed as ours. The evil too is increasing—every ship that lands a convict from the penal colonies adds another to the gang among us. As to their reforming who ever heard of such a thing. Better a thousand times cut off abruptly the commerce with those colonies, than have shiploads of these moral lepers cast in our midst.

Herald 6/4

June 4

THIEVES.—On the night of Sunday, the 18th ult., five horses were stolen from Mr. Lathrop's coral, in Los Angeles. On the same night a valuable horse was stolen from Wm. Carey Jones, Esq. Judge Lynch's shop was broken open, and a pistol and a quantity of mechanics' tools stolen. In the absence of an efficient police, our citizens must take measures to protect their property.

It appears by the above that the thieves do not respect even the property of Judge Lynch.

SHOOTING A RESEAR.—An amusing scene occurred a few nights ago, in the store of a firm located not far from Pacific street Wharf. Some half dozen gentlemen were sleeping up-stairs, while below, on the ground floor, a young gentleman had his berth. Long after the hour of midnight, when all were wrapped in slumber, a noise of some one fumbling at the door was heard by the gentleman below. He listened intently—it was continued; a low grating sound was heard, a robber was evidently trying to break in. Slowly and cautiously our friend raised himself from his bed, grasped and cocked his revolver, and, crawling across the room to the door, in breathless silence listened again. Still the noise was heard. Raising himself upon his knees, and accurately calculating where the buttons of the burglar's vest ought to be, he pointed his pistol to the spot and fired once, twice, thrice, in rapid succession The reports waked the echoes of the night. The sleepers above roused thus suddenly from their peaceful slumbers, leaped from their beds and laid hold on the first weapon that presented itself to their hands. One seized a broomstick—another a rifle without any load in it—another jerked up a pistol without any hammer to it, while several grasped bottles of brandy. Down stairs they all rushed *sans culottes*, on blood intent; they reached the scene of action just as the door was opened in the full expectation of finding a dead robber outside—but on examining, no trace of him could be found. There were the three bullet holes in the door—what could have become of the fellow? Fierce threats were made and dreadful weapons flourished. Finally they found the robber in the shape of an unhappy rat in the last agonies of death. He had been feasting on a pile of hams at the door, and had thus met his untimely fate. Our friends lowered their tones and their weapons immediately, and returned to their warm beds, vowing vengeance upon the whole rat tribe for thus disturbing them.

A TERRIBLE FIGHT.—On the 11th of April a terrible affray took place in the village of Greensboro, Alabama, between three of the most respected and promising citizens of the place—Mr. Elisha W. Harris, Dr. Platt Croom and Mr. Pleasant May. The affray commenced near the Post Office door, and was continued across the street, until Harris received a Bowie knife wound, inflicted, it is believed, by Croom, which caused his death almost instantaneously. During the fight six or eight pistol shots were fired. Croom was wounded in both arms and one shoulder, but not dangerously. May was badly wounded. Harris was originally from Athens, Ga. The affray is understood to have originated about a fence boundary, concerning which the parties disagreed.

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GRAND JURY IN SESSION.—The depositions in the case of Benjamin Lewis were sent for last night by the Grand Jury, who were engaged in investigating it. They no doubt found a true bill before adjourning.

EDITOR HERALD—Allow us to enquire through your journal, why the person who on last Thursday morning struck down Mr. James E. Reese in front of the El Dorado, without provocation and without warning, has not been arrested. It was a most aggravated assault, and we cannot understand why no arrest has been made, as the guilty person has been seen in town since the occurrence.
1t CITIZENS.

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June 5

THE POISONING CASE.

Examination of Joseph Turner, Richard Hall, and Geo. Spiers before the Recorder on a charge of poisoning Frank Brewer.

Officer Harding sworn—Between 11 and 12 o'clock Sunday night, on Montgomery, near Pacific street, saw several persons looking at a body near Mr. Hall's house; told Mr. Smith to take charge of the body; sent for the Coroner; met officers Byrne and Cusic and requested them to take charge of the body. Could find no clue to the identity of the body.

Cross-examined.—The body lay alongside a house occupied by James Kirk, a butcher, about fifteen feet from the house of the defendant—found the body about 11½ o'clock.

Officer Wm. C. Byrne.—About ten minutes past 12 on Sunday night, heard Capt. Harding's voice saying no one should disturb the body; went up and saw the body; was placed in charge of it by officer Harding, and so remained for half an hour until released by officer Cusic; know prisoners at the bar; saw them a few minutes after he came there; four or five persons gathered round: Hall and Spiers among them. The house alongside of which the body was found is notoriously of bad character.

Jane Fawcett.—Lives in Montgomery street, has lived there five weeks, left hand side as you go up hill; have seen Hall several times, Spiers never before Sunday night. Saw Spiers near her door, wanted brandy; between 9 and 10 o'clock; said had no brandy; man of color with him, copper colored man, not black; the latter said, don't be afraid, he had plenty of money to pay for it. Colored man drew a leather bag out of his pocket, which seemed to be nearly full of something; then turned up his coat and said, here's another; it was a smaller bag. Then they went away to the 3d door below her house. Quarter of an hour afterwards heard a man cry out, "I am robbed and murdered." Spiers had the man by the arms and Hall by the feet; a woman came out of the same door, shut it quickly, and put out the light; the woman was the wife of Hall. The men appeared to throw the body, head first, down the hill. Saw the body next morning, didn't take particular notice of it, it was copper colored; thought it was the same person who was with the prisoners at her door. Don't know Turner. The house out of which the man was brought was next to the butcher's shop.

Cross-examined.—Her real name is Jane Fawcett, has been so ever since she was married; been married eighteen years, is between thirty and forty years of age, can't come any nearer to it; was born in Ireland, left at the age of sixteen, went to England, married at Newcastle-on-Tyne, about 1831; had lived in England until she came here, went to Adelaide, stayed there seven years; thence went to New Zealand, stayed there three years; thence came here where she has been seven or eight months. Mr. Fawcett had been here twelve months before he sent for her and family. Keeps an open bar; has three children living with her. Never had any difficulty with Mrs. Hall; have seen her. The men stood at her door two or three minutes and then went into the third door above her house. She stood in her door half an hour afterwards.

Lemora Maloney.—Lives in Montgomery street, three doors from Pacific; have lived there six months; have seen Spiers before, also Hall; Spiers lives in Broadway. Hall in Montgomery one door from Pacific; Hall and Spiers had hold of a colored man on Sunday night; can't say whether the man was drunk or dead; went to see the body in the morning, the body was thrown with head down hill, next to the butcher's house on the sidewalk.

Lemora Maloney's testimony continued.—Knows Mrs. Fawcett; has known her three or four weeks. The body lay in the morning in the same place it was thrown, only the head was up hill.

Cross-examined—Saw the man thrown out of the house; have been in the other room since the trial. Left Ireland two and a half years ago for Sydney; lived there twelve months, then came here; never has gone by any other name than Maloney; never was married; has lived in San Francisco twelve months, and in her present house six months. Refused to answer whether she lived alone. Keeps house; a respectable house; a boarding house; a bar; has three boarders; gentlemen. Has known Mrs. Fawcett four or six weeks; visits her; cannot say how often between 10 and 11 by her time when she saw defendants. Saw a colored man there all day long playing cards. Never had any difficulty with any of the defendants.

Frederick Mills.—Lives on board of a vessel; was in Mr. Hall's house on Sunday between 11 and 12. Hall's house is in Montgomery street, first door from Pacific; was there all the afternoon and until 11 and 12 o'clock at night. Witness was here withdrawn by the prosecution.

Mr. J. Curry.—Lives in Montgomery street; has done so about five months; was in bed pretty much all day on Sunday; was out of bed about 8 o'clock in the evening; went then to Dupont street; can't say he ever saw either of the defendants before. Saw a man from his window lying in the street about twenty feet from the defendants' house; saw four or five men about him with a light.

Dr. Zeile.—Testified that he had been practising medicine about ten months in this city. Had examined a dead body on Monday; it was dark colored; found the cause of the death was in the belly; found much inflammation; found a hole in one of the bowels; that inflammation of bowels was caused by the presence of corrosive matter. He took the stomach, bowels, &c., and has them now under examination.

The prosecution was here closed, and the court adjourned until six o'clock in the evening, to hear the testimony for the defence.

Patrick Mills being called on for the defence and sworn, the Recorder stated that he was about to ask the witness a somewhat unusual question, which he was at liberty to answer or not, viz: Whether he had ever been convicted of a crime? The propriety of the question was discussed at some length by the counsel, and was persisted in by the Recorder, who held the question justifiable by the circumstances of the time and place, the prevalence of crime and the presence of a large criminal population here. Mr. Van Buren proposing to ask the question on the cross-examination, it was dropped for the present, and the examination was proceeded with.

My name is Patrick Mills; resides no where particularly, being a seafaring man; generally stop with Mrs Howe when ashore; know the defendants, Spiers and Hall; in the afternoon of Sunday last, from four to five o'clock, was at Hall's house, and remained there until 11 or 12; was in the bar all the time; Hall came there about 11 o'clock; I left there at about 1 o'clock; when Hall came in they had a light out looking at the body of the dead man; the Captain of the Police was there; Hall might have been about there during the evening and I not see him; he stood there with his coat off, and appeared to have come out of a back room.

Cross-Examined—I have not been paid any thing to come here, nor been promised any thing; have been twelve months in this country; came from the Sandwich Islands as steward of the brig Canonicus; am now steward of the Ferdinand; came from New Bedford to the Sandwich Islands, where I had lived about seven days; was born in England and lived there at Manchester, for thirty years; left England of my own accord; never conversed with any one on the subject of this poisoning; I have never been before any Court previous to this, either as a witness or any other way.

Judge Tilford, sworn—I knew Mrs. Fawcett while I was Recorder; have no distinct recollection of her having ever sworn that her life was in danger from her husband; she was before me on more than one occasion, either under arrest or as complaining of her husband.

A. J. McCarty—was called, and asked as to the general reputation of Mrs. Fawcett and Norah; but the question was overruled, unless it should be confined to their reputation for veracity.

Margaret Nolan—was called, and before taking the oath, wanted to know "who was to pay her losses this day?" Not receiving any satisfactory answer, her examination was proceeded with. "I keep a public house in Washington Place, between Washington and Jackson streets. The defendants, Spiers and Hall, came to my house last Sunday afternoon at about 5 o'clock, and remained until about 7 or 8 o'clock; there were three or four other persons present; they played cards and drank liquor; it was after 7 when they went out. Have known Hall over three months, and Spiers close up to three months.

Mercy Tucker.—I keep the White Squall, on Pacific st.; Spiers and Hall came to my house last Sunday evening a little before 9, and got an oyster stew; should think it was about half past 9 o'clock when they left.

John Radford.—Live in Broadway, between Stockton and Powell; am a publican. Defendants Spiers and Hall came to my house at about half past 9; I looked at my watch at half past 11, and think they remained there five minutes after that time; they remained there during all that time; there were four or five gentlemen there, also my wife.

Cross-examined.—I have lived in this country about six months; came from New Zealand, whither I had come from Launceston, Van Dieman's land, where I was born; lived there with a friend, and never done any thing.

Elizabeth Radford.—The defendants came to our house last Sunday night from 9 to half past 9 o'clock; they remained up to from half past 11 to 20 minutes of 12; John Hannim was there, a Mr. Walker and three others; have not conversed with my husband about this.

John Handlin.—Reside at the Broadway Livery Stable; last Sunday evening, just after 10 o'clock, went over to Mr. Radford's and saw Hall standing at the counter talking with Mr. R.; think that Spiers was sitting at the table; left them there at about half past 10 o'clock.

Cross-examined.—All that I have said about this matter is that, yesterday, Radford asked me to come here as a witness, and I said yes. I never said that I intended to swear these men clear, or any thing of the kind.

John King.—Reside on Broadway; have been doing any thing I could of late; last Sunday evening, after 9 o'clock, was on the Square; between the hours of 9 and 12. I was in a house on Broadway, kept by Radford; went there about 10½ and remained until 11½; saw there Hall and Spiers, Handlin and four others; they were there all the time I was, and went out with me; Hall wanted to go home with me; have been acquainted with these men for the last thirteen months.

Thomas Spencer—lives on Broadway; saw Hall and Spiers last Sunday night at Radford's house, whither I went in company with Mr. King.

Juan Rottran—lives on Broadway; live up stairs in the house kept by Radford; saw Spiers and Hall there last Sunday night between the hours of 9 and 10.

John Nelson—lives on Montgomery street; know Hall; was at his house last Sunday evening; think it was between 10 and 12; Mills and another man were in there; as we went out of the house some one called, saying there was a man lying there; I went up and found that the man was dead; went and got a light; Hall came home after the dead man was found and the policeman had come; that was the first I saw of him that evening; Spiers was not there.

The testimony was here closed, and after argument by the counsel, the defendants were committed to appear before the District Court on the charge of murder.

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IMPORTANT DECISION.—The case of J. W. Geary vs. Simmons et al., was yesterday decided in the District Court by Judge Robinson. The action was brought by the Plaintiff to break an assignment made by the defendants upon their failure last summer, the Plaintiff not being in the assignment, and they being indebted to him some $80,000 or $90,000. The assignment was held to be good, and the plaintiffs' action defeated. It is probable the cause will be appealed.

☞ An attempt was made to break open the Jewelry store of Mr. Reeves on Clay street, on Tuesday night. The noise waked the inmates, when the burglars fled.

THE CASE OF LEWIS.—This man who was committed by the Recorder on a charge of arson last Tuesday for the action of the District Court, has already been indicted by the Grand Jury, and was arraigned yesterday morning. His trial was set for to-morrow, and his punishment, if found guilty, will follow just as speedily.

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Cal Courier
June 5

June 5

CITY MATTERS.

A "FAT TAKE."—The alarm of fire yesterday afternoon proceeded from a coffee room in Washington street, a few doors below Kearny. It was caused by one of the cooks of the establishment spilling some fat while hurrying up the cakes. The man was slightly scalded.

BURGLAR CAUGHT.—On Tuesday night, about 11 o'clock, Mr. Robbins, who keeps a shop on Broadway, near Powell, upon returning home found his door ajar, and upon examination found two men in the room with a candle lighted. He immediately gave the alarm, when the light was blown out and one of the men rushed past him at the door, snapping a pistol in his face, and made his escape. The other man was taken, and gave his name to the Recorder yesterday as John Wilson, 19 years of age, an Irishman by birth, and gave quite a clever account of how he got there. He was held to bail in the sum of $2500, for his appearance at the District Court. The door of the shop had been forced open by chisels, or some similar instrument.

EXCITEMENT.—Either our citizens are fond of getting up an excitement, or else there is great occasion for it. For our part, we look upon the present state of things in the city as alarming, and calculated to arouse the masses to a sense of duty. That our police are doing all in their power for the protection of the lives and property of our citizens we have no doubt, and yet although aided by a powerful force of volunteer patrol from among the best of our citizens, there is no apparent decrease of crime. Petty offences, it is true, are not so common as heretofore; but those of a higher grade are becoming more frequent. The question naturally presents itself to the mind of every well-disposed citizen: What shall be done to check this increase of crime? Burglary and attempts at arson are becoming matters of nightly occurrence, and when the citizen lays him down to rest at night, he does it with fear and trembling, lest the midnight robber or incendiary should visit his house ere dawn. This uncertainty has produced a feverish state of anxiety, uncertainty and excitement, which will find vent in some public demonstration or stringent measures for the suppression of crime.

On yesterday as on the previous day, the immense crowd collected by the fire alarm on the Plaza, silently and without concert of any kind moved towards the City Hall, where the prisoners are confined. No action was taken, however, and nothing done or said. But it was plain to see the deep settled determination which had taken possession of the minds of the crowd. It was known that the prisoner Lewis was confined on board the U. S. ship of war Vandalia, else an outbreak would have been the result. We are not advocates of mob law, and always have deprecated it; but we have suffered too much and too often from fires in this city, to be indifferent to these repeated incendiary attempts. We are infested with a band of desperadoes who are determined it seems to pillage and plunder us. Our laws seem to have no terrors for them, our prisons are insufficient to confine them, and they escape unwhipt of justice. What then is to be done? Are we tamely to sit by, look on, and see our property stripped from us, our persons and lives jeopardied, by reason of our unfortunate condition? By no means. Either the people will rise in their majesty and inflict the direst punishment on these villains, or society must resolve into its original elements, and every man become his own protector and the avenger of his own wrongs.

COUNTY JUDGE.—We gave in our Court report yesterday, the decision of the Supreme Court in the case of [illegible] for the County Judgeship. It will be seen that the only ground upon which Mr. Campbell can hope for reversal is, in the hope that the repealing act had been passed before the

June 6

ular as a Recorder. He has thus far administered Justice in the most impartial manner, and has scared many of the old station house boarders from their quarters. Coming into office unheralded and unknown to public fame, he has taken every one by surprise by the firmness he has manifested and discrimination exercised.

MORE INCENDIARISM.—Some villain set fire to an unoccupied building in the block or square on the southwest corner of Kearny and California streets, yesterday morning about 1 o'clock. The alarm was given immediately after the fire broke out, and the well directed efforts of a few citizens who were early on the ground, prevented its spread to the adjoining buildings. The spot selected by the incendiary was well adapted for his purpose, for the surrounding buildings were all frame, and once under headway, the fire would have swept the whole of the southern part of the city. There has been no arrest, nor does suspicion so far as we can learn, attach to any person as the perpetrator. We sincerely hope he may be caught and summarily punished.

SANSOME STREET.—This street which suffered so much by the late fire, is now in a fair way to become the most important business street in the city. That part of the street north of the Central wharf, which was formerly built upon piles, is being very rapidly filled in with earth, and in the course of a few weeks, it will undoubtedly form the best thoroughfare in the lower part of the city. Its position in regard to the wharves gives it a decided preference over Montgomery street, and we notice several buildings in the course of erection designed for the occupation of some of our heaviest business firms who were formerly located on Montgomery.

U. S. COURT.—Judge Hoffman delivered a very able and important opinion in the case of Joseph Mercer et al. vs. ship Genessee, yesterday morning. We are sorry the Judge will not permit its publication at length, as, although not making positive decisions, it gives some 'ex parte' opinions which are of general interest to the maritime community.

CAPITAL PUNISHMENT.—Some Sydney chap, signing himself Wm. McDowal, issued his pronunciamento yesterday morning, which was posted up in the City Hall, denouncing capital punishment. His ground of opposition seems founded entirely upon scriptural doctrine, which we apprehend will not avail much for him or his associates should they be caught. The document afforded great sport for the loungers around the Hall.

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Herald June 7 1851

SACRAMENTO INTELLIGENCE.

Through Freeman & Co.'s Express, we received the Marysville and Sacramento papers of yesterday, and the Marysville *Herald* of Thursday, at the very early hour of 4 o'clock, P. M., and by Gregory's Express shortly after.

The Marysville *Herald* announces the escape from the jail of that city of ten prisoners. They disappeared between the hours of twelve and two o'clock, on the morning of Tuesday, in the absence of the deputy sheriff. Stewart and some others confined for capital crime are still safe The following is a description of those who escaped:

1. Samuel Stanley, short built, heavy set, dark complexion, black eyes, hair and whiskers; about 26 years of age.
2. John Davis, about 16 or 18 years of age; red face, brown hair, scar on one hand; Englishman.
3. George Williams, alias Richard McGrath, tall, straight, well made, about 23 or 24 years of age, dark hair; Irishman.
4. Thomas Jones, light hair, light complexion, rather short built; Englishman.
5. Johnson alias Hugh Bradly, short light complexioned man, red or sandy hair and whiskers, white eyebrows and lashes; about 22 years of age; American.
6. Moore alias Frank Baker, blue eyes, dark brown hair, height about 5 feet 10 inches, rather lightly built; about 25.
7. John W. Carroll alias Bootjack, dark hair, full face, no beard scarcely; about 20 years of age.
8. Marline de Lopez, native of Manila.
9. Albretta de la Cruces, native of Manila.
10. Louis C. Plaunt, small man, dark complexion, about 30 years of age; French Canadian.

The mining operations on Bear and Feather Rivers are at present quite successful.

The funeral of Mr. G. S. T. Sovier, a Royal Arch Mason, took place on Thursday at Sacramento with Masonic honors.

The Wilson G. Hunt ran aground at Cache Creek on Thursday morning.

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CITY NEWS.

RECAPTURE OF THE BURGLAR WATKINS.—We understood late last night that the burglar Watkins, who has escaped three times from the Station House, was again recaptured last night, whilst landing from a boat on Battery street, near Cunningham's Wharf.

"RAPE OF THE LOCK."—Mrs. Catharine McMann was yesterday brought up before the Recorder, on a charge preferred by Mrs. Derby of an assault with intent to kill. The parties litigant appeared in court, presenting quite an interesting appearance, Mrs. McMann had apparently been through the wars, bearing honorable scars upon her rubicund face, in the shape of divers severe scratches upon her nose and mouth, looking like the tracks of a pair of claws. Her opponent was not exactly "a lone woman," as she confessed to having a husband, but she was after that order, having a rueful expression of countenance, and apparently utterly disconsolate Her bonnet had been severely mashed in the melee, and had not yet recovered its pristine shape, being decidedly awry, giving a still more wo-begone expression to the wearer. The case was opened by Mrs. Derby in a most voluble exposition of her wrongs. The war-like Mrs. Mac had attacked her most savagely—scratched and punched her, got her down and choked her, and wound up by jumping on her and pulling out a whole handful of hair "sufficient to make a dozen mourning rings of the largest size." The meek Mrs. Derby affirmed moreover her belief that her rubicund opponent had a huge carving knife in her bosom, with which she would have "killed her entirely," had not the neighbors arrived just in time to prevent her. Both the high contending parties had been born over the water and followed the respectable occupation of washing clothes. Both, according to the testimony of the witnesses, if not drunk at the time were not far off, being occasionally known to "take a drop of the creature." Mrs. Derby, in corroboration of her statement, produced an enormous tuft of hair which she affirmed had once grown upon her head and had been plucked therefrom at a single grab by the defendant. The sight of this as it was held up by the lady produced an immense effect upon the court. Here, Mrs. McMann, who had throughout the testimony of her opponent been going through a most expressive pantomime significant of her horror at such a tale, and apparently invoking something overhead to descend and stop it, could restrain herself no longer, but breaking through all restraints, rushed into the arena, and holding high up to view another enormous tuft of hair, asked his honor if he could believe that "savage creetur" when he was told that the tuft held up had been torn out of her, Mrs. Mac's head, fairly scalping her. She was finally quieted for a while, and sat down in a state of great agitation, rocking herself to and fro, occasionally raising her eyes and hands towards the rafters, as if desiring the presence of some one up stairs. Sundry witnesses for the prosecution testified to the finding Mrs. McMann upon the body of her opponent, in the act of giving her, in their own language "a severe quilting," and when forcibly taken off, the irate lady had dodged round them and taken a few more "cilps" at her foe. Mrs. McMann had no witnesses who could help her out, the only one produced testifying to her weakness for the rosy god and her extreme irascibility. Whenever she had been indulging she became exceedingly "ugly," figuratively speaking of course. Her witnesses, however, did testify that she was provoked to the assault by divers aggravating remarks and flings of Mrs. Derby. Mrs. McMann being called upon by the Recorder to state what she had to say for herself, stepped forward with the utmost alacrity and poured out a volley of words with a rapidity that was absolutely stunning. She dived down into her pocket and again produced the tuft of hair which had been forked out of her head by Mrs. Derby; this she held in every light, and spread out so as to make a great show. It was a handful, a very large handful, there was no mistake, not exactly sufficient as she in the excited state of her feelings declared, to make "a decent sized wig," but still uncomfortably large. It did not appear how the ladies after despoiling each other's heads, had recovered their own locks, but it is supposed that they compromised and exchanged tokens. It would be impossible to give Mrs. Mac's account of her grievances, but she made out a powerful case of injured innocence, lamb-like in her own disposition, with a raging lion for an opponent. She was finally stopped, though apparently having as much more to say. The Recorder, in consideration of her having a family dependent upon her, fined her $25, not to be enforced, however, if she behaved herself, but standing over her, ready to be claimed the moment she got into another row. Mrs. Derby too came in for a severe lecture upon her pugnacious propensities, after which the two interesting disputants, with many low curtesies to the Recorder, retired from court.

CASE OF LEWIS.—The indictment in the District Court against Benjamin Lewis, for arson, was yesterday quashed, on motion of the District Attorney, and another more perfect substituted in its stead. Monday is set down for criminal trials.

June 7

From Marysville.

GENERAL JAIL DELIVERY.—The Herald gives an account of the escape on Monday night of ten prisoners from the county jail. They broke the lock of the door during the temporary absence of the jailor. Stewart, and some others confined for capital offences, however, are not among the number. The following is a description of those who escaped, and we hope that our officers and citizens will be on the look-out for them.

1. Samuel Stanley, short built, heavy set, dark complexion, black eyes, hair and whiskers; about 26 years of age.
2. John Davis, about 16 or 18 years of age; red face, brown hair, scar on one hand; Englishman.
3. George Williams, alias Richard McGrath, tall, straight, well made, about 23 or 24 years of age, dark hair; Irishman.
4. Thomas Jones, light hair, light complexion, rather short built; Englishman.
5. Johnson, alias Hugh Bradly, short light complexioned man, red or sandy hair and whiskers, white eyebrows and lashes, about 22 years of age; American.
6. Moore, alias Frank Baker, blue eyes, dark brown hair, height about 5 feet 10 inches, rather lightly built, about 25.
7. John W. Carroll, alias Bootjack, dark hair, full face, no beard, scarcely 20 years of age.
8. Marline de Lopez, native of Manila.
9. Albrette de la Cruces do do.
10. Louis C. Plaunt, small man, dark complexion, about 30 years of age; French Canadian.

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THE PERJURY CASE.—The case of Wm. Fury, charged with perjury, came up before the Recorder on yesterday morning for examination. It appears that, upon the examition of a man named Johnston, who was arrested some time since, on suspicion of his having broken open and robbed several trunks belonging to a man named McAbbe, Fury testified under oath that he had been in the company of Johnston, in another part of the city, about the time that the robbery was supposed to have been committed. From some information gained by the District Attorney, which led him to believe that the above offence had been committed, Fury was held for examination. There being not sufficient evidence, however, for his committal, the Recorder discharged him.

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CALIFORNIA COURIER.

JAMES M. CRANE.....Editor.

TUESDAY, JUNE 10, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

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WHIG STATE TICKET.

For Governor.
PEARSON B READING, of Shasta.

For Lieutenant Governor.
DRURY P. BALDWIN, of Tuolumne.

For Justice of Supreme Court.
TOD ROBINSON, of Sacramento.

For Attorney General.
WM. D. FAIR, of San Joaquin.

For State Comptroller.
ALEXANDER G. ABELL of San Francisco.

For State Treasurer.
J. M. BURT, of Butte.

For Surveyor General.
WALKER HERRON, of San Joaquin.

For Congress.
E. J. C. KEWEN, of Sacramento,
B. F. MOORE, of Tuolumne.

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...ncing of the rule to show cause on attachment, postponed to Wednesday next.

Truebody vs. Jacobson et al.—Demurrer overruled, and leave to file answer in five days.

Sylvester Martin vs. Wm. C. Hoff.—Leave granted defendant to withdraw demurrer.

Gibbs & Dunbar vs. ——.—Report of Receiver filed, accepted, his confirmed, and Receiver discharged.

Brooks vs. Turnbull.—New trial granted on the payment of costs by the plaintiff.

Palmer et al. vs. Webster et al.—This case occupied nearly the whole day, some eight or ten witnesses being examined.

RECORDER'S COURT.—The prisoner's docket at the Recorder's Court yesterday morning was crowded to its utmost capacity. There were some twenty men and boys arrayed on various charges. The first case called was that of Henry Russell, who got a little tight on Sunday evening. As this was his first offence, the Recorder gave him his discharge, upon his promising better conduct in future. Thos. Greene, Peter Young and Chas. Leland were fined $5 each for the same offence. Three young men of very respectable appearance were fined $20 each for fast riding. George Brown, for firing a pistol was fined $5. Robert Bryant, a colored gentleman, was fined $25 for assaulting another colored gentleman named Dalton at the St. Charles house. Thomas Patterson was fined $5 for fighting. Joseph Travers, for assaulting Abraham Blake, was fined $50, and held to answer to a charge of grand larceny. John Crow, for wanting to fight all hands in a dance house on Broadway, was fined $10. A Mexican was fined $20 for fast riding. Thos. Burns, who keeps a house on the corner of Broadway and Battery street, for assaulting an officer, was fined $50, and $50 more for keeping an open house after 12 o'clock. The cases of John King, keeper of the New England House, and Samuel Green, who were cited by the Recorder to appear and answer to the charge of keeping open houses after 12 o'clock at night, were continued until this morning. Thomas M. Smith, charged with having attempted to pick the pocket of a man on Kearny street, was discharged. The cases of Jas. Smith for stealing a watch from a drunken man on Ohio street, Edward Walley, for stealing a lot of shirts from a Chinaman, Wm. Furry, for larceny and fighting, and Thomas Keith, for stealing a gold snuff box, valued at $150, were continued until this morning at 10 o'clock.

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Crime in San Francisco.

It is clear to every man that San Francisco is partially in the hands of Criminals, and that crime has reached a crisis where the fate of life and property are in imminent jeopardy. There is no alternative now left us but to lay aside business and direct our whole energies as a people to seek out the abodes of these villains and execute summary vengeance upon them. When the men who attempted to take the life and the property of Mr. Jansen were saved by a mistaken humanity and false reverence to the laws, we said then that the thieves and other criminals had conquered, through the law officers of the city, the people of San Francisco. We also said that from that hour, crime and outrages on the lives and property of our citizens would increase in a ten fold ratio.

Our predictions have been most signally verrified, and most terribly have the bands of murderers, thieves and criminals visited their vengeance upon the devoted city. We have lost millions of dollars and the lives of some thirty men. Nightly and daily have these abandoned wretches sought to fire our city since the recent fire, nor have they abandoned their determination, although they are promised summary vengeance by the people should they be detected. They fear not these threatenings and warnings, they know that we have basely backed out from inflicting punishment when we had them in our power.

What now shall be done? Are we to continue to threaten, and nothing more? Are we to spend our time in denouncing these villains in the streets, in our counting rooms, shops and bar-rooms, and permit them to go on until we are perhaps overtaken again by another destructive conflagration? We ask these questions in sober earnest: Why stop, under the present unsafe and uncertain state of affairs, to have a thief, or one who attempts to fire the city, placed in the hands of law officers, from whose clutches they can, with case, be relieved by false swearing, and the ingenuity of lawyers? or what is equally as certain, their escape from prison? Where the guilt of the criminal is clear and unquestionable, the first law of nature demands that they be instantly shot, hung, or burned alive. Delay is dangerous. Some terrible visitation must be meted out to these villains, and that promptly. We must strike terror into their hearts.

Those who object to this summary and terrible mode of punishment, ought to recollect the men who were burned to death in the last fire. In thus punishing these criminals we may save the lives of hundreds of innocent beings; by refusing to do so, crime will increase, and the city, before another sun shall set, may be covered with sackcloth and ashes, and its inhabitants become a community of mourners. We can bear these things no longer. No man, since we became a city, has been hung in San Francisco. Some fifty murders have been committed, but no murderer has suffered death for his crimes.

We ask again, what shall be done? We are in the midst of a revolution, and we should meet the emergencies of our condition wi h firm hearts and well-braced nerves. We have no time to talk about the defects of the laws—of the dangers which beset us; but we must act, and act at once—act as men doin revolutionary times. There are two contending elements—two opposing forces—two parties struggling for the mastery of the city, and we must cut right and left. We hope a meeting of the people will be called to-morrow afternoon, at 4 o'clock, in the Plaza, to organize a powerful force, and to establish some system of measures to rid this community of the criminals who infest it. All should not leave their homes and places of business to attend this meeting, for then the thieves would have no resissance. But men of San Francisco, act, and act at once.

CITY NEWS.

CASE OF LEWIS.—The indictment of Lewis was a second time quashed yesterday in the District Court on motion of the prisoner's counsel. He took the ground that the term of the Grand Jury had expired at the time of the presentment and therefore they had no right to make it, and of consequence it was null and void. The question was argued before Judge Parsons, who sustained the points raised by the prisoner's counsel, and accordingly the indictment was quashed. The prisoner remains in the hands of the sheriff until the next meeting of the Grand Jury in July, when no doubt a third attempt will be made to get up an indictment that has no flaw in it.

THE CRIMINAL DOCKET.—Various notices appeared in yesterday's papers of the quietness of Sunday, and the great improvement that had taken place of late in the observance of the Sabbath in San Francisco. Though we could not endorse these sentiments in regard to that particular Sunday, we were very glad to see that other people could conscientiously speak well of the proper observance of the day. But yesterday morning the number of offenders that crowded the Recorder's dock was a sad commentary upon the paragraphs in the morning's papers. No less than thirty-six arrests were made in the second district. Of the whole, six were for drunkenness, six for fighting, six for larceny, three for stabbing, one for burglary, four for fast riding, four for assaulting officers, three for keeping disorderly houses, one for an attempt at robbery, etc. The Recorder had his hands full, and as he is very minute and particular in his inquiries, taking great pains and usually much time to satisfy himself, it was not until very late that he disposed of the cases on the docket. We take occasion to say in this connection, that if Judge Waller is a little slow in the transaction of business, he is loyal to the interests of his fellow-citizens, and never fails to visit heavy penalties upon all those of whose guilt he is satisfied. He makes an honest judge, and one at whose hands the offendee has nothing to expect. His judgments are never hasty and give general satisfaction. His office is no sinecure and his devotion to his duties most praiseworthy.

District Court—L. Parsons, Judge.

The People v. *Benjamin Lewis*, indicted for arson.—This case being called, Col. G. F. James, counsel for the prisoner, who was not in Court, read a motion to quash the indictment, on the ground, among others, that the indictment was not found at the May term of the Court, as it purports to be. It was found on the 6th of June. The Judge called the attention of counsel to the fact that an act of the late Legislature, re-organizing the Courts of the State, passed April 13th, to take effect on the first of May, repealed the acts of 1850, organizing the Courts, &c., and provided that the terms of this Court should commence on the first Mondays of February, April, June, &c. The present Grand Jury was empanelled on the 26th of May. The repealed act provides for the commencement of the term on the first Mondays of March, May, July, &c. After hearing the arguments of T. B. Van Buren, Esq., and District Attorney Platt, for the prosecution, the Court held that there was no May term of the Court, and that the Grand Jury had been empanelled and were acting without the authority of law; wherefore he sustained the motion to quash the indictment.

The prisoner is still in custody.

Edward Bleyman v. *Rosina Bleyman.*—Action for divorce, on the ground of adultery. After hearing proof, judgment by default was made final, and a decree ordered in accordance with the prayer of the petitioner.

E. W. Taylor for plaintiff.

F. Argenti v. *J. D. Stevenson.*—Judgment by default was made final against defendant for $3,454 50, and for a foreclosure of mortgage.

E. Visscher v. *J. S Graham.*—Judgment by default was made final against defendant for $6,520, with 5 per cent. interest per month, and for a foreclosure of mortgage.

F. Ritcher v. *J. J. Grayson et al.*—Judgment by default was made final against defendants for $2,305 47, with 5 per cent. per month interest, and for a foreclosure of mortgage.

F. W. Macondray et al. v. *J. McCormick.*—Judgment rendered in favor of plaintiff for $225 93.

Judgment by default was entered in the case of A. Belknap v. C. H. Cummings.

The following cases are on the calendar for Tuesday, 10th inst.:

White v. Shillaber et al.; Ugarte v. Gray et al.; Briones v. Barrier et al.; Craigmiles v. Casserly, Yanney v. Dellicker et al.; Fowler v. Smith; Carl v. Thompson; Converse v. Buckelew; Whiting & Freelon v. De la Sanchez; Harms v. Winne; Larritt v. Ten Eyck et al.; Leitch v. Clark et al.; Mayer v. Jacobs et al.; Dewey & Heiser v. Hu rlin & Belcher; Dewitt & Harrison v. Same; Marvin v. Vance; Lord et al. v. Sherman; Babbidge v. Harrison & Nugent; Bugbee et al. v. Stabler et al; Sutter v. Phelps.

Superior Court—Judge Murray presiding.

Palmer, Cook et al. vs. Wm. Webster et al.—Plaintiff's testimony was closed, and during the hearing of that on the part of defendants, the trial was adjourned over until to-morrow.

Truebody vs. Jacobson et al.—A demurrer in this case was overruled.

DARING ROBBERY AT CAMPO SECO.—On Saturday night last five gentlemen sleeping in the store of Messrs. Bemas & Co., at Campo Seco, were disturbed by a noise about midnight, and on awakening found five men, one standing over each of the sleepers with a bowie-knife and a pistol.—They were threatened with immediate death if they attempted to stir, and were consequently obliged to lie quiet and witness the rifling of the contents of the store by three others of the gang. The robbers seized an iron chest in which they doubtless expected to find a large quantity of gold, and carried it out of the store, the five who were guarding the occupants cautiously following to secure their retreat. Mr. Mardis, one of the gentlemen belonging to the store, started up as they were leaving, and seizing an axe handle, knocked down one of the villains and effected his escape. Proceeding to the village, he aroused some of the neighbors, and accompanied by them started in pursuit. They overtook the plunderers at about four hundred yards distance, and recovered the iron chest, although we regret to say they were disappointed in arresting the thieves. No trace of the latter has since been discovered.

THE HERALD.

Wednesday, June 11, 1851.

REMOVAL.—The Publication Office of the SAN FRANCISCO HERALD has been removed to **Clay Street, three doors below Montgomery, North side.**

The Execution last night.

We give elsewhere a report of the lynching of Jenkins by the citizens at 2 o'clock this morning. We have barely space to say, that he was tried by a jury of the highest respectability, and was unquestionably guilty of the crime for which he was condemned. The example was terrible, but if it have the effect of ridding us of the thieves who infest our city, and of the incendiaries and assassins by whom the lives of our citizens are nightly threatened, we shall not regard the punishment as too severe. There is reason to believe that the unfortunate man was of the most hardened character. He was from Sydney.

GREAT EXCITEMENT.

A Man Arrested for Stealing a Safe.

HIS TRIAL AND EXECUTION.

Last night a man was apprehended who had entered the store of Mr. Virgin, who keeps a shipping office in Washington block on Long Wharf, and, in the absence of the proprietor, had carried off a safe about two and a half feet square. Shortly after a boatman, met two men with a square package in a bag slung across the shoulders of one of them. The safe was missed—the alarm given—and the man with the safe pursued. He got into a boat and sculled out into the bay, hotly pursued by a dozen boats filled with men. They gained upon him and he threw the safe overboard. Part continued the pursuit and finally overtook the fugitive, and after a fierce struggle succeeded in capturing him—another portion of the boatmen got a pair of oyster-tongs and raised the safe. The prisoner was committed to a man who at once carried him up to the corner of Sansome and Bush streets. A few moments before ten o'clock, the citizens were startled by two taps repeated on the bell of the Monumental Engine House. It was the signal for the assemblage of the Secret Committee, who have it is understood been organized for the punishment of offenders. In a short time some eighty of the committee assembled and were admitted into the building on giving the countersign. All who did not know the secret pass-word were resolutely excluded. A number of citizens, not members of the society, soon assembled around the building as rumors of what was going on spread through the city. The number outside gradually increased, but great order prevailed. For two hours and a half the citizens paced the streets opposite the house without offering any interposition to the proceedings within. Anxious and excited knots congregated discussing the propriety of the course pursued by the society—some approving and others disapproving it.

About midnight the bell of the California Engine House commenced to toll and struck upon the ear with awful solemnity in the silence of the night. It was the death knell of the prisoner. His judges had condemned him to be hung. Thus was the silence of the night broken by these melancholy sounds, while the Society within preserved the most impenetrable silence and those without had but vague rumor to found a judgment upon.

Immediately after sentence of death was passed upon the prisoner, who gave his name as as John Jenkins, he was asked if he had anything to say, he replied: "No! I have nothing to say, only I should wish to have a cigar." A cigar was handed him, and he afterwards asked for brandy and water, which was given him. He betrayed not the slightest trepidation or compunction. It is probable he expected to be rescued up to the moment the rope was placed around his neck.

At a quarter before one o'clock, A. M., Mr. Brannan came out and ascended the mound of sand to the east of the Rassette house. The crowd followed, and Mr. Brannan addressed them, stating that he was deputed to inform them of the action of the committee. They had taken the evidence against the prisoner, and that evidence was clear as to his guilt of the crime of which he was charged. They had before them the persons who saw him drop the safe into the water. The committee, after hearing the evidence, had decided he should then be punished, and the punishment be death by hanging—the execution to take place on the Plaza in an hour. He called on them as they valued the importance and gravity of the occasion to make no rush or disturbance.—The committee would conduct all things to the entire satisfaction of the citizens. They had sent a request to the clergymen to come and assist the unfortunate man in his preparation for death. He asked the people whether the action of the committee was satisfactory?

A tumultuous cry, mingled with cheers, and some 'noes" was the response.

A VOICE IN THE CROWD.—"Who is the speaker?"

Mr Brannan was named.

ANOTHER VOICE.—"Who are the committee?"

This was answered with the cry of "no names! no names!" and the crowd broke up and the greater portion repaired to the Plaza, some remaining behind to see the prisoner taken out.

TWO AND A-HALF O'CLOCK.—A clergyman was sent for who remained with the prisoner about three quarters of an hour. A little before two o'clock the committee came from the building, having the prisoner with his arms pinioned, in a ring formed by a rope around which those entrusted with the execution closely clustered to prevent a rescue. Two men were within the ropes having hold of the arms of the condemned.

The procession was formed and the crowd moved slowly up Sansome street to California, thence through Montgomery up to Clay street, thence to the Plaza, where the necessary preparations for the execution had been previous made.

Arrived at the flag-staff, some were climbing up it to arrange the halter, when an earnest cry was raised by some present "for God's sake not to hang him on the liberty pole." The appeal was heard, and those in charge of the execution mounted the beams on the south porch of the adobe—a rope was stretched across between two of the supporters, to the middle of which a block and pulley were fastened, another rope was run through this with a noose at one end. Volunteers were called for to man the other end. The prisoner, who had not spoken a word as far as we could hear during the whole march and the dreadful preparations going on before him, was taken by his guard beneath the beam, the noose adjusted around his neck, and, in an instant, at ten minutes past two o'clock, he was jerked high into the air and hung dangling from the beam.

He was a very tall, stout, heavy man, and his struggles were violent and continued several minutes. Gradually they ceased, and he swung slowly round and round. Those who were executing him held steadfastly on the end of the rope—keeping it tense and allowing no interference. They held him thus for twenty minutes, when, no doubt, the effort being very great, or the rope stretching, the hanging wretch imperceptibly lowered until his feet hung several inches below the top of the railing. No effort was made to avert his fate. Several hundred persons were on the ground at the time of his execution. When we left at half-past 2 o'clock, he was still hanging, and a proposition had been offered to appoint a committee to hold him there until day-light. He is probably dead as the time of writing this.

FOUR O'CLOCK.—He is still hanging—DEAD.

The Meeting to be on the Plaza.

It will be seen, by reference to an advertisement in our paper to-day, that a meeting has been called, to take place on the Plaza this afternoon, at 4 o'clock, to adopt some stringent measures to rid the city of, and protect ourselves from, the depredations of the criminals and law-breakers who now infest this city. We hope this meeting will be numerously attended, and that some of our most prominent citizens will be present to take part in it. If ever there was a time when the people were called upon to act promptly for the protection of their own lives and property, now is that time. It will not do to put off longer this necessary duty. A few days' delay may find us overtaken again by another terrible conflagration. We ask the people, therefore, again to come out and adopt some plan for protection against these villains.

CREATING EXCITEMENTS.—Some of our friends may, and perhaps do, think that our leading article yesterday morning was rather severe and uncalled for. *We* think the occasion required all we said, and much more. The people of San Francisco have hitherto been so much engaged in attending to their own particular business, that they have been wholly absorbed by it, and they scarcely know that they are surrounded, watched, and tracked by the most desperate set of villains that ever infested a community. It needs something to arouse them to a sense of duty, and show them the perilous position in which their lives and property are placed. The sentiments we propagated yesterday, are founded on our honest convictions, and there is not a word we would retract. We may be denounced as the advocates of mob-law. If so, we are content. Forbearance has ceased longer to be a virtue. If, as it appears, our laws are not sufficient to protect our lives and property, then we *do* advocate mob, or any other law that will rid us of the miscreants who infest us.

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Cal Courier June 11

TREMENDOUS EXCITEMENT!!!

A MAN HUNG BY THE PEOPLE!!!

Last evening a man was detected in the act of stealing a small safe from a house on Long wharf. He was pursued into the Bay by a number of persons; finding that he must be overtaken, he threw the safe overboard. As soon as he was seized he was carried to a house on the corner of Sansome and Bush streets, where he was fairly tried by a jury of the people spontaneously chosen, and condemned to be hung on the Plaza.

The news of his capture and trial spread throughout the city with the speed of lightning, which brought together a tremendous gathering. For hours the people were kept in a feverish excitement on account of not being able to understand the precise decision of the jury—also, from the evident determination of the City Police to rescue the culprit, and also from very decided manifestations on the part of sundry villains who appeared ready to make a demonstration in favor of the criminal.

At a quarter to one this morning the decision of the jury was announced to the people. It was stated that the culprit was convicted on the most positive testimony, and in one hour the parties having him in charge would convey him to the Plaza to be executed. During this period the people appeared to be thoughtful and solemn, but firm in their determination to make an example of this man at all hazards. It is said that the criminal showed no signs of grief or compunctions, and refused all efforts on the part of the clergy to prepare him to meet his Judge in another world.

At a quarter to two o'clock, he was conveyed, under a strong guard, to the Plaza. Several ineffectual efforts were made on the way to rescue him. On his reaching the Plaza, a rope was soon fastened around his neck, and in the twinkling of an eye he was hoisted up, and hung from a beam, on the south side, attached to the piazza of the old adobe on the Plaza, until he was dead. He made but a few struggles while swinging. Thus has one hardened and abandoned wretch met with a sudden and summary vengeance.

Let all others who meditate the destruction of our lives and property, be treated in the same way, and we will soon get rid of the criminals who infest this city. So unconcerned and hardened was this wretch that he smoked a cigar while he was conveyed to the place of execution. He gave his name as John Jenkins, but this may not be his real name. He was a native of England.

His body was ordered to hang until morning, under a strong guard of the people.

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Alta Daily Morning Herald
June 11

CITY NEWS.

THE POISONING CASE.—It will be recollected that the two men Hall and Spiers were fully committed a few days ago by Recorder Waller on suspicion of having poisoned and robbed Frank Brewer, a Long Island Indian. Dr. Zeile was commissioned to make a post mortem examination, to ascertain, whether any poison had been administered to the deceased. He stated, when called to the stand, that death had ensued from some corrosive subetance, but at that time could not say what it was. He required eight or nine days to make the necessary chemical analysis to determine whether it was poison or not. Dr. Matthew P. Burns, was then called upon by the marshal to undertake the examination and report the result. Br. Burns, after applying the most approved tests, has thus far discovered that the deceased was undoubtedly poisoned. He states that he has already extracted from the stomach sufficient arsenic to kill twenty men, accompanied by a quantity of morphine, in which it was no doubt administered to the deceased. The intricate chemical processes necessary in an examination of this sort have not been completed, but enough is known to render it certain that the unfortunate man was most foully murdered.

ASSAULTING A WITNESS.—Mr. Lebetts, who keeps a public house on Stockton street, appeared yesterday in the Recorder's Court with his face terribly bruised and cut, to complain of a man named Burns, who had been instrumental in producing his injuries. Burns, it appears, had been convicted the previous day by the Recorder, on the testimony of Lebetts and others, of an assault upon an individual, and also for keeping a disorderly house. He had after leaving court uttered threats against Lebetts for giving testimony against him. Accordingly he entered the house of Lebetts on Monday, in company with another person, and commenced an altercation which resulted in the severe beating of Lebetts by the companion of Burns, the inciting the assailant by cries of "give it to him," &c. In the examination of this charge before the Recorder, Burns' two lawyers introduced two witnesses who swore they had known the prosecutor to be a convict in Sydney, and the lawyers wished the court to draw the conclusion that he was not therefore entitled to credit on his oath. Lebetts then introduced a witness whose good character was vouched for by a certificate from the American consul in Sydney, with his official seal affixed, who swore that he had known Lebetts for many years—that he had sailed from the south of Ireland as an emigrant to South Australia, which is not a penal colony, and where the people are as much opposed to convicts as they are here—that he, the witness, had emigrated not long afterwards, to Australia, and that Mr. Lebetts was a respectable man, and never was a convict. The witness had lived several years in Sydney and had corresponded with Lebetts, who was his cousin, in Port Philip. The Recorder, considering the case a very aggravated one, of an attempt to obstruct justice by the intimidation and brutal treatment of a witness, fined the prisoner $200. His lawyers immediately demanded a trial by jury, although they had submitted throughout the case to the jurisdiction of the Recorder. His Honor took their claim to a jury into consideration, though we should suppose that his jurisdiction under the city ordinances would cover such a case—a common one of assault. Lebetts declared his intention in court to have the two witnesses for the defence arrested for perjury.

CALIFORNIA COURIER.

JAMES M. CRANE.....Editor.

THURSDAY, JUNE 11, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

June 11

The Meeting Yesterday.

The call in yesterday's *Courier* brought out a large concourse of citizens upon the Plaza at the hour designated. We have seen many public meetings in this city, but have seldom seen one which was composed of so respectable a class of citizens. Every one seemed impressed with the importance and exigency of the occasion, and the necessity of taking some instant action to arrest the progress of crime in our midst. But there had been no concert of action necessary to promote the intended object, and hence but little was accomplished except an expression of opinion.

The meeting was called to order by Mr. Delano, in a neat and pertinent speech, alluding to the existing state of affairs, and the occurrences which had transpired during the previous day or two. Captain J. F. Hutton was then called to the chair, Mr. C. C. Richmond, and another gentleman whose name we did not hear, appointed secretaries. Mr. Hutton, on taking the chair, briefly addressed the meeting, pledging his services, his property and his life, to further the detection and punishment of crime. His remarks were exceedingly well received, and he was listened to with the most profound attention, and loudly cheered when he took his seat.

A motion was then made to the effect that the proceedings of the committee who punished Jenkins on Tuesday night, should be approved by the meeting, which was carried, there being but one single dissenting vote. It was then suggested that the committee of safety would meet in the evening, and that as they were undoubtedly taking all proper and necessary measures for the public security and protection, that further action at present was unnecessary on the part of the meeting. The meeting then adjourned to meet this afternoon, at 4 o'clock, on the Plaza.

We must be allowed to say that we were highly pleased with the disposition manifested at this meeting. It was composed of many of our most prominent and respectable citizens, and the determination to protect the community from the depredations of the lawless bands of desperadoes who now exist in our midst, was most apparent. So long as these meetings are composed of such men, the rights of our citizens are safe. None but villains have cause to fear them, and the innocent may rely upon them as protectors.

THE EXECUTION OF JENKINS.—We yesterday morning gave the particulars of the trial, conviction and execution of this man. We have but few particulars to add. The unfortunate man never made known his real name, as it appears from the representation of many persons who saw his body yesterday, that it was Simpton, and that he formerly kept a house on Dupont street known as the "Uncle Sam." He was a tall, powerful, muscular, and exceedingly well made man, such as are seldom seen, and must have been a man of great physical powers. He manifested the most stolid indifference to his approaching fate, up to the very moment of his executian, and is represented as having been coarse and vulgar in his conversation up to the last moment. So far as we can learn no friend has as yet appeared to claim the body, nor show even the respect of an acquaintance. He died the felon's death, scoffed and spurned by his fellow man, with no eye to shed the pitying tear over fallen human nature. A victim to the worst passions that exist in the human breast, a fearful retribution has overtaken him in the hey-day and prime of life.

We took occasion, yesterday, to visit the dead-house where the body of this man was exposed to view. A throng was passing in, nearly the whole day, to view it—men, women and children. His face bore some marks of the conflict he had with the boatmen who arrested him, and altogether the features were of a marked and rather repulsive character. A deep indentation was made by the cord around his neck, occasioned, undoubtedly, by the great length of time which he was suspended. We learn that he was cut down at 6 o'clock yesterday morning by the City Marshal.

Statement of the Grand Jury.

The following statement only reveals a state of facts, which has become a matter of public notoriety. The delay in our Criminal Courts has long been a subject of public complaint, and now we are experiencing the full effects of the evil. Where the fault lies we do not pretend to say, but some other practice should be adopted. If criminals will swear off and delay the trial of their causes, the witnesses necessary to their conviction should be put under heavy bonds to appear upon their trial—sufficiently so, at least, to prevent the accused from procuring their absence:

The body of men brought together on the 26th day of May last, by order of His Honor, Judge Robinson, to serve as Grand Jurors, for the County of San Francisco, and summarily discharged by His Honor, Judge Parsons, on retiring from their supposed position as Jurors, deem it proper to make a statement of a few facts, for the information of the public, in regard to the state of criminal matters in this County.

We find, upon investigation, that there now remains upon the docket the following number of cases, in which indictments have been presented, that have never been tried, and in which, as they ascertain from investigation, no opportunity has been given by the Court having jurisdiction thereof, for trial. There are persons in confinement ever since December and January last awaiting trial. Until May 1st, the only authority to try these cases, was vested in the District Court, and this Court should have given criminal cases their attention, as we think, to the exclusion of civil ones, as it is well known that in a majority of criminal cases, after a delay of two months, the witnesses will be so scattered that it will be utterly impossible to get a conviction.

We learn that there was handed down from the former to the present District Attorney for prosecution, in which there has as yet, been no trial.

7 indictments for larceny.
2 " for fraud.
3 " for libel.
1 " for burglary.

There still remain of indictments found at the January term, 1851, and untried.

7 indictments for larceny.
1 for resisting officer.
4 for fraud.
1 for destroying promissory note.
1 for perjury.
2 for libel.
6 for assault with intent to kill.

There remain of indictments found at the Marsh term, and yet untried.

10 indictments for larceny.
2 for fraud.
1 for perjury.
4 for assault with intent to kill.
6 for burglary.
1 for assault and battery.
1 for receiving stolen goods.

Thus it will be seen that there are indictments against 60 individuals now awaiting trial; 22 of which were found by the Grand Jury of January term, and 13 of which were handed down from the former to the present district attorney. Since the 1st of January last, there have been only 16 trials on indictments, and for the want of testimony to substantiate the respective charges, a nol. pros. has been entered in three cases.

Such is the present presentment of the criminal docket in this county; and we ask, what wonder that there is such an increase and extension of crime among us, when there is such delay occurring between its commission and trial? Could a trial in every case of crime be had as promptly as probably would have been in the case of Lewis, had the indictment been legal, then criminals would find San Francisco an unprofitable place for business.

During our session we have presented 8 indictments of larceny; 2 robbery; 1 arson; 2 murder—all of which have been quashed, on the ground that the grand jury were illegally constituted and empanelled on the 26th of May, and have no jurisdiction over any matters for the June term. We have been in session nine days, and presented 13 indictments. In this connection we can but make honorable mention of our present District Attorney. He has been assiduous in his endeavors to bring offenders to a speedy trial. We believe he has been true and faithful to the trust reposed in him, and has done every thing to protect the citizens and their property.

We are informed by the Court that no Grand Jury can be legally empannelled to inquire into crime that now stalks in our midst, until the first of July. This being the case, we ask what security to life and property have we, when every one knows that in a country like this, above all others, immediate presentment of criminals should be made, and merited punishment speedily follow the track of crime.

In behalf of the Jury,

HARVEY DICKINSON,
HIRAM WEBB,
O. N. BUSH,
Committee.

GEORGE ENDICOTT, Foreman.

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Box II
June 1851 folder
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TOM BURNS AGAIN.—This man was brought up before the Recorder yesterday morning, charged with having spoiled the countenance of a gentleman named Libbitts. On the day previous, Burns was brought up and fined fifty dollars for violating a city ordinance in keeping his house open and selling liquor after 12 o'clock at night, and twenty dollars for assaulting an officer. It appeared upon his examination, that the house in question is the resort of the worst characters in the city, and seeing Libbitts among the spectators, he called upon him to testify to the respectability of the same, whereupon he stated, after being sworn, that he knew the house to be a rendezvous for Sydney thieves. This so enraged Burns, that immediately after leaving court on the same day, he procured the assistance of a "shoulder striker," and called upon Libbitts, who keeps a house on Clarke's Point, and proceeded to take summary vengeance upon that gentleman. On the examination of Burns yesterday morning, he introduced a couple of witnesses, who testified under oath that Mr. Libbitts was a Sydney convict. This testimony, however, was upset by a person who testified to the contrary, and produced papers to show his respectability. Burns was fined $200.

CITATIONS.—There is a city law preventing cases of drugging, robberies, rows, and fights the saloon-keepers from keeping open houses after 12 o'clock at night. From the numerous that have occurred recently in many of the drinking-houses, the authorities are determined to enforce the law. Some of the houses have endeavored to evade the law by shutting up for a few minutes at midnight and then reopening for the next day. The Recorder considers this as an evasion of the law, and is determined to punish all such offenders, and it will be well for all persons interested to observe the provisions of it. Every good citizen should do all in his power to aid in the preservation of good order and quiet in the city.

"POSITIVELY NO ADMITTANCE."—A day or two since, one of our city constables attempted to serve a writ against the ship Samuel Appleton, then under way. Taking a boat, he was soon alongside; but when in the act of boarding, he was met at the gangway by a half dozen sailors, armed with boarding pikes, headed by the commander, with a loaded revolver, who forbade his entrance. The "Charley" demanded if he were "in earnest?" to which the captain responded: "Yes, by G—d! I will allow no pirates to board my ship!" The constable, finding himself in a "tight place," quietly gave up the contest.

RECORDER'S COURT—Before his honor Judge Waller.

The following cases came up on citations for violations of the ordinance relative to keeping houses open after 12 o'clock at night.

Proprietor of Clayton's—Discharged.
Eldorado—Fined $50.
Baltimore and Philadelphia house, on Jackson street—Fined $50.
Bella Union—Fined $50.
Oregon House—Fined $50.
Verandah and Polka—Discharged.

The following cases on same charge were continued, viz: Zinc House, Tontine, German Saloon, and Cafe Francaise.

John Smith and John Davis, arrested for furious riding, were discharged.

Jacob Kohaber, for same offence, was fined $20.

E. McConnell, drunk and disorderly, was fined $5.

George Hunt, for fighting, was bound over to keep the peace.

Wm. Ray, for an assault, was fined $25.

Joseph Francis, for larceny, was sent to the Court of Sessions.

Edward Waller, for stealing clothes from a Chinaman, was continued.

SONORA.—The citizens of this place are making arrangements to celebrate the 4th of July in an appropriate manner. They are ahead of our city in this [illegible]

H. H. Bancroft Collection
Bancroft Library

RECORDER'S COURT—Before his honor Judge Waller.

An unusual amount of business was transacted in this Court yesterday morning. About twenty cases were disposed of, which occupied the attention of the Court from 10 o'clock, A.M., until half past four in the afternoon. The following cases were disposed of in the usual manner: B. Morea, was up for discharging fire arms, and discharged. James Scolly, for being drunk and disorderly, was fined $5. James Ramano, for fighting, was fined $50. Bill Miller, drunk and disorderly, was discharged. Neal Kinney, for furious riding, was fined $20. The proprietors of the Pavillion House were fined $50 for keeping an open house after 12 o'clock, in violation of an City Ordinance. Henry Wilson, for being riotous, was fined $25. Frederick Mills, brought up on suspicion of poisoning, continued. John Curte, rioting, fined $25. John King, proprietor of the New England House, was fined $50 for keeping a disorderly house. James Smith, charged with larceny, discharged. Joseph Francis, for fighting, was fined $50. Wm. Fury was fined $25 for fighting. Thomas Kief was brought up on the charge of stealing a snuff box from Mrs. Brail, valued at $125, and held to bail in sum of $1000, for his appearance at the Court of Sessions.

Cal Courier
June 11

As to source of revenue to increase military force.

LOOK OUT FOR THE BOLTERS.—I am in
formed that Mr. James Henderson from Sydney
a well known character in this City, bolted without
Passport on Saturday last in the Schooner Penelope
bound, to San Francisco leaving his creditors to
whistle over their losses
June 12 1851 1t-5 A SUFFERER.

June 12

LOOK OUT FOR THE BOLTERS.- I am informed that Mr. James Henderson from Sydney a well known character in this City, bolted without Passport on Saturday last in the Schooner Penelope bound to San Francisco leaving his creditors to whistle for their losses

June 12 1851 1t'5 A Sufferer

Herald 6/12.

CORONER'S INQUEST

On the body of a man called John Jenkins.

Coroner Gallagher held an inquest yesterday on the body of a man named John Jenkins. The following are the names of the Coroner's Jury: Wm. Eddy, W. J. Sparry, E. Kingsbury, T. M. Leavenworth, John Gott, E. Blais, A. M. Comstock, John O. Griswold, Frank Turk.

Herald June 12

Mr. Gallagher, the Coroner, prefaced the examination with a few remarks informing the Jury that there was reason to believe that the deceased had come to his death by violence, and that it was their duty to investigate the facts, and if they found that such was the case, to endeavor to ascertain and report by whom this deed of violence was committed.

Capt. Ben. Ray, of the Police, sworn.—Saw the man hanging on the Plaza. Had seen him before; believed that his name was Jenkins; heard that a man had stolen a safe and been caught, after having thrown the safe overboard. Met a man in Leidesdorff street who had helped to make the arrest; found out from him where the arrested man was confined; it was at the house of Mr. Brannan, corner of Sansome and Bush street. Went to Brannan's house and demanded the prisoner; he replied "wait a few moments;" waited half an hour, knocked again and received the same reply, then gathered as many officers as possible; made an attempt to rescue the prisoner on the Plaza; came near getting the noose around his own neck. One man had a whalebone "billy"; another one cried "knock him in the head with a slung shot"; another placed a pistol to his head and told him to leave. There were about a thousand men on the ground. Got hold of the prisoner and proclaimed himself an officer; a number of citizens seized him; declines to mention their names; Tom McCahill was at their head; considered Mr. McCahill's as a friendly act to save him from the slung-shot and pistol; saw a number of persons armed; saw the man hanging on the south porch of the Adobe; didn't see a rope in hands of any parties he could identify; the man about to be hung knew the witness as he attempted to rescue him—doesn't know any who had hold of the rope; knows others who could probably give their names; if insisted on would mention such persons; David C. Broderick, he believed, could give the information.

Capt. Harding, of the Police, sworn.—Saw the man hanging; heard his name was Jenkins; have seen him off and on for several months; believed he used to have a house in Dupont street, called the Uncle Sam; for the last few weeks he has lived at Clark's Point; saw him a few nights ago in Sydney Valley; saw him last night about 2 o'clock, first time within 100 feet of the liberty pole; had hold of his collar until he was hung, until the rope was put around his neck; was undyr a guard; don't know who put the rope around his neck; don't know the names of the guard; the deceased was about ten feet from the adobe when the rope was thrown around his neck. Several were grabbing at his neckkerchief; he exclaimed, "for God's sake untie that handkerchief." Witness untied it. Prisoner was handcuffed; could'nt state the names of any around him; knows the man that had the rope in his hands, and put it around his neck. The witness here declined to mention his name; he was ordered to do so by the Coroner. Again refused. Was again ordered, and replied, Capt. Wakeman; thinks him a seafaring man; has heard that he resides up the river; was not more than two feet from Capt. Wakeman when he threw the rope around the prisoner's neck. Ira Cole was beside the witness at the time. Saw a man there named Ward, with a pistol in his hands, who threatened to shoot any man who should attempt to cut the hanging man down. Witness told Ward to put his pistol up. Ward turned upon witness with his pistol; has spoken to Ward several times. Other parties presented pistols at witness; was knocked down when he attempted to arrest Ward. Ira Cole went in with witness when he attempted to rescue the prisoner. Saw the knot in the rope; did'nt see any one make the knot; had hold of the man when he was hoisted up; did'nt see any persons who had hold of the rope; saw only their hands on the rope; 25 at least appeared to be pulling at the rope. A majority of the crowd close up seemed to be aiding and abetting; a few in the crowd said "don't hang him." Did'nt see the man who fixed the rope on the beam; did'nt see any one assisting prisoner on from where the rope was put on his neck; thinks the rope jerked him along; thinks he swung against the rail as he went up. One man, name unknown, was active in the hanging; struck the witness after he knew he was an officer; arrested him; was knocked down by others, and man rescued; knows him when he sees him; does'nt know Mr. McCahill, did'nt see Ward have hold of the rope. The man was hanging when Ward was flourishing his pistol. Those assisting were all citizens; looked like Americans; saw Messrs. Connor, Nesbit, McGrath, Keller, Noyes, on the ground; there was no understanding that the witness knew of, that a rush should be made to rescue him.

Officer B. S. Bitts, Policeman, sworn.—Saw the man that was hung Wednesday morning about two o'clock, in the Plaza, about twenty feet from the liberty pole. Witness went into the crowd; saw prisoner's back; his arms were tied; had an altercation with a man who finally struck witness in the neck. Another man in the crowd struck him on the arm, knocking it out of place; got within seven feet of the deceased; did'nt see a rope round his neck; saw him hanging. Saw Samuel Brannan next to the adobe house, he was doing nothing; was on the front step of Mr. Burgoyne's; this was after the man was hung; rope was fastened to the rail about day break; could'nt tell the name of the person who made the rope fast to the rail; three or four held on to the rope while the man tied it to the rail; saw the parties raise the man a little higher before making fast the rope.

Hampton North, a Policeman, sworn.—Was present on the Plaza when Jenkins was brought up—had been previously to the place where they were trying him. Ran into the crowd on the plaza; took hold of the prisoner to rescue him; was taken off by his friends; was overpowered by numbers. A man named Ward was active in the crowd; pulled a pistol on witness and leveled it at him; told him to put it up, then told him to shoot; he said he would shoot if witness interfered, and made a space round to do so. Mr. Noyes took hold of prisoner at the same time as witness. Saw a rope; saw three or four persons on a cart having hold of it; the man was then hanging; has seen some of those who had hold of the rope but does not know their names. Thinks he has seen the deceased before. Does not know of any general understanding among the police about a rescue.

J. L. Van Bokkelen, sworn.—Claimed the constitutional privilege to refuse to answer any questions: ordered to answer all except questions tending to criminate himself. Had seen the man who was hung, who was pointed out as one of the Sydney gang; saw the body hanging. Declined to answer when he first saw him hanging. Has no direct knowledge that the man was tried; believed he was. Refused to answer whether he saw Samuel Brannan after Tuesday morning. Also refused to state what circumstances induced him to think the deceased had a fair trial. Thinks it was the act of the citizens. Refused to answer whether he was present when the man was tried; also whether he was on the ground at the hanging; also whether he knew any persons who participated in the hanging—all on the ground that the answers would criminate himself.

J. P. Noyes, a Police Officer, sworn.—Refused to answer any questions—being called upon for his reasons, he stated that he refused because he had every reason to believe that there is a Secret Committee, or Inquisition, in the city, and if he should tell what he had seen, or known, or heard, he should be in danger of his life. He had been a citizen of San Francisco for two years and was a good American. He believed every man in the city liable to be seized and carried before the Secret Tribunal, and therefore he feared for his life if he should testify against them. He did not fear for himself, but for his family. Being asked by a juror he answered that he had heard the evidence of the other witnesses, and that what he knew, if stated, would be new matter, tending to implicate other persons, than those named, in the execution of the deceased.

Here, on motion of a juror, the court was cleared. The reporters were allowed by the coroner and jury to remain, under oath not to publish their notes of the witness's testimony until the prohibition was removed by the jury. But on the return of the witness he peremptorily refused to answer until the reporters retired. The remainder of his evidence was of course given with closed doors.

When the examination of this witness had been concluded the jury took a recess until 7 o'clock, P. M. The jury re-assembled at 8 o'clock, in the office of the District Attorney.

Ira Cole, sworn.—Was on the Plaza yesterday morning; saw a man hang there; the man was handcuffed, when first seen, and in the hands of Joseph Wagner, a policeman; was near him close by the liberty pole; saw the rope put round his neck; saw Capt. Wakeman there; saw him have hold of the rope, pulling it till the man was hauled up, and then saw him fasten it to the railing. Heard Capt. Wakeman call for a belaying pin to make fast the rope; saw others have hold of the rope saw officer Harding trying to get the man down. The night was light enough to see any one to know him two rods off. Saw persons with revolvers in their hands. Witness had hold of the man trying to take him to the Station House, till he was hauled up. Knows nothing about the trial. There were many trying to release the man; should think one out of three were in favor of releasing him. There were many asking the crowd to let him be taken to the Station House and have a fair trial by law; saw Mr. Ward and Samuel Brannan, Mr. Foley, the Circus, also saw Capt. Wakeman.

Judge Geary, sworn—He had not been on the Plaza after 10 o'clock, and of course knew nothing of the facts.

Wm. Divier, sworn—Going home on Tuesday night, thought he heard a tap of the bell on the Engine House. ran down to the house and saw two men guarding the door. While one was ringing the bell inside—took him by the neck and told him to stop it—thinks his name is Buckley. After witness went home, heard the bell again about 3 o'clock—went to the house again and found Washington Brumley tolling the bell; told him he must not do it. The tapping of the bell was the signal for the execution of the man. Went home soon after.

David C. Broderick, sworn.—I saw a man hanging up in the Square last night. A policeman informed me in the early part of the evening that a man had been arrested for robbery, and had been taken up towards Happy Valley to have his trial. I heard a bell tolling, and was informed that it was to call the committee together to try him. I was waiting on the Plaza to see the man hung; I was standing near the liberty pole when the man was brought up into the Square; I remained there to assist the authorities in taking the man to the Station House. I was caught hold of by some persons half disguised; I recognised W. H. Jones, the auctioneer, and I think young Howard. I told Jones I was surprised to see a man of his standing in the community aiding and abetting in the execution. He denounced all the authorities but the committee. Saw Capt. Wakeman there; saw John Eagan assisting in the execution. Saw a man by the name of Derby there making considerable noise. Mr. Niles came up to me and said "My God, did you not see the men pulling on the ropes?" I replied "no"; "why there were T. K. Battelle and Hyatt." I was told by Cole that it was Wakeman that put the rope around the man's neck. I saw Samuel Brannan as he came up on the Plaza. The man that grappled me was about the size of young Howard, though I cannot swear that it was he. Mr. Jones was in favor of hanging every body not belonging to the committee. He was very violent; he said "To h—l with all the courts, let's take care of ourselves." I am satisfied from what I saw that it was an organized band that brought the man there and executed him. I think a large majority were in favor of hanging the man. I thought they were very bad men.

Adjourned till 10 o'clock to-day.

Statement of the Grand Jury.

The body of men brought together on the 26th day of May last, by order of His Honor Judge Robinson, to serve as Grand Jurors, for the county of San Francisco, and summarily discharged by his honor, Judge Parsons, on retiring from their *supposed* position as jurors, deem it proper to make a statement of a few facts, for the information of the public, in regard to the state of criminal matters in this county.

We find, upon investigation, that there now remains upon the docket the following number of cases, in which indictments have been presented, that have never been tried, and in which, as they ascertain from investigation, no opportunity has been given by the court having jurisdiction thereof, for trial. There are persons in confinement ever since December and January last awaiting trial. Until May 1st, the only authority to try these cases, was vested in the District Court, and this court should have given *criminal* cases their attention, as we think, to the exclusion of *civil* ones, as it is well known that in a majority of criminal cases, after a delay of two months, the witnesses will be so scattered that it will be utterly impossible to get a conviction.

We learn that there were handed down from the former to the present District Attorney for prosecution, in which there has as yet, been no trial:

Seven indictments for larceny;
Two indictments for fraud;
Three indictments for libel;
One indictment for burglary.

There still remain of indictments found at the January term, 1851, and untried:

Seven indictments for larceny;
One indictment for resisting officer;
Four indictments for fraud;
One indictment for destroying promissory note;
One indictment for perjury;
Two indictments for libel;
Six indictments for assault with intent to kill.

There remain of indictments found at the March term, and yet untried:

Ten indictments for larceny;
Two indictments for fraud;
One indictment for perjury;
Four indictments for assault with intent to kill;
Six indictments for burglary;
One indictment for assault and battery;
One indictment for receiving stolen goods.

Thus it will be seen that there are indictments against sixty individuals, now awaiting trial, twenty-two of which were found by the grand jury of the January term, and thirteen of which were handed down from the former to the present District Attorney. Since the 1st of January last, there have been only sixteen trials on indictments, and for the want of testimony to substantiate the respective charges, a *nolle prosequi* has been entered in three cases.

Such is the present presentment of the criminal docket in this county—and we ask, what wonder that there is such an increase and extension of crime among us, when there is such delay occurring between its commission and trial? Could a trial in every case of crime be had as promptly as probably would have been in the case of Lewis, had the indictment been legal, then criminals would find San Francisco an unprofitable place of business.

During our session we have presented eight indictments of larceny, two robbery, one arson, two murder—all of which have been quashed on the ground that the grand jury were illegally constituted and empannelled on the 26th of May, and have no jurisdiction over our matters for the June term. We have been in session nine days, and presented thirteen indictments. In this connection we can but make honorable mention of our present District Attorney. He has been assiduous in his endeavors to bring offenders to a speedy trial. We believe he has been true and faithful to the trust reposed in him, and has done everything to protect the citizens and their property.

We are informed by the court that no grand jury can be legally empanelled to inquire into crime that now stalks in our midst until the 1st of July. This being the case, we ask what security to life and property have we when every one knows that in a country like this, above all others, immediate presentment of criminals should be made, and merited punishment speedily follow the track of crime. In behalf of the Jury.

GEORGE ENDICOTT, Foreman.
HARVEY DICKINSON, }
HIRAM WEED, } Committee.
O. N. BRUN, }

THE COMMITTEE OF PUBLIC SAFETY.—This body have now a responsibility resting upon them to follow up the work they have commenced. Hanging a few culprits will not rid the country of the number of vagabonds who infest it. The only mode of getting rid of the assassins and burglars who are still in our midst is to give them notice to leave the country within a certain time. Should they still remain after the expiration of the grace allowed them, let them be severely punished, and again warned with the understanding that the next punishment for disobedience will be final. This plan will be more successful than hanging a dozen criminals.

Herald

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THE HERALD.

Thursday Morning, June 12, 1851.

REMOVAL.—The Publication Office of the SAN FRANCISCO HERALD has been removed to **Clay Street, three doors below Montgomery, North side.**

The Execution of Jenkins.

The circumstance of a man, in the midst of a populous city, being arrested in the act of theft, tried, condemned and executed within six hours—the conviction taking place at the solemn hour of midnight, and the punishment of death following in two hours after—while more than half the city was buried in repose—is an occurrence of so unusual a nature, that it must strike one as being produced by some extraordinary condition of public affairs:—but when to this is superadded the fact that the jury who tried him was a people's jury—that the judges who condemned were not ordinarily constituted administrators of the law—and that the fatal act which hurled him into the unknown world he was apparently so unprepared to enter, was consummated by more than one hundred gentlemen, not one of whom but is a supporter of the laws for the orderly regulation of society—the occurrence becomes in the highest degree startling and momentous. If it be an unjustifiable violation of law, by whose fault has it occurred? It cannot be held that our citizens are either bloodthirsty, or morbidly fond of excitement.—They have forborne longer than most men would. Twenty lives were lost at the late fire—and for the last year murders have been so frequent as at length to pass almost unnoticed. Burglary, rapine and incendiarism have been notoriously rife, and yet they have until now endured almost in silence. It cannot, then, be said they have acted rashly or in haste. They have waited the law's delay with a patience which was at length becoming a byword. If this act be faulty, therefore, that fault does not lie at the door of the citizens.

On such an occasion we shall not lightly point the finger of censure at any man in the community. The times are full of peril, and the odium already existing against those guilty of producing the state of things which has forced the citizens to the dire resort of becoming themselves the administrators of justice, is to them a source of danger we care not to augment; but without invidious particularization, we must declare that in the breasts of the community the strong belief obtains that the courts alone are guilty. The report of the Grand Jury, which we publish elsewhere, reveals facts wholly discreditable to the mode of administering the law, and we can imagine no palliation for the loose condition of the public business which it presents. That indeed furnishes a sufficient key to the enigma why our most respectable citizens should be found at dead of night hanging a man with their own hands for larceny. The dilatoriness of the Courts, and the remissness and inefficiency of the public prosecutor, are the themes of the Grand Jury's presentment.

So much for the cause of the excitement, which we touch lightly, as it is not our purpose to increase it. Of the circumstances of the transaction we have something to say. It has been objected that the proceedings of the committee were secret, and that the execution took place at night. Both were, we understand, more the result of accident than design. Both, as concomitants of an affair of this nature, are under ordinary circumstances indisputably objectionable; and none will oppose more steadfastly than ourselves the institution of secret conclaves for the trial of criminals and the punishment of crime. Such a thing, as a perpetuity, would be a curse rather than a blessing, and would assuredly and most justly fall into odium with the public. The man who stands charged with any crime should be confronted with his accuser in the face of the world, and be afforded an opportunity to prove his innocence. Neither are executions at night justifiable except under the spur of stringent necessity. Darkness is abhorrent to the nature of every man,—and the criminal, however deep his guilt, is regarded by common consent as entitled to look his last upon the world in the bright sunlight. But the committee had no choice. They were compelled to make an example, and knowing that there could be no mistake as to the prisoner's guilt, they took the most effectual means of making the blow sure and speedy. If he had been apprehended in the morning he would have been executed in the daylight, and that he was not, was purely a matter of accident. That they weighed all the circumstances coolly, carefully and justly, there can be no doubt.

There is another objection urged. Larceny it is said should not be punished with death. True—ordinarily it should not:—but his punishment was not simply the consequence of the crime of theft as of the association that it proved. It was considered that from the mode in which it was committed, he would not have hesitated at murder or arson if those crimes had been necessary for the success of his guilty undertaking. He was a member of the same gang through whose instrumentality the city was burned and so many murders and burglaries have been committed.

On the whole we regard the punishment of this man as calculated to exercise a salutary influence, and consequently we look upon those implicated in his death as justifiable. Indeed it was a necessity they did not think themselves as justified in disregarding, and so they undertook a task requiring firmness and nerve of no ordinary character. They carried out their purpose with a coolness and earnestness worthy of the highest commendation.

ANOTHER EXCITEMENT

Outburst of Indignation on the Plaza.

In pursuance of a call in one of the city papers, a large number of persons assembled yesterday afternoon, about 4 o'clock, in the Plaza, opposite Justice McGowan's office. The crowd waited patiently upon the ground for some time, discussing the scenes of the previous night, until some gentleman mounted a little elevation and proceeded to address them. His voice was very low, and it was impossible to hear correctly what he said, but he appeared to be discoursing upon the outrages that had been for a long time committed upon the citizens, without any punishment following. A motion was then made to move to the front of the Adobe, whither the multitude, which was rapidly increasing, rushed immediately. There the same speaker continued his remarks in the same inaudible tone. Finally on motion the meeting was organized by the appointment of Mr. Hutton as Chairman. That gentleman stepped forward, and from the porch addressed the crowd. He said that things had come to such a pass in our city, such open, daring and flagrant outrages had been committed without any redress from the ministers of the law, that the citizens were right in resolving themselves *en masse* into a Committee of Safety. He was a law-loving man—had always lived in a law-abiding community, where, fortunately, there had been no necessity for Lynch law, but here it was different; either the laws or the administrators of those laws were inefficient for the suppression of crime. Their position was peculiar; the proximity of our city to the penal colonies of Great Britain, where were congregated thousands and tons of thousands of the most hardened criminals, rendered us liable to the introduction of convicts, and demanded extraordinary remedies that the laws had not provided for. Nor should the people get the idea that all those who were of the gang of criminals were Sydney men. There were villains of the deepest dye from our own land. He considered the occasion as demanding the interference of the citizens—that they should as he pledged himself, sacrifice their lives and property if necessary in carrying out the measures that had been begun for the punishment and extirpation of offenders. In conclusion, he suggested that no Secretaries had been appointed for the meeting, and that the organization should be completed. Whereupon Messrs. Richmond and Lambert were on motion appointed Secretaries.

The Chair then requested these gentlemen to step forward and take their seats, which, as the crowd was so dense, that a knife blade could not have been squeezed through, and moreover there being no seats to take, the Secretaries were unable to do.

After this no one seeming disposed to volunteer any information to the multitude, calls were made upon a number of gentlemen to address the meeting, "Brannan" was frequently called for, but was not apparently upon the ground. W. T. Coleman and Gen. Green were successively called for, but did not appear.

A motion was then made by some one in the crowd, that the meeting there assembled sanction the proceedings of their fellow citizens the previous night in executing the man Jenkins.

The motion being put by the chair, was decided in the affirmative by a tremendous shout of "ayes," but one or two "noes" being heard. The crowd hissed the few "noes" most cordially. Nothing more occurred for several minutes; nobody seemed disposed to speak, and the multitude quietly stood their ground, waiting until some one was disposed. Finally a motion was made to adjourn, which was decided almost unanimously in the negative.

The chair then remarked that they had evidently come there for something, and meant to do something. At this moment Mr. H. K. W. Clark took the stand and immediate silence prevailed throughout the multitude. Mr. Clark stated that he it was who had answered the solitary "no" to the resolution approving the proceedings the previous night, (here there was a general stir and some few hisses,) and he would tell them why he had said "no" to a resolution sanctioning and endorsing a cold blooded murder. As soon as he had uttered this, such a storm of hisses burst from the crowd, that one would have supposed ten thousand rattlesnakes had been trodden upon. Loud and long was the uproar. Fierce cries and threats issued from the excited multitude. In vain the chairman cried order, in vain the speaker waved his hat in token that he had more to say, and would like to say it. Some were for hearing him out; but their voices were drowned in the tempest of cries of "down with him—drag him out—hang him—to the Liberty pole with him," intermingled with the same furious hissings. During all this ungovernable excitement Mr. Clark stood on the porch, gently waving his hat to the crowd and smiling benignantly upon them, and waiting for them to get quiet. But as well wait for Niagara to stop roaring. His perfect imperturbability and coolness only enraged them the more, and their demonstrations soon changed from cries to actions. Those nearest rushed upon him and dragged him down the steps, while the whole crowd pressed in, condensing the multitude into a solid mass of humanity. After a most exciting scene which looked at one time as if it would result in serious consequences to Mr. Clark, he was forced on one side, and the chair succeeded in restoring something like order. He then introduced Judge Chambers, but that gentleman did not address the meeting.

Finding that the meeting was getting on slowly, and that no plan seemed agreed upon, the chairman remarked that the meeting appeared to have assembled without any officers or plan of operations arranged, and that as the committee who had tried Jenkins were to meet again at night to devise some plan of action, he suggested the propriety of those present adjourning until they could hear the action of the committee. This suggestion was approved of, and then on motion the meeting adjourned to meet again to-day at 4 o'clock, in the same place for further action. Before breaking up, the crowd gave three cheers for the chairman, and three for the proceedings of the night before.

Immediately afterwards, a large number of those present collected around Mr. Clark, and assailed him with violent language and hustled him about over the [illegible] first to one point, then to another. He was roughly handled, his coat torn and [illegible] [illegible] out the whole [illegible] consistency, and [illegible] [illegible] would a variety of such suggestions, [illegible] "brand him," etc., etc.

June 12

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THE HERALD.

Friday Morning, June 13, 1851.

REMOVAL.—The Publication Office of the San Francisco Herald has been removed to Clay Street, three doors below Montgomery, North side.

The Committee of Safety.

We publish elsewhere the Constitution and By-Laws of the Committee of Public Safety, —and if any guaranty were requisite of the justice and fairness of the proceedings of Tuesday night, it is furnished in this array of names the most respectable and influential in the city. That the Committee did not sit with closed doors for any sinister purpose, will likewise be evident from this voluntary publication.

That the Committee will persevere in the work they have commenced—coolly, cautiously and humanely, we have not the slightest doubt. They have assumed a very grave responsibility, and the work they have marked out for themselves is no holiday task. They have ever to expect obloquy from some quarters, but this they need not regard. They will meet the support and countenance of the large body of the citizens—not in violating the law, for this is not their purpose, and it is idle and senseless jargon to say so—but in apprehending and securing criminals, and in taking care that the laws are faithfully and efficiently administered.

The most humane and the most efficacious remedy the Committee can apply to the evil they desire to abate, would be to warn the thieves and criminals of every description to leave the country within a certain number of days, and to take measures to prevent their return. This step, which is better than a dozen executions, we hope to see taken without delay. The notorious culprits infesting the city are well known and can easily be singled out. We would urge that those now in the hands of the law be permitted to remain so, until brought to trial. If any unnecessary delay occur in their arraignment, it will be time enough to act. The Committee can exercise due watchfulness over the Courts from this time forward.

There have been two meetings held on the Plaza since the execution of Jenkins—both, so far as we are aware, without aim or object—and both without result. No converts have been made to either side of the question. The execution has been very much condemned by a few—but really the conduct of those present on the occasion was cool, calm, orderly and dignified, compared with that exhibited by several of those who denounced them at yesterday's meeting. In relation to the proceedings at the latter meeting—proceedings which were highly discreditable, we have received the following note:

Editor Herald:

Sir—The object of this day's meeting having been frustrated by an illegal and unconstitutional interference, every upholder of justice should have the opportunity afforded him of enrolling his name, and of guaranteeing his countenance to those who dare to punish iniquity. And as the right of speech may, as on this evening, be denied to-morrow evening, a guard of citizens should take the ground around the platform to ensure safety, and prevent outrage and violence to those gentlemen who are called on to address the people. The inefficient do not like to hear reflections on their inefficiency, but violence will not prevent it.

A LOOKER-ON

Thursday, July 12.

We can imagine no possible benefit that can arise from holding a meeting this evening. We can see no necessity for it; and to call the people together without a special and useful purpose, is mere trifling with a grave and important crisis. The proposition made yesterday in favor of a total revolution and the substitution of a provisional government, was of course made in jest; but such jokes, though calculated to amuse, are wholly unserviceable in the cause we all have at heart. Above all let us discountenance brawling among citizens, an evil which these aimless gatherings tend much to engender.

Committee of Public Safety—Constitution.

Whereas, it has become apparent to the citizens of San Francisco that there is no security for life and property, either under the regulations of society as it at present exists, or under the laws as now administered; therefore, the citizens, whose names are hereunto attached, do unite themselves into an association for the maintenance of the peace and good order of society, and the preservation of the lives and property of the citizens of San Francisco, and do bind ourselves, each unto the other, to do and perform every lawful act for the maintenance of law and order, and to sustain the laws when faithfully and properly administered; but we are determined that no thief, burglar, incendiary or assassin, shall escape punishment, either by the quibbles of the law, the insecurity of prisons, the carelessness or corruption of the police, or a laxity of those who pretend to administer justice. And to secure the objects of this association we do hereby agree:

1. That the name and style of the association shall be the Committee of Vigilance, for the protection of the lives and property of the citizens and residents of the city of San Francisco.

2. That there shall be a room selected for the meeting and deliberation of the Committee, at which there shall be some one or more members of the committee appointed for that purpose in constant attendance, at all hours of the day and night, to receive the report of any member of the association, or of any other person or persons whatsoever, of any act of violence done to the person or property of any citizen of San Francisco; and if in the judgment of the member or members of the committee present, it be such an act as justifies the interference of this committee, either in aiding in the execution of the laws, or the prompt and summary punishment of the offender, the committee shall be at once assembled for the purpose of taking such action as a majority of the committee when assembled shall determine upon.

3. That it shall be the duty of any member or members of the committee on duty at the committee room, whenever a general assemblage of the committee is deemed necessary, to cause a call to be made by two strokes upon a bell, which shall be repeated with a pause of one minute between each alarm. The alarm to be struck until ordered stopped.

4. That when the committee have assembled for action the decision of a majority present shall be binding upon the whole committee, and that those members of the committee whose names are hereunto attached, do pledge their honor, and hereby bind themselves to defend and sustain each other in carrying out the determined action of this committee at the hazard of their lives and their fortunes.

5. That there shall be chosen monthly a president, secretary, and treasurer, and it shall be the duty of the secretary to detail the members required to be in daily attendance at the committee room. A sergeant-at-arms shall be appointed, whose duty it shall be to notify such members of their detail for duty. The sergeant-at-arms shall reside at and be in constant attendance at the committee room. There shall be a standing committee of finance and qualification consisting of five each, and no person shall be admitted a member of this association unless he be a respectable citizen, and approved of by the committee on qualication before admission.

The Poisoning Cases.—We were invited into the office of Dr. M. F. Burns night before last to examine the poison that had been taken by Mrs. Douglass, either by accident or design, a few moments before. She had been drinking what she supposed was water, and shortly afterwards was violently seized with all the usual symptoms of poisoning. Dr. Burns was called in and promptly administered an antidote by which her life was saved. We examined the tumbler out of which Mrs. Douglass had been drinking. It was half full of water, and at the bottom was a sediment of white arsenic sufficient to have killed three or four persons. The water had that peculiar, sweet taste, by which the presence of arsenic is always known. No explanation could be given how the lady had come to take it. At the same time we were shown the results of Dr. Burns's analysis of the contents of Brewer's stomach. A large quantity of arsenic and morphine was distinctly visible. The coating of the unfortunate man's stomach exhibited unmistakable evidence of the action of some corrosive substance.

The Robbery at Campo Seco.—Reynolds & Co. furnish the Stockton *Journal* with the following description of the robbers who made the attempt on the store at Campo Seco:

One, called Jim, drove a mule team last year, wore a blue or green cloth shirt with pockets. He is about five feet two, and has red hair, and short red beard. Fresh wound on the left side of upper lip, and a scar on the left side of his neck under the chin. He was suspected, last fall, of horse stealing in Stockton.

Another, called Johnson, wore a black sack coat, was tall and slim, about twenty-two years old, sandy complexion, and pock-marked.

Another, a boy about twenty years of age, long hair, and wore a short-waisted frock-coat.

The fourth was a stout man, dark complexion, long hair, with bulge nose, coal black eyes, black mustaches, good-looking and dresses well.

The fifth was a Spaniard, about twenty years of age, heavy set, fair skin, black mustaches, and had on a Panama hat with narrow brim.

The citizens of Stockton held a meeting on Monday night, for the purpose of organizing a volunteer police. The plan was not fully perfected, but another meeting was to be held for the purpose.

The Committee of Vigilance.

Whereas, the citizens of San Francisco convinced that there exists with there limits a band of robbers and incendiaries, who have several times burned and attempted to burn their city, who nightly attack their persons and break into their buildings, destroy their quiet, jeopardise their lives and property, and generally disturb the natural order of society; And whereas many of those taken by the police have succeeded in escaping from their prisons by carelessness, by connivance, or from want of proper means or force to secure their safe confinement, therefore be it

Resolved, That the citizens of this place be made aware that the *Committee of Vigilance* will be ever ready to receive information as to the whereabouts of any disorderly or suspicious person or persons, as well as the persons themselves when suspected of crime.

That as it is the conviction of a large portion of our citizens that there exists in this city a nucleus of convicts and disorderly persons around which cluster those who have so seriously disturbed the peace and affected the best interests of our city, such as are known to the police of the city or to members of the Committee of Vigilance as felons by conduct or association, be notified to leave this port within five days from this date; and at the expiration of which time they shall be compelled to depart, if they have not done so voluntarily within the time specified.

Resolved, That a Safety Committee of thirty persons be appointed whose sacred duty it shall be to visit every vessel arriving with notorious or suspicious characters on board, and unless they can present to said committee evidences of good character and honesty, they shall be re-shipped to the places from whence they came, and not be permitted to pollute our soil.

Resolved, That all good citizens be invited to join and assist the Committee of Vigilance in carrying out the above measures so necessary for the perfect restoration of the peace, safety and good order of our community.

S E Woodworth,	S Brannan,
E Gorham,	Fred. A Woodworth,
George J Oakes,	Frank B Mahoney,
Francis E Webster,	Francis E Webster,
R D W Davis,	James C Ward.
Wm N Thompson,	Wm N Thompson,
Wm H Jones.	B B Watson,
Clinton Winton,	Edward A King,
George Mellus,	James B Hule,
Wm A Howard,	J D Stevenson,
B Frank Hillard,	Henry Drechchfeldt,
Charles R Bond,	S W Haight,
James Ryan,	B B Arrowsmith,
George H Howard,	Wm Browne,
S E Teschemacher,	Caleb Hyatt,
Robert Wells,	C H Brinley,
Samuel R Curwen,	H D Evans,
J W Salmon,	James F Curtis,
John T Bryant,	Benj Reynolds
L Hutsemann,	E Kirtus,
A W Macpherson,	A G Randall,
Thos N Deblois,	John S Eagan,
J C L Wardeworth,	N T Thompson,
Stephen Payran,	William Hart,
N Reynolds Davis,	C Spring.
George M Garwood.	Gabriel Winter,
A Wheelwright,	R S Lanot,
James Shinaler,	C J Fourgeaud,
Jesse Southam,	J W Rickman,
A Jackson McDuffie,	T H Robinson,
W S Bromley,	P D Headly,
Geo R Ward,	A Ottenheimer,
S B Marshall,	C L Wilson,
B H Davis,	H Hazeltine,
W H Taber,	P Frothingham,
W Iken,	Isaac Bluxome, Jr.
G E Schenck,	Geo D Lambert,
Lothrop L Bullock,	Geo Austinworn,
John F Hoff,	John W Rider,
E Botcher.	Jos T Hanan,
Theodore Kuhlman,	Samuel Marx,
J Seligman,	Joseph E Dale,
Daniel J Thomas, Jr.	H F Von Lenyerk,
Julius D Shults,	J E Farwell,
J E Derby,	J P Stevens,
Jacob P Leese,	T J West.
Thos McCahill,	Edgar Wakeman,
Wm T Coleman,	Wm Peake,
A Markwell,	J S Clark,
Jonas Minturn,	Samuel A Sloane,
C H Clark,	Lloyd Minturn.
W B Lucas,	Herman R Haste,
F O Wakeman.	Henry M Nagive,
H F Teschemacher,	Wm Ford.
J Thompson Hule,	Wm J Sherwood,
John W Jackson,	Otis P Sawyer,
W L Hobson,	A L Tubbs,
Wm Meyer.	E W Travers,
Jas R Curtis.	W N Hostin,
W H Tillinghast,	A H Hill,
John G McKaraker,	Wm Langerman,
Wm H Graham,	Eugene Hart,
J P Hutson,	B M Babcock,
John Raynes,	T K Battelle,
J H Fisher.	J C Treadwell,
Horace Morrison,	Hartford Joy.
John H Watson,	Augustus Belknap,
Joshua Hilton.	Wm Burling.
F L Dana.	Jno F Osgood.
J Quincy Coale,	Horatio S Gates,
James Pratt,	Thos N Casneau,
O P Sutton,	E Kemp,
George W Douglass,	Jer. Spaulding,
William G Badger,	Wm C Graham,
A J Ellis.	J Mead Haxley,
Chas H Vail,	John M Coughlin,
S J Stabler,	Charles Minturn,
Samuel Moss Jr.	Geo Clifford,
Howard Cunningham,	C O Brewster,
Chas Soule, Jr,	Chas L Case,
Chas L Wood,	Robert H Belden,
Chas Moore,	Wm Tell,
N Smith,	Jas R Duff,
Jas Dow.	John O Earle,
F M Earle,	F W Crowell,
Randolph M Cooley,	J L Van Bokkelen
A H Gildemeester,	Chas H Hill,
George N Blake,	Samuel S Philipps,
J Neal Jr.	Dewitt Brown.
Chas Del Vecchio,	P A Atkinson,
Edward F Baker,	Joseph Post,
Chas Miller,	F Argenti,

James King of William.

The above, a portion of the Committee of Vigilance lately established in this city for the preservation of order, punishment of vice, and for the purpose of meteing out that justice so long withheld from criminals, unwilling that the names of a few of their associates should be selected by the Coroner's Jury as the principal actors in the trial and execution of Jenkins, inform the public, that they, with all the members of the Committee are equally responsible for the first act of justice that has been dealt to a criminal in San Francisco, since California became a State of our Union.

Our fellow citizens remembering the escape of Withers, Daniels and Adams; of Stuart, Windred and Watkins, and the tardy manner in which the incendiary Lewis is being brought to justice; will see the necessity of the stringent measures we have adopted.

This publication also informs those friendly to the cause that the Committee of Vigilance have nothing secret in their proceedings, but such matters as would tend to defeat the object for which we are associated, were they made public.

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Bancroft Library

Recorder's Court.—Before Judge Waller.

The proprietors of the following houses were fined $50 each, for violation of city ordinance relative to keeping houses open after twelve o'clock: Fashion Saloon; House of Manuel Lacau, on Stockton street; and German Saloon. The following cases, for same offence, were discharged: Zinc House, and Green Devil. The case of Mrs. Whitney's Saloon was continued.

Drunk and Disorderly.—John Regan was fined $5, and Benj. Hurd and R. Colly $10 each.

Discharged.—J. Parker and D. Migane, fighting; Francis Rophiner, fast riding; P. H. Hughes, discharging firearms; Manuel Chanze and Benite Landa, horse-stealing.

Continued.—Edward Waller, for stealing; and case of Atkins, for fast riding.

The Supper to Mr. McManus.—The entertainment at the Rassette House, last evening, in honor of Mr. McManus, was a very brilliant affair. Owing to the crowded state of our columns we are unable to publish an account of it. The toasts and the speeches, many of which were excellent, were loudly applauded. Among the orators of the evening were Isaac E. Holmes, Esq., of South Carolina, and P. W. Tompkins, Esq., of Mississippi. Mayor Brenham presided, and the whole affair did much credit to the gentlemany Committee of Arrangements.

Courier

The keel of a new steamboat has been laid at Marysville.

A lump of gold worth $3,300 has been found at Shasta diggings.

Communicated.

To the Editor of the California Courier.

Gentlemen: I notice in the "Alta California" of this morning, in the report of the evidence of David C. Broderick before the Coroner's Inquest on the body of John Jenkins, who was hung by the people on the 11th instant at half past 2 a. m., the following statement: "*I saw several persons at the Union, who appeared to be very anxious to have it known that they had participated in the affair; among these was Samuel Brannan, also Wm. H. Jones.*" In relation to the evidence referring to me, that part of his testimony I positively deny, and at any time, when called upon, will refute, by the evidence of many respectable citizens who stood by my side during the whole time I was there, which was but a few moments.

S. BRANNAN.

San Francisco, June 12.

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June 13

Master's Office

The Recent E

To the Editor:

History presents no parallel to
for its multiplied and calamitous visi
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the city in favor of Dr. Pe
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amounted in all to $62,916, as most lots that
were water lots.

H. H. Bancroft
Bancroft

The Meeting in the Plaza.

REVOLUTION ADVOCATED.

The meeting of Wednesday evening having adjourne until yesterday afternoon, at 4 o'clock, to hear any pla of action that the Committee might have matured, we r paired at the appointed time to the spot, but none w upon the ground. Towards 5 o'clock, several hundre had assembled, when the same individual who called t meeting of the day before to order, mounted a rist ground and proposed a number of persons in successic as Chairman of the meeting. They were each in tu elected—among them we recollect Mr. Hutton and M Yale, but none of them came forward. Finally Mr. H ram Webb was proposed and approved of. That gent man came forward and took his stand on the porch the Adobe, whence he proceeded to address those befo him. He thanked them for the honor that had beco conferred on him: he was always ready to obey the call the people. He considered the times required such meeting of the people to take the laws into their ow hands. He had been a member of the last Grand Jury, and thirteen indictments had been found by them—a of which fell to the ground because it was decided tha they were not legally empannelled. The next Gran Jury will not sit until July, and what should be don with offenders in the mean time? Loud cries from th crowd of "hang them—hang them." Two years ago th Sydney rascal dared commit their depredations—life an property were secure. A band of Hounds then existe in our city, who were the terror of all good citizens. Volunteer Police was organized by the citizens—a peo ple's Sheriff was appointed, and the Hounds were arreste ed and sent out of the country. He considered that th exigencies of the occasion demanded such a body as th Committee of Safety. He believed that it was compos ed of good citizens, who would not injure an innocen man. As long as the laws are inefficient, the people should resolve themselves into a Committee of the Whol —to watch for offenders—arrest and take them to th Plaza, and there in open day, under the bright sun, an in the presence of the whole people try, and if guilty put it to them, up to the hub. A voice—"I suppose yo mean around their necks." Yes, put them to death. Thus far, not one of the robbers had been hung, and they should go on with the good work, and show th Courts what the people could do.

In conclusion, he stated that it was a public meeting and as Americans, he trusted that those present woul respect their inheritance, the liberty of speech—hea every man, though he might differ with them, if h spoke in courteous and respectful terms. Every ma had a right to express his honest convictions, and God forbid that Americans should ever attempt to gag a ma for the expression in respectful language of his sincer convictions. He suggested that the organization of th meeting be completed by the selection of Vice Presidents and Secretaries. Whereupon, Dr. Blankman and Mr. Morris were appointed Vice Presidents and Messrs. Dunbar and Godeffroy, Secretaries.

Dr. Blankman, being called upon, stated that he re gretted the necessity for such proceedings as had lately taken place. No man was more disposed to stand by the laws, when the laws were effectual, than he; but h was in favor of punishing criminals, and if the law fail then there was but one recourse, and that was that th people should make the laws effectual by arresting of fenders and promptly executing them. If the police were not able to guard and keep the prisoners on ac count of unfit places of confinement, all the citizens should organize themselves into a police. Was it unjust for the creators of laws to revoke and annul those laws? They were the people—the sovereigns, and as such they had a right to make laws under the exigencies of the occasion. (Loud cheers.) But he urged the citizens not to act hastily, not to do anything which they would in after years regret, and which would for ever cast a stigma upon the city, but act calmly, cautiously and prudently; be vigilant, but be wise. In conclusion, he appealed for a patient hearing for all who, differing hon estly in opinion, might feel disposed to address them. Freedom of speech was one of the most glorious prerogatives of a free born American—their birth right—which should never be curtailed.

During these two speeches the crowd had been gradually swelling. As the passers by noticed it they joined in to see what was going on, until at the closing scene an immense number of people were upon the ground perhaps the largest number ever assembled together on any other occasion in this city. But it must not be inferred that all took part in the proceedings of the meeting. It would be safe to say, that not one-tenth of those present participated in any in the proceedings. They were merely spectators who kept aloof from the active portion of the crowd, and never responded when questions were put to the meeting. Great numbers were seated or standing a little distance off on every kind of elevation, lining the side of Washington street for a long way down from the adobe. They seemed to watch the proceedings with much curiosity.

THE RESOLUTIONS.

As well as we could hear his name, a Mr. Hoag came forward and said he had a series of resolutions to offer for the adoption of the meeting. The resolutions were read by the chairman with great unction. We could not get a copy of them as they were ultimately carried off or destroyed. Their substance only from recollection and a few notes taken at the time can be given. They were preceded by a long preamble declaring that the people had a right to change their laws whenever they were nugatory and insufficient; that under them crime had flourished and criminals stalked unpunished through our midst, therefore the people should resolve themselves into their original elements, return to a state of nature and commence again, and to make that commencement, a series of resolutions followed, declaring that the people in primary assembly enacted that the crimes of grand larceny, burglary, street robbery, drugging, arson, as well as murder should be punished with death. Further that an election should be held at which the citizens by ballot should signify their approval or disapproval of this resolution, or such portion of it as they thought proper. Another resolution provided for the appointment of a committee of seven whose duty it should be to fix the time and place and appoint the officers of the election in each ward and decide upon the form of the ballot.

A third resolution provided that there should be elected at the same time a People's Judge and Sheriff, unless any Judge or Sheriff under the present system of laws would acknowledge the supremacy of the new system—the People's Laws. That this court should only have jurisdiction over criminal cases and that every man pledged "his life, his property and his sacred honor" to support the new laws and the new court in opposition to the judgments under the present system of jurisprudence.

A number of other resolutions followed wherein it was provided that no person should be denied a fair and impartial trial; in case of any doubt, the prisoner shall have the benefit of it; that the new order of things should continue until five days after the next meeting of the Legislature; that the meeting approve the action of the committee in hanging Jenkins and that the new code and courts should be sustained by voluntary contributions.

THE OPPOSITION.

Mr. Broderick came forward in opposition to the resolutions which he condemned *in toto*. He made a speech of about twenty minutes duration continually interrupted with hisses, cheers, remarks, pushing, catcalls, interjectional exclamations, and various kinds of disturbance. His friends in the meeting encouraged him to proceed and he succeeded in making himself heard for many minutes without interruption. After he had concluded he remained standing on the steps beside the chairman.

It was then proposed that the resolutions should be read singly. The first resolution was read and being put was responded to by loud "ayes," those to the contrary answered a prolonged "No," and there were many of them, but it was evident that the ayes had it and the chair so decided it, but Mr. Broderick with great earnestness expostulated with the chairman on his decision and swore the noes had it, and called for a division. The chairman then said he would put the question again. "It's of no use," cried Mr. Broderick, "we'll just vote it down again."

Here there was much confusion—a rush was made upon Mr. Broderick to drag him down the steps into the crowd, but he struggled fiercely and drove back his assailants. While this was going on many of his friends were fairly leaping through the crowd to get up to his assistance. In a moment they surrounded him and took possession of the steps. Order was then obtained and the resolution was about to be put again, when a gentleman named Bush mounted the stand and by his earnest manner soon gained a hearing. He called

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Bancroft Library

earnest tones upon all who loved their common country, who venerated the Constitution of that country not to see it trampled upon. Would they overthrow by violence their laws and constitution? Cries from a number of "Yes—yes—we're the people—the people are supreme," and many other like remarks. Such a course, he continued, would sap the very foundations of law and order and strike a blow from which we could never recover When he had concluded, the question was put whether the preamble should be read. The chair decided that the ayes had it, and the preamble was again read. The question was on the adoption of the preamble as the sense of the meeting. The chair asked for the ayes, and there was a loud response; then for the noes, they were many but evidently not equal to the ayes; the chair decided accordingly.

Mr. Broderick again remonstrated against such a decision, insisting that any man could see the noes had it. He called for another vote. Here there was great uproar; the active portion of the crowd pressing up to the porch. In a moment a rush was made upon Mr. Broderick and he was jerked and hauled up and down the stairs. His friends and himself however struggled furiously, and they cleared the porch of all but themselves. Mr. Broderick then put the question of adjournment. The ayes perhaps had it—at any rate he so decided, and declared the meeting adjourned. Then rushing down from the steps, his friends rushed through through the crowd with loud shouts, waving their hats.

The chairman regained his stand amid tremendous confusion and uproar, during which and the fight on the steps Mr. Chas. Elleard commanded the peace as an officer of the law, and ordered the crowd to disperse. Capt. Ray of the police also commanded the peace and in the name of the law ordered the meeting to dispersd.

The chairman proposed to adjourn. Mr. Van Dyke opposed it until the police had left. Mr. Stoutenburgh took the same ground, contending that he had a right to speak. Col. Hule spoke a few moments, insisting on the right of every American to express himself freely, and denying the power of the police to prevent them. He finally suggested that every man had made up his mind on the subject, and they might as well go home and enrol themselves as soldiers in the good cause. He saw no use of remaining longer. The question on the adjournment being put, was decided in the affirmative, and the meeting after standing upon the ground about two hours and a half dispersed. At the time of adjournment the number of persons on the ground must have been seven or eight thousand, but those participating in the proceedings constituted but a small fraction of their number.

Hon. David C. Broderick.

EDITOR HERALD—I notice in the *Alta California* of this morning, in the evidence of David C. Broderick, before the Coroner's inquest on the body of John Jenkins, who was hung by the people on the 11th instant, at half-past 2, a. m., the following statement:

"I saw several persons at the Union who appeared to be very anxious to have it known that they had participated in the affair, among them was Saml. Brannan, also Wm. H. Jones."

In relation to the evidence referring to me, that part of his testimony I positively deny; and at any time when called upon will refute it by the evidence of many respectable citizens, who stood by my side during the whole time I was there, which was but a few moments.

SAMUEL BRANNAN.

Herald 6/13

CORONER'S INQUEST

On the body of a man called John Jenkins.

CONTINUED.

THURSDAY MORNING, 11 O'CLOCK, A. M.

The Jury re-assembled in the Coroner's office pursuant to adjournment.

J. R. Maloney, sworn.—Saw a man hanging on the Plaza; never saw him before. Saw many people that he knew in the crowd. Saw Jenkins on his way to the Plaza; don't know that he was arrested by or in charge of any persons; don't know about his being tried. Saw many engaged in the hanging but could not name any of them; was within six or seven feet of him; saw the rope thrown around his neck by some one unknown. Thinks there were fifteen hundred or two thousand people on the ground; a majority seemed to approve of the proceedings. Knows of his own knowledge that there is a Committee who have taken the affairs of the city in their hands; understood that their object was to carry out justice where laws were deficient, protect themselves where the law did not do it, and regulate the community; is not himself a member of that committee. Don't recollect seeing Capt. Wakeman on the ground; heard he had thrown the noose around the man's neck. Saw Mr. Ward and James Wadsworth in the crowd.

Hall McAllister, sworn.—Saw the man hung. About 12 o'clock walked to Rassette Hotel; saw a large crowd opposite; attempted to get inside the house; saw others going in and giving the countersign; didn't hear what it was; every man whispered to the door-keeper the pass-word; saw a number moving about among whom were Mr. Samuel Brannan, Benjamin Reynolds and Wm. H. Jones. Saw a party come out of the house surrounding the prisoner; a great crowd followed. Went forward to the Plaza about 2 o'clock. Some one tried to fix a pulley on the liberty pole; it was objected to. One voice cried hang him on the Adobe; another cried they are going to commit murder. Saw the rope fixed on the Adobe; saw the man hoisted up. Was disgusted and turned off exclaiming that it was "a damned outrage." Returned and saw many persons holding the rope tight; the prisoner was in his last struggles. Recognized among those having hold of the rope, James C. Ward, and Cornelius Stagg; thinks he saw Mr. Stephen Teschemacher and Fred'k Woodworth; can't swear they had hold of the rope, thinks they had. Saw Mr. T. Battelle have hold of the rope; also a young man named Hearne; saw Mr. Eagan there, he had not hold of the rope at the time. There was much excitement at the time. Heard Mr. Reynolds cry out "Napoleon, Napoleon, come here," and the guard at once marched up to the beam. The man was hung about three minutes afterwards. Does not think there were more than one thousand on the ground. Before the man came there was a division of opinion on the subject of hanging. The prevailing opinion seemed to be against the prisoner, but many were in favor of waiting until morning. A lantern was brought out on the Adobe and the light thrown upon the hanging man; loud cries were made to take it away and it was extinguished. The crowd was generally composed of citizens. Did not participate or sympathise with the party that were hanging.

Samuel Brannan, sworn.—Was present when the man was hung on the Plaza; saw him at the time he was hung; understood the cause of his arrest was the stealing a safe; was not near enough to see the parties who had hold of the rope; doubted whether it was round the man's neck or under his arms; first saw him at the corner of Bush and Sansome streets; two men had him by the arms; heard they had arrested him; the men left him in the house; was not then hand-cuffed or pinioned. The witness here declined answering some questions on the ground that the answers would implicate himself. The man had a trial; a fair trial; sixty or eighty persons tried him; believes the verdict of "guilty" unanimous; the judgment was that he should be hung; the jury empanelled themselves; it was composed of the Committee of Safety; they were all citizens of the town; does'nt know whether they have any by-laws. Their declared object was to consider themselves always on duty to preserve the lives and property of the citizens; render all assistance in arresting offenders and see speedy justice done them; concluded that the man was hung from the evidence before the committee; was sure it was the man that was tried; understood that there was a record of the testimony in the trial kept; six or eight witnesses confronted the prisoner; heard a gentleman ask him if he had any witnesses in his favor; he replied one; that one denied knowing him; no counsel was assigned him; heard no motion for a new trial; did not make such motion himself; suggested that a committee should be sent for the man's witness, this was done; does not know that the witnesses were under oath. A citizen is admitted to the society on the recommendation of a member vouching for his good character; knows of no oath of secrecy. The object of the association is to assist the law and administer justice; to make up the deficiencies of the law; does not think the man would have been hung had he not been tried and found guilty by the committee; does not know whether the man's witness was admitted into the room; objects to giving the names of the committee, because he thinks it would endanger their lives in consequence of threats made against them; has heard threats made against the lives and property of the members for their participation in the hanging; threats had come to the witness from a prisoner in the county prison that he should not live ninety days. Knows of nothing done by the Vigilant Committee that they would conceal from the officers of the law under proper circumstances. The avowed object is to protect the lives and property of the citizens, to prevent the city from being burnt and punish criminals. Watkins told the officer of the prison that it was the conclusion in the prison that he, the witness, should be killed. The Sheriff had informed the witness of the fact. Believes it was through the instrumentality of the committee that the man was hung.

Eben Niles, sworn.—Saw a man hung; saw no person holding or pulling the rope; was with Mr. Broderick on the ground; witness disapproved of the manner in which the man was tried; a secret trial; believed he deserved to be hung from what he had heard; objects to the Secret Tribunal; thinks the trial should have been in open day before the people, and then if found guilty, witness would himself have helped to hang him.

Herald 6/14

CORONER'S INQUEST

On the body of a man called John Jenkins.

CONCLUDED.

The jury met on Thursday evening at 7 o'clock, pursuant to adjournment. The following testimony was taken:

John S. Eagan, sworn.—Question by the foreman: "Do you know of any person who took part either in the trial, or conviction, or execution, so called, of a man named Jenkins; and if so, do you know, or believe, that they acted in concert, or as a member of a committee or association of citizens of San Francisco?" Answer: "I do not know of any person directly concerned; I am a member of the association; James Ward, Capt. Wakeman, and Wm H. Jones, are members of the committee; Mr. Reynolds, and I believe Mr. Teschmacher, and Mr. Derby are also members.

Cornelius Stagg, sworn.—Resides on Kearny street. Does not know of any person connected with the trial and execution of a man named Jenkins, nor who acted in concert with the citizens. [This was in answer to the same question which was put to Mr. Eagan.] Was present when the man was hung; believes he had a trial; has no knowledge of a committee; believes the man was hung by the populace; did not see any person place the rope over the beam; saw a man throw the rope over his neck; cannot say who did it.

The jury then adjourned to meet on Friday morning at 11 o'clock, when

James C. Ward was sworn.—Believes that those names which were published in the papers this morning as members of the Vigilance Committee, were the persons who took a part in the proceedings of Tuesday night. Has no hesitation in saying that he was present at the trial of the man. He had a full and fair trial. Witness desired to be understood that those names which were published were those of only a small portion of the members

Fred. A. Woodworth, sworn.—The persons named in the papers of this morning, are those of a *portion* of the Vigilance Committee. Believes that the man came to his death through the action of the committee. Was present at the trial; the man had a full and fair trial; as fair as ever he saw. The man was tried, condemned and executed for burglary. Was present during the whole proceeding.

The testimony here was closed. Mr. Gallagher, in a neat speech, left the matter in the hands of the jury.

At 1½ o'clock the Jury brought in the following verdict:

We, the Jurors of a Jury of Inquest empanelled by the Coroner of the county of San Francisco, to inquire into the cause of the death of one John Jenkins, came to his death on the morning of the eleventh of June, between the hours of two and three o'clock, by violent means, by strangulation; caused by being suspended by the neck by a rope attached to the south end of the adobe building on the Plaza, at the hands of, and in pursuance of a preconcerted action on the part of an association of citizens, styling themselves a Committee of Vigilance, of whom the following members are implicated by direct testimony, to wit: Capt. Edgar Wakeman, W. H. Jones, James C. Ward, Edward A. King, T. K. Battelle, Benj Reynolds, J. S. Eagan, J. C Derby, and Samuel Brannan; and the following members by their voluntary avowal of participation in the act:—[Here follows the list of members of the committee published yesterday.]

An unanimous verdict.

T. M LEAVENWORTH, Foreman.

THE VERDICT OF THE CORONER'S JURY.—The jury empanelled on the body of the man Jenkins, hanged on the Plaza on Wednesday morning, have brought in a verdict declaring that six gentlemen singled out from the committee are "implicated by direct testimony," and the remainder of the committee "by their voluntary avowal of participation in the act." We can imagine no reason for making a distinction like this, which must be regarded as invidious. The testimony voluntary and otherwise has implicated the entire committee—each is quite as responsible as the other, for every act connected with the trial and execution. All have avowed their participation freely and unreservedly, over their signatures in the public journals. It is a matter of notoriety that all are equally concerned, and why six gentlemen should be separated from the crowd, and made to bear an unequal burden, we cannot understand. We think the jury have committed a mistake in their verdict. We cannot see the difference of the legal culpability of a man who is testified against by another and that of one who testifies against himself. If the jury had a right to regard this voluntary avowal of the committee at all, surely there is no difference between the case of the six gentlemen whom they have specially named, and that of those who they say are implicated by voluntary avowal.

We hope this thing will be permitted to drop here. Any attempt to arraign those gentlemen for the commission of a crime, would be worse than farcical. The law officers had better not bring themselves and their office into thorough contempt by any such ridiculous movement. At the same time, if they do exhibit any such folly, we trust the members of the committee will "fool them to the top of their bent" by permitting them to go as far as they can go, and taking things in good humor.

Herald 6/14

Cal Courier June 14

Coroner's Inquest and Verdict.

We have forborne to publish any of the testimony taken before the Coroner's jury upon the body of the late John Jenkins, alias Simpton. We did so because we did not like to see the names of parties mixed up with this affair without the proper explanation. The act of the people in executing the late notorious culprit Jenkins, was an act of dire necessity, and was therefore justifiable. No man need be afraid to let his children know the part he took in that transaction. Thieves, burglars, incendiaries and murderers, are pursuing us day and night, and as our courts have been thus far incapable of restraining them, the people are compelled to do it themselves. We have put up with the law's delay and the daring atrocities of the criminals who infest our city just as long as we dare to. If we had permitted, or shall hereafter permit, these glaring villains to go unpunished, we deserve to receive the severest injuries and the indignation of all upright and public spirited men.

The verdict of the Grand Jury which we publish below is not only an act of gross indiscretion and folly—but it will have the effect, if it is carried out by the officers of the law, of producing results in this city which every good citizen would deeply deprecate. Who would permit the men charged by the inquest to be arrested and put on trial for their lives, while notorious burglars, cut-throats and incendiaries go undiscovered and unavenged among us! All laws are based upon the law of nature and when they are incapable either from positive imperfection or from an inefficient administration of them to protect our lives and property from the assassin and robber, the people, from whom all power is derived, have the indefeasible right to fall back upon the first principles of government, and do all that may be necessary and proper to protect their lives and property. This right was asserted by our ancestors, and it is a doctrine peculiar to republicans. The people have done the deed complained of and are ready to shoulder the consequences.—The verdict of the jury is as follows:

Cal Courier June 14

The People's Vigilance Committee.

We have received the following resolutions from the People's Vigilance Committee for publication. It will be seen that they do not intend to let seven of their associates be singled out for punishment without sharing with them all the responsibilsties. They have done right. Bold men are seldom wrong. For ourselves we take no step backwards. We have advocated the course adopted by the Committee, and we are ready to stand by them. We go for pursuing the thieves and assassins until they are conquered, if we have to hang a hundred of them par day. Those who sympathize with such villains are the only real advocates of mob law and Lynch law. Thieves and assassins break the law to gain their ends. In criminal matters thus far, the thieves, the lawyers and the officers of the courts have been benefitted, while the people have been daily robbed and many murdered. We hope the people will stand their ground and be resolute; at the same time we hope they will be discreet, conservative and free from violence. But as we have all began a good work, let us carry it out at all hazard.

Verdict of the Coroner's Jury.

At a meeting of the Vigilance Committee held last evening, June 13th, it was unanimously

Resolved, That we, members of the *Vigilance Committee*, remark with surprise the invidious verdict rendered by the Coroner's Jury, after their inquest upon the body of Jenkins *alias* Simpton, after we have all notified the said jury and the public that we were all participators in the trial and execution of said Jenkins. We desire that the public will understand that Capt. E. Wakeman, W. H. Jones, James C. Ward, Edward A. King, T. K. Battelle, Benj. Reynolds, J. S. Eagan, J. C. Derby and Samuel Brannan, have been unnecessarily picked from our numbers, as the Coroner's Jury have had full evidence of the fact, that all the undersigned have been equally implicated, and are equally responsible with their above named associates.

S F. Woodworth,	S Brannan,
E Gorham,	Fred. A Woodworth,
George J Oakes,	Frank S Mahoney,
Francis E Webster,	Francis E Webster,
R D W Davis,	James C. Ward,
Wm N Thompson,	Wm N Thompson,
Wm H Jones,	R S Watson,
Clinton Winston,	Edward A King,
George Mellus,	James H Hule,
Wm A Howard,	J D.Stevenson,
B Frank Hillard,	Henry Dreshenfelds,
Charles R Bond,	S W Haight,
James Ryan,	B B Arrowsmith,
George H Howard,	Wm Browne,
S E Teschemacher,	Caleb Tyrall,
Robert Wells,	C H Brinley,
Samuel R Curwen,	H D Evans,
J W Salmon,	James F Curtis,
John T Bryant,	Benj Reynolds
L Holesmann,	E Kirtus,
A W Macpherson,	A G Randall,
Thos N Dehlole,	John S Eagan,
J C L Wardsworth,	N T Thompson,
Stephen Payran,	William Hart,
N Reynolds Davis,	C Spring,
George M Garwood,	Gabriel Winter,
A Wheelwright,	R S Lanot,
James Shinnaier,	C J Pourgeaud,
Jesse Southam,	J W Rickman,
A Jackson McDuffie,	T H Robinson,
W S Bromley,	F D Headly,
Geo R Ward,	A Ottenheimer,
S B Marshall,	C L Wilson,
B H Davis,	H Hasetting,
W H Taber,	F Frothingham,
W Iken,	Isaac Bluxome, Jr.
G E Schenck,	Geo D Lambert,
Lothrop L Bullock,	Geo Austinworn,
John F Hoff,	John W Rider,
E Botcher,	Jos T Haman,
Theodore Kuhlman,	Samuel Marx,
J Seligman,	Joseph E Dale,
Daniel J Thomas, Jr.	H F Von Lenyerk,
Julius D Shultz,	J E Farwell,
J E Derby,	J P Stevens,
Jacob P Lease,	T J West.
Thos McCahill,	Edgar Wakeman,
Wm T Coleman,	Wm Peake,
A Markwell,	J S Clark,
Jonas Mintura,	Samuel A Sloane,
C H Clark,	Lloyd Minturn,
W B Lucas,	Herman R Haste,
F O Wakeman,	Henry M Naglee,
H F Teschemacher,	Wm Forst,
J Thompson Hule,	Wm J Sherwood,
John W Jackson,	Otis P Sawyer,
W L Hobson,	A L Tubbs,
Wm Meyer,	E W Travers,
Jas R Curtis,	W N Hostin,
W H Tillinghast,	A H Hill,
John G McKanaker,	Wm Langerman,
Wm H Graham,	Eugene Hart,
J F Hutton,	B E Babcock,
John Raynes,	T K Battelle,
J H Fisher,	J C Treadwell,
Horace Morrison,	Hartford Joy,
John H Watson,	Augustus Belknap,
Joshua Hilton,	Wm Burling,
F L Dana,	Jno F Osgood,
J Quincy Coale,	Horatio S Gates,
James Pratt,	Thos N Casneau,
O P Sutton,	E Kemp,
George W Douglass,	Jer. Spaulding,
William G Badger,	Wm G Graham,
A J Ellis,	J Mead Haxley,
Chas H Vail,	John M Coughlin,
S J Stabler,	Charles Minturn,
Samuel Mead Jr.	Geo Clifford,
Howard Cunningham,	C C Brewster,
Chas Soule, Jr,	Chas L Case,
Chas L Wood,	Robert H Belden,
Chas Moore,	Wm Tell,
N Smith,	Jas R Duff,
Jas Dow,	John O Earle,
F M Earle,	E W Crowell,
Randolph M Cooley,	J L Van Bokkelen
A H Gildemeester,	Chas H Hill,
George N Blake,	Samuel S Phillippe,
J Mead Jr,	Dewitt Brown,
Chas Del Vecchio,	F A Atkinson,
Edward J Baker,	Joseph Post,
Chas Miller,	F Argenti,
	James King of William.

Herald 6/14

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Bancroft Library

The Meeting in the Plaza.

REVOLUTION ADVOCATED.

The meeting of Wednesday evening having adjourne until yesterday afternoon, at 4 o'clock, to hear any pla of action that the Committee might have matured, we p paired at the appointed time to the spot, but none w upon the ground. Towards 5 o'clock, several hundre had assembled, when the same individual who called th meeting of the day before to order, mounted a rist ground and proposed a number of persons in succes as Chairman of the meeting. They were each in tu elected—among them we recollect Mr. Hutton and M Yale, but none of them came forward. Finally Mr. H ram Webb was proposed and approved of. That gent man came forward and took his stand on the porch o the Adobe, whence he proceeded to address those befo him. He thanked them for the honor that had bee conferred on him: he was always ready to obey the call the people. He considered the times required such meeting of the people to take the laws into their ow hands. He had been a member of the last Grand Jury and thirteen indictments had been found by them—a of which fell to the ground because it was decided tha they were not legally empannelled. The next Gran Jury will not sit until July, and what should be don with offenders in the mean time? Loud cries from th crowd of "hang them—hang them." Two years ago th Sydney rascal dared commit their depredations—life an property were secure. A band of Hounds then existe in our city, who were the terror of all good citizens. Volunteer Police was organized by the citizens—a po ple's Sheriff was appointed, and the Hounds were arres ed and sent out of the country. He considered that th exigencies of the occasion demanded such a body as th Committee of Safety. He believed that it was compo ed of good citizens, who would not injure an innocen man. As long as the laws are inefficient, the peopl should resolve themselves into a Committee of the Whol —to watch for offenders—arrest and take them to th Plaza, and there in open day, under the bright sun, an in the presence of the whole people try, and if guilty put it to them, up to the hub. A voice—"I suppose you mean around their necks?" Yes, put them to death. Thus far, not one of the robbers had been hung, and they should go on with the good work, and show th Courts what the people could do.

In conclusion, he stated that it was a public meeting and as Americans, he trusted that those present woul respect their inheritance, the liberty of speech—hea every man, though he might differ with them, if h spoke in courteous and respectful terms. Every ma had a right to express his honest convictions, and God forbid that Americans should ever attempt to gag a ma for the expression in respectful language of his sincer convictions. He suggested that the organization of th meeting be completed by the selection of Vice President and Secretaries. Whereupon, Dr. Blankman and Mr. Morris were appointed Vice Presidents and Messrs. Dun bar and Godefroy, Secretaries.

Dr. Blankman, being called upon, stated that he re gretted the necessity for such proceedings as had lately taken place. No man was more disposed to stand by the laws, when the laws were effectual, than he; but h was in favor of punishing criminals, and if the law fail then there was but one recourse, and that was that th people should make the laws effectual by arresting of fenders and promptly executing them. If the police were not able to guard and keep the prisoners on ac count of unfit places of confinement, all the citizens should organize themselves into a police. Was it unjust for the creators of laws to revoke and annul those laws? They were the people—the sovereigns, and as such they had a right to make laws under the exigencies of the occasion. (Loud cheers.) But he urged the citizens not to act hastily, not to do anything which they would in after years regret, and which would for ever cast stigma upon the city, but act calmly, cautiously and prudently; be vigilant, but be wise. In conclusion, he appealed for a patient hearing for all who, differing hon estly in opinion, might feel disposed to address them. Freedom of speech was one of the most glorious prerogatives of a free born American—their birth right—which should never be curtailed.

During these two speeches the crowd had been gradually swelling. As the passers by noticed it they joined in to see what was going on, until at the closing scene an immense number of people were upon the ground perhaps the largest number ever assembled together on any other occasion in this city. But it must not be inferred that all took part in the proceedings of the meeting. It would be safe to say, that not one-tenth of those present participated in any in the proceedings. They were merely spectators who kept aloof from the active portion of the crowd, and never responded when questions were put to the meeting. Great numbers were seated or standing a little distance off on every kind of elevation, lining the side of Washington street for a long way down from the adobe. They seemed to watch the proceedings with much curiosity.

THE RESOLUTIONS.

As well as we could hear his name, a Mr. Hoag came forward and said he had a series of resolutions to offer for the adoption of the meeting. The resolutions were read by the chairman with great unction. We could not get a copy of them as they were ultimately carried off or destroyed. Their substance only from recollection and a few notes taken at the time can be given. They were preceded by a long preamble declaring that the people had a right to change their laws whenever they were nugatory and insufficient; that under them crime had flourished and criminals stalked unpunished through our midst, therefore the people should resolve themselves into their original elements, return to a state of nature and commence again, and to make that commencement, a series of resolutions followed, declaring that the people in primary assembly enacted that the crimes of grand larceny, burglary, street robbery, drugging, arson, as well as murder should be punished with death. Further that an election should be held at which the citizens by ballot should signify their approval or disapproval of this resolution, or such portion of it as they thought proper. Another resolution provided for the appointment of a committee of seven whose duty it should be to fix the time and places and appoint the officers of the election in each ward and decide upon the form of the ballot.

A third resolution provided that there should be elected at the same time a People's Judge and Sheriff, unless any Judge or Sheriff under the present system of laws would acknowledge the supremacy of the new system—the People's Laws. That this court should only have jurisdiction over criminal cases and that every man pledged "his life, his property and his sacred honor" to support the new laws and the new court in opposition to the judgments under the present system of jurisprudence.

A number of other resolutions followed wherein it was provided that no person should be denied a fair and impartial trial; in case of any doubt, the prisoner shall have the benefit of it; that the new order of things should continue until five days after the next meeting of the Legislature; that the meeting approve the action of the committee in hanging Jenkins and that the new code and courts should be sustained by voluntary contributions.

THE OPPOSITION.

Mr. Broderick came forward in opposition to the resolutions which he condemned *in toto*. He made a speech of about twenty minutes duration continually interrupted with hisses, cheers, remarks, pushing, catcalls, interjectional exclamations, and various kinds of disturbance. His friends in the meeting encouraged him to proceed and he succeeded in making himself heard for many minutes without interruption. After he had concluded he remained standing on the steps beside the chairman.

It was then proposed that the resolutions should be read singly. The first resolution was read and being put was responded to by loud "ayes," those to the contrary answered a prolonged "No," and there were many of them, but it was evident that the ayes had it and the chair so decided it, but Mr. Broderick with great earnestness expostulated with the chairman on his decision and swore the noes had it, and called for a division. The chairman then said he would put the question again. "It's of no use," cried Mr. Broderick, "we'll just vote it down again."

Here there was much confusion—a rush was made upon Mr. Broderick to drag him down the steps into the crowd, but he struggled fiercely and drove back his assailants. While this was going on many of his friends were fairly leaping through the crowd to get up to his assistance. In a moment they surrounded him and took possession of the steps. Order was then obtained and the resolution was about to be put again, when a gentleman named Bush mounted the stand and by his earnest manner soon gained a hearing. He called

earnest tones upon all who loved their common country, who venerated the Constitution of that country not to see it trampled upon. Would they overthrow by violence their laws and constitution? Cries from a number of "Yes—yes—we're the people—the people are supreme," and many other like remarks. Such a course, he continued, would sap the very foundations of law and order and strike a blow from which we could never recover When he had concluded, the question was put whether the preamble should be read. The chair decided that the ayes had it, and the preamble was again read. The question was on the adoption of the preamble as the sense of the meeting. The chair asked for the ayes, and there was a loud response; then for the noes, they were many but evidently not equal to the ayes; the chair decided accordingly.

Mr. Broderick again remonstrated against such a decision, insisting that any man could see the noes had it. He called for another vote. Here there was great uproar; the active portion of the crowd pressing up to the porch. In a moment a rush was made upon Mr. Broderick and h was jerked and hauled up and down the stairs. His friends and himself however struggled furiously, and they cleared the porch of all but themselves. Mr. Broderick then put the question of adjournment. The ayes perhaps had it—at any rate he so decided, and declared the meeting adjourned. Then rushing down from the steps, his friends rushed through through the crowd with loud shouts, waving their hats.

The chairman regained his stand amid tremendous confusion and uproar, during which and the fight on the steps Mr. Chas. Ellerd commanded the peace as an officer of the law, and ordered the crowd to disperse. Capt. Ray of the police also commanded the peace and in the name of the law ordered the meeting to dispersd.

The chairman proposed to adjourn. Mr. Van Dyke opposed it until the police had left. Mr. Stoutenburgh took the same ground, contending that he had a right to speak. Col. Hute spoke a few moments, insisting on the right of every American to express himself freely, and denying the power of the police to prevent them. He finally suggested that every man had made up his mind on the subject, and they might as well go home and enrol themselves as soldiers in the good cause. He saw no use of remaining longer. The question on the adjournment being put, was decided in the affirmative, and the meeting after standing upon the ground about two hours and a half dispersed. At the time of adjournment the number of persons on the ground must have been seven or eight thousand, but those participating in the proceedings constituted but a small fraction of their number.

Hon. David C. Broderick.

EDITOR HERALD—I notice in the *Alta Californin* of this morning, in the evidence of David C. Broderick, before the Coroner's inquest on the body of John Jenkins, who was hung by the people on the 11th instant, at half-past 2, a. m., the following statement:

"I saw several persons at the Union who appeared to be very anxious to have it known that they had participated in the affair, among them was Saml. Brannan, also Wm. H. Jones."

In relation to the evidence referring to me, that part of his testimony I positively deny; and at any time when called upon will refute it by the evidence of many respectable citizens, who stood by my side during the whole time I was there, which was but a few moments.

SAMUEL BRANNAN.

Herald 6/13

CORONER'S INQUEST

On the body of a man called John Jenkins.

CONTINUED.

THURSDAY MORNING, 11 O'CLOCK, A. M.

The Jury re-assembled in the Coroner's office pursuant to adjournment.

J. R. Maloney, sworn.—Saw a man hanging on the Plaza; never saw him before. Saw many people that he knew in the crowd. Saw Jenkins on his way to the Plaza; don't know that he was arrested by or in charge of any persons; don't know about his being tried. Saw many engaged in the hanging but could not name any of them; was within six or seven feet of him; saw the rope thrown around his neck by some one unknown. Thinks there were fifteen hundred or two thousand people on the ground; a majority seemed to approve of the proceedings. Knows of his own knowledge that there is a Committee who have taken the affairs of the city in their hands; understood that their object was to carry out justice where laws were deficient, protect themselves where the law did not do it, and regulate the community; is not himself a member of that committee. Don't recollect seeing Capt. Wakeman on the ground; heard he had thrown the noose around the man's neck. Saw Mr. Ward and James Wadsworth in the crowd.

Hall McAllister, sworn.—Saw the man hung. About 12 o'clock walked to Rassette Hotel; saw a large crowd opposite; attempted to get inside the house; saw others going in and giving the countersign; didn't hear what it was; every man whispered to the door-keeper the pass-word; saw a number moving about among whom were Mr. Samuel Brannan, Benjamin Reynolds and Wm. H. Jones. Saw a party come out of the house surrounding the prisoner; a great crowd followed. Went forward to the Plaza about 2 o'clock. Some one tried to fix a pulley on the liberty pole; it was objected to. One voice cried hang him on the Adobe; another cried they are going to commit murder. Saw the rope fixed on the Adobe; saw the man hoisted up. Was disgusted and turned off exclaiming that it was "a damned outrage." Returned and saw many persons holding the rope tight; the prisoner was in his last struggles. Recognized among those having hold of the rope, James C. Ward, and Cornelius Stagg; thinks he saw Mr. Stephen Teschemacher and Fred'k Woodworth; can't swear they had hold of the rope, thinks they had. Saw Mr. T. Battelle have hold of the rope; also a young man named Hearne; saw Mr. Eagan there, he had not hold of the rope at the time. There was much excitement at the time. Heard Mr. Reynolds cry out "Napoleon, Napoleon, come here," and the guard at once marched up to the beam. The man was hung about three minutes afterwards. Does not think there were more than one thousand on the ground. Before the man came there was a division of opinion on the subject of hanging. The prevailing opinion seemed to be against the prisoner, but many were in favor of waiting until morning. A lantern was brought out on the Adobe and the light thrown upon the hanging man; loud cries were made to take it away and it was extinguished. The crowd was generally composed of citizens. Did not participate or sympathise with the party that were hanging.

Samuel Brannan, sworn.—Was present when the man was hung on the Plaza; saw him at the time he was hung; understood the cause of his arrest was the stealing a safe; was not near enough to see the parties who had hold of the rope; doubted whether it was round the man's neck or under his arms; first saw him at the corner of Bush and Sansome streets; two men had him by the arms; heard they had arrested him; the men left him in the house; was not then hand-cuffed or pinioned. The witness here declined answering some questions on the ground that the answers would implicate himself. The man had a trial; a fair trial; sixty or eighty persons tried him; believes the verdict of "guilty" unanimous; the judgment was that he should be hung; the jury empanelled themselves; it was composed of the Committee of Safety; they were all citizens of the town; does not know whether they have any by-laws. Their declared object was to consider themselves always on duty to preserve the lives and property of the citizens; render all assistance in arresting offenders and see speedy justice done them; concluded that the man was hung from the evidence before the committee; was sure it was the man that was tried; understood that there was a record of the testimony in the trial kept; six or eight witnesses confronted the prisoner; heard a gentleman ask him if he had any witnesses in his favor; he replied one; that one denied knowing him; no counsel was assigned him; heard no motion for a new trial; did not make such motion himself; suggested that a committee should be sent for the man's witness, this was done; does not know that the witnesses were under oath. A citizen is admitted in the society on the recommendation of a member vouching for his good character; knows of no oath of secrecy. The object of the association is to assist the law and administer justice; to make up the deficiencies of the law; does not think the man would have been hung had he not been tried and found guilty by the committee; does not know whether the man's witness was admitted into the room; objects to giving the names of the committee, because he thinks it would endanger their lives in consequence of threats made against them; has heard threats made against the lives and property of the members for their participation in the hanging; threats had come to the witness from a prisoner in the county prison that he should not live ninety days. Knows of nothing done by the Vigilant Committee that they would conceal from the officers of the law under proper circumstances. The avowed object is to protect the lives and property of the citizens, to prevent the city from being burnt and punish criminals. Watkins told the officer of the prison that it was the conclusion in the prison that he, the witness, should be killed. The Sheriff had informed the witness of the fact. Believes it was through the instrumentality of the committee that the man was hung.

Eben Niles, sworn.—Saw a man hung; saw no person holding or pulling the rope; was with Mr. Broderick on the ground; witness disapproved of the manner in which the man was tried; a secret trial; believed he deserved to be hung from what he had heard; objects to the Secret Tribunal; thinks the trial should have been in open day before the people, and then if found guilty, witness would himself have helped to hang him.

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Bancroft Library

Herald 6/14

CORONER'S INQUEST

On the body of a man called John Jenkins.

CONCLUDED.

The jury met on Thursday evening at 7 o'clock, pursuant to adjournment. The following testimony was taken:

John S. Eagan, sworn.—Question by the foreman: "Do you know of any person who took part either in the trial, or conviction, or execution, so called, of a man named Jenkins; and if so, do you know, or believe, that they acted in concert, or as a member of a committee or association of citizens of San Francisco?" Answer: "I do not know of any person directly concerned; I am a member of the association; James Ward, Capt. Wakeman, and Wm H. Jones, are members of the committee; Mr. Reynolds, and I believe Mr. Teschmacher, and Mr. Derby are also members.

Cornelius Stagg, sworn.—Resides on Kearny street. Does not know of any person connected with the trial and execution of a man named Jenkins, nor who acted in concert with the citizens. [This was in answer to the same question which was put to Mr. Eagan.] Was present when the man was hung; believes he had a trial; has no knowledge of a committee; believes the man was hung by the populace; did not see any person place the rope over the beam; saw a man throw the rope over his neck; cannot say who did it.

The Jury then adjourned to meet on Friday morning at 11 o'clock, when

James C. Ward was sworn.—Believes that those names which were published in the papers this morning as members of the Vigilance Committee, were the persons who took a part in the proceedings of Tuesday night. Has no hesitation in saying that he was present at the trial of the man. He had a full and fair trial. Witness desired to be understood that those names which were published were those of only a small portion of the members

Fred. A. Woodworth, sworn.—The persons named in the papers of this morning, are those of a *portion* of the Vigilance Committee. Believes that the man came to his death through the action of the committee. Was present at the trial; the man had a full and fair trial; as fair as ever he saw. The man was tried, condemned and executed for burglary. Was present during the whole proceeding.

The testimony here was closed. Mr. Gallagher, in a neat speech, left the matter in the hands of the jury.

At 1½ o'clock the Jury brought in the following verdict:

We, the Jurors of a Jury of Inquest empanelled by the Coroner of the county of San Francisco, to inquire into the cause of the death of one John Jenkins, came to his death on the morning of the eleventh of June, between the hours of two and three o'clock, by violent means, by strangulation, caused by being suspended by the neck by a rope attached to the south end of the adobe building on the Plaza, at the hands of, and in pursuance of a preconcerted action on the part of an association of citizens, styling themselves a Committee of Vigilance, of whom the following members are implicated by direct testimony, to wit: Capt. Edgar Wakeman, W. H. Jones, James C. Ward, Edward A. King, T. K. Battelle, Ben] Reynolds, J. S. Eagan, J. C Derby, and Samuel Brannan; and the following members by their voluntary avowal of participation in the act:—[Here follows the list of members of the committee published yesterday.]

An unanimous verdict.

T. M LEAVENWORTH, Foreman.

THE VERDICT OF THE CORONER'S JURY.—The jury empanelled on the body of the man Jenkins, hanged on the Plaza on Wednesday morning, have brought in a verdict declaring that six gentlemen singled out from the committee are "implicated by direct testimony," and the remainder of the committee "by their voluntary avowal of participation in the act." We can imagine no reason for making a distinction like this, which must be regarded as invidious. The testimony voluntary and otherwise has implicated the entire committee—each is quite as responsible as the other, for every act connected with the trial and execution. All have avowed their participation freely and unreservedly, over their signatures in the public journals. It is a matter of notoriety that all are equally concerned, and why six gentlemen should be separated from the crowd, and made to bear an unequal burden, we cannot understand. We think the jury have committed a mistake in their verdict. We cannot see the difference of the legal culpability of a man who is testified against by another and that of one who testifies against himself. If the jury had a right to regard this voluntary avowal of the committee at all, surely there is no difference between the case of the six gentlemen whom they have specially named, and that of those who they say are implicated by voluntary avowal.

We hope this thing will be permitted to drop here. Any attempt to arraign those gentlemen for the commission of a crime, would be worse than farcical. The law officers had better not bring themselves and their office into thorough contempt by any such ridiculous movement. At the same time, if they do exhibit any such folly, we trust the members of the committee will "fool them to the top of their bent" by permitting them to go as far as they can go, and taking things in good humor.

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Cal Courier June 14

Coroner's Inquest and Verdict.

We have forborne to publish any of the testimony taken before the Coroner's jury upon the body of the late John Jenkins, alias Simpton. We did so because we did not like to see the names of parties mixed up with this affair without the proper explanation. The act of the people in executing the late notorious culprit Jenkins, was an act of dire necessity, and was therefore justifiable. No man need be afraid to let his children know the part he took in that transaction. Thieves, burglars, incendiaries and murderers, are pursuing us day and night, and as our courts have been thus far incapable of restraining them, the people are compelled to do it themselves. We have put up with the law's delay and the daring atrocities of the criminals who infest our city just as long as we dare to. If we had permitted, or shall hereafter permit, these glaring villains to go unpunished, we deserve to receive the severest injuries and the indignation of all upright and public spirited men.

The verdict of the Grand Jury which we publish below is not only an act of gross indiscretion and folly—but it will have the effect, if it is carried out by the officers of the law, of producing results in this city which every good citizen would deeply deprecate. Who would permit the men charged by the inquest to be arrested and put on trial for their lives, while notorious burglars, cut-throats and incendiaries go undiscovered and unavenged among us! All laws are based upon the law of nature and when they are incapable either from positive imperfection or from an inefficient administration of them to protect our lives and property from the assassin and robber, the people, from whom all power is derived, have the indefeasible right to fall back upon the first principles of government, and do all that may be necessary and proper to protect their lives and property. This right was asserted by our ancestors, and it is a doctrine peculiar to republicans. The people have done the deed complained of and are ready to shoulder the consequences.—The verdict of the jury is as follows:

Cal Courier June 14

The People's Vigilance Committee.

We have received the following resolutions from the People's Vigilance Committee for publication. It will be seen that they do not intend to let seven of their associates be singled out for punishment without sharing with them all the responsibilsties. They have done right. Bold men are seldom wrong. For ourselves we take no step backwards. We have advocated the course adopted by the Committee, and we are ready to stand by them. We go for pursuing the thieves and assassins until they are conquered, if we have to hang a hundred of them par day. Those who sympathize with such villains are the only real advocates of mob law and Lynch law. Thieves and assassins break the law to gain their ends. In criminal matters thus far, the thieves, the lawyers and the officers of the courts have been benefitted, while the people have been daily robbed and many murdered. We hope the people will stand their ground and be resolute; at the same time we hope they will be discreet, conservative and free from violence. But as we have all began a good work, let us carry it out at all hazard.

Verdict of the Coroner's Jury.

At a meeting of the Vigilance Committee held last evening, June 13th, it was unanimously

Resolved, That we, members of the *Vigilance Committee*, remark with surprise the invidious verdict rendered by the Coroner's Jury, after their inquest upon the body of Jenkins *alias* Simpton, after we have all notified the said jury and the public that we were all participators in the trial and execution of said Jenkins. We desire that the public will understand that Capt. E. Wakeman, W. H. Jones, James C. Ward, Edward A. King, T. K. Battelle, Benj. Reynolds, J. S. Eagan, J. C. Derby and Samuel Brannan, have been unnecessarily picked from our numbers, as the Coroner's Jury have had full evidence of the fact, that all the undersigned have been equally implicated, and are equally responsible with their above named associates.

S F Woodworth,	S Brannan,
E Gorham,	Fred. A Woodworth,
George J Oakes,	Frank S Mahoney,
Francis E Webster,	Francis E Webster,
R D W Davis,	James C Ward,
Wm N Thompson,	Wm N Thompson,
Wm H Jones,	R S Watson,
Clinton Winslow,	Edward A King,
George Mellus,	James B Hule,
Wm A Howard,	J D Stevenson,
B Frank Hillard,	Henry Dreshchfeldt,
Charles R Bond,	S W Haight,
James Ryan,	B B Arrowsmith,
George H Howard,	Wm Browne,
S E Teschemacher,	Caleb Hyatt,
Robert Wells,	C H Brinley,
Samuel R Curwen,	H D Evans,
J W Salmon,	James F Curtis,
John T Tygart,	Benj Reynolds
L Hulsemann,	E Kirtus,
A W Macpherson,	A G Randall,
Thos N Dehlole,	John S Eagan,
J C L Wardsworth,	N T Thompson,
Stephen Payran,	William Hart,
N Reynolds Davis,	C Spring,
George M Garwood,	Gabriel Winter,
A Wheelwright,	R S Lanot,
James Shinnsler,	C J Fosgreaud,
Jesse Southam,	J W Rickman,
A Jackson McDuffie,	T H Robinson,
W S Bromley,	P D Hendly,
Geo R Ward,	A Ottenheimer,
S B Marshall,	C L Wilson,
B H Davis,	H Hasselius,
W H Taber,	P Frothingham,
W Iken,	Isaac Bluxome, Jr.
O E Schenck,	Geo D Lambert,
Lothrop L Bullock,	Geo Antiworn,
John P Hoff,	John W Rider,
E Botcher,	Jos T Haman,
Theodore Kuhlman,	Samuel Marr,
J Seligman,	Joseph E Dale,
Daniel J Thomas, Jr.	H F Von Leuyerk,
Julius D Shultz,	J E Farwell,
J E Derby,	J P Stevens,
Jacob P Lease,	T J West.
Thos McCahill,	Edgar Wakeman,
Wm T Coleman,	Wm A Peake,
A Markwell,	J S Clark,
Jonas Minturn,	Samuel A Sloane,
C H Clark,	Lloyd Minturn,
W B Lucas,	Herman R Haste,
F O Wakeman,	Henry M Naglee.
H F Teschemacher,	Wm Forst,
J Thompson Hule,	Wm J Sherwood,
John W Jackson,	Otis P Sawyer,
W L Hobson,	A L Tubbs,
Wm Meyer,	E W Travers,
Jas R Curtis,	W N Hostin,
W H Tillinghast,	A H Hill,
John G McKerarker,	Wm Langerman,
Wm H Graham,	Eugene Hart,
J F Hutton,	B E Babcock,
John Raynes,	T K Battelle,
J H Fisher.	J C Treadwell,
Horace Morrison,	Hartford Joy,
John H Watson,	Augustus Belknap,
Joshua Hilton.	Wm Burling,
F L Dana,	Jno F Osgood.
J Quincy Coale,	Horatio S Gates,
James Pratt,	Thos N Casneau,
George W Douglass,	E Kemp,
William G Badger,	Jer. Spaulding,
A J Ellis,	Wm C Graham,
Chas H Vail,	J Mead Haxley,
S J Stabler,	John M Coughlin,
Samuel Moss Jr.	Charles Minturn,
Howard Cunningham,	Geo Clifford,
Chas Soule, Jr,	C C Brewster,
Chas L Wood,	Chas L Case,
Chas Moore,	Robert H Belden,
N Smith,	Wm Tell,
Jas Dow,	Jas R Duff.
F M Earle,	John O Earle,
Randolph M Cooley,	E W Crowell,
A H Gildemeester,	J L Van Bokkelen
George N Blake,	Chas H Hill,
J Neal, Jr,	Samuel B Phillips,
Chas Del Vecchio,	Dewitt Brown.
Edward J Baker,	Joseph Post,
Chas Miller,	F A Atkinson,
	F Argenti,
	James King of William.

Herald 6/14

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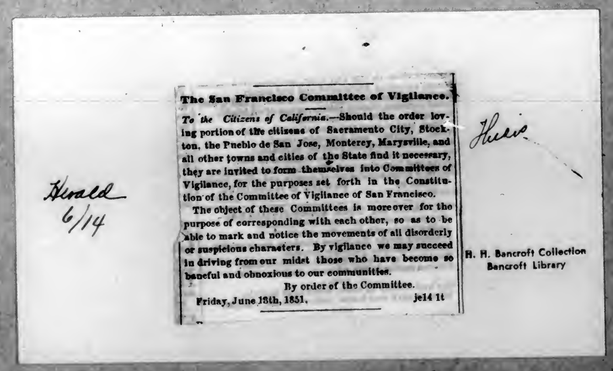
Nov 20.

Its is marked in correspondence from Alcalde.

HUMBOLDT.



The San Francisco Committee of Vigilance.

To the Citizens of California.—Should the order loving portion of the citizens of Sacramento City, Stockton, the Pueblo de San Jose, Monterey, Marysville, and all other towns and cities of the State find it necessary, they are invited to form themselves into Committees of Vigilance, for the purposes set forth in the Constitution of the Committee of Vigilance of San Francisco.

The object of these Committees is moreover for the purpose of corresponding with each other, so as to be able to mark and notice the movements of all disorderly or suspicious characters. By vigilance we may succeed in driving from our midst those who have become so baneful and obnoxious to our communities.

By order of the Committee.

Friday, June 13th, 1851. je14 1t

Herald 6/14

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As to preservation of useins.

MISSIONS.

Another Assemblage in the Plaza.

The excitement which has existed in our city for the last two or three days, at last subsided yesterday afternoon. The tremendous meeting of the previous evening had adjourned in a high state of excitement to reassemble yesterday afternoon at 4 o'clock.

No one however was upon the ground at the time, nor was there any gathering until towards 5 o'clock, when a small crowd began to collect, and their mere presence soon collected on that excitable spot a crowd of three or four hundred to see what was going on. There they stood for half an hour or more doing nothing, and waiting for a grand gathering—but the people had got tired of such incessant excitement and kept aloof. A number were standing in front of the houses on the Plaza, but would not join the crowd collected before the Adobe. The few present who took any interest in the matter, were obliged to attempt an organization by themselves. Mr. Hiram Webb, the Chairman of the previous meeting, was again called upon to preside. He came forward and made a short speech, in which he stated that he could see no use in another meeting; it would end in nothing, just as it did the day before, and was only unnecessarily disturbing the quiet of the city. All present might retire satisfied that their interests were in good hands. The Committee of Safety would take care of their lives and property. That Committee, from the names of those that constitute it, might safely be entrusted with the protection and regulation of the city. He would therefore suggest the propriety of adjourning.

A motion to adjourn was then made—the ayes and noes were equally divided, but the Chairman decided that the "noes" had it—at the time stating that it would be impossible for him to continue the presiding officer of the meeting, as important business called him elsewhere.

He therefore informed the meeting that they had better appoint some one else to preside. Here the meeting drooped for awhile—at last the president wanted to know from some one what they were assembled for. A voice in the crowd cried out "to carry out the resolutions of the previous evening." This appeared however to receive but little countenance. The chairman again made a few remarks, extolling the freedom of speech as enjoyed in America declaring that the natural consequence of a gathering to carry out those resolutions would be a disturbance like that of the previous day Some would support them, others oppose and a division of sentiment would thus arise.

As to the proceedings of the day before, Mr. Broderick had fairly expressed his honest convictions. No man could blame him for that; he had become excited and in that excitement had acted in a way that in a cooler moment he would not have himself approved of. He had, while the chairman still held the resolutions in his hand, attempted to get hold of them and in the attempt they were torn. Mr. Broderick had come to him after the adjournment and thanked him for obtaining a hearing for him. For his part he freely forgave him. A second motion to adjourn was here made. The chair suggested as an amendment that it should be accompanied with a declaration that the meeting there assembled felt full confidence in the Committee of Safety, and were willing to submit their lives and property to their care. The amendment was however, after some times withdrawn and the simple motion to adjourn put and carried. Whereupon the meeting quietly dispersed and there was silence once more upon the spot.

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Mr. Brannan and Mr. Broderick.

EDITOR HERALD:

Having seen in your paper of this morning a card signed by Mr. Samuel Brannan, concerning my evidence before the Coroner's Jury, I desire to say that I am surprised to find Mr. Brannan so studiously seeking to shirk the responsibility of an act, in the perpetration of which he was notoriously the prime mover. It is well known and easy of proof that the man Jenkins was taken to the office of Mr. Brannan, where he was tried by a self-constituted jury, Mr. Brannan himself acting as Judge; that Mr. Brannan, from the sand-hill opposite his door, harangued the crowd there assembled, telling them that the prisoner would be hung in one hour on the public Plaza; that he escorted Jenkins to the Plaza; that there he was active in procuring his death; that after it was over he was drinking at the bar of the Union, whilst the crowd were congratulating him upon the result of his work, evidently regarding him as the leader in the matter; and that he by language, smiles and gestures, congratulated them in return. It is unnecessary for me to say anything further, as the character of that gentleman is notorious for violence and contempt of law. Wherever known he has been known as a turbulent man—ever ready to trample upon all laws that oppose his private opinions or his private ends. I would suggest to him, however, the expediency of saving his "respectable witnesses," on whom he seems so much to rely, until he shall be arraigned for the crime of which, by the verdict of the Coroner's Jury, he stands accused.

D. C. BRODERICK.

Friday, June 14th.

As Mr. Brannan is out of town, we feel called upon to correct several very serious inaccuracies into which Mr. Broderick has fallen. In the first place, Mr. Broderick stated before the jury, that at the Union Mr. Brannan seemed "to be very anxious to have it known that he had participated in the affair." He now accuses him of a desire to shrink the responsibility. Here is a very obvious contradiction. But putting this aside, Mr. Broderick errs in accusing Mr. Brannan of a desire to shrink the responsibility. There is no man in the community less apt to shrink responsibility, and in this case Mr. Brannan has unreservedly avowed his agency in the trial of Jenkins.

Mr. Broderick says Mr. Brannan was the prime mover in the affair. This statement is also erroneous. If there was any one man more moderate than the others on the trial, it was Mr. Brannan, and that gentleman was not the projector and originator of the trial. Mr. Brannan did not act as judge as Mr. Broderick intimates. He simply presided at the deliberations of the committee.

As to Mr. Brannan's lawlessness we, of course, have nothing to say, and should have nothing to say on the other points if Mr. Brannan were himself in town.—[ED. HERALD.

Herald 6/14

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Courier 6/14

HIGHWAY ROBBERY.—On Thursday evening, a gentleman by the name of Charles Hudson, who recently came down from the mines, while on his way to the livery stable where he keeps his horse, between Pacific and Jackson streets, in an alley called Cat Alley, was knocked down and robbed of some $520 in money. It seems one of the villains slipped up behind him unawares, and knocked him down by striking him on the head with a board, when he jumped upon Mr. H., and before he recovered took the money out of his pockets. Mr. H. remarked that he was unable to defend himself, and they had his money but not his life yet, when the other villain jumped upon him with a drawn knife, and said he would have his life too. A struggle ensued, when a police officer having heard the disturbance came to his rescue. The approach of the police frightened the robbers and they took to their heels. Pursuit was made by the police, but we learn without success. If caught, they stand a chance of following in the footsteps of Jenkins.

DECREASE OF CRIME.—It is a fact worthy of notice, that since the execution of Jenkins *alias* Simpton there has not been a single arrest for larceny or any of the higher grade of crimes. The criminals in the dock are generally those for drunkenness or some slight infringement of the city laws. Previous to the execution, cases of larceny, robbery and burglary were matters of daily occurrence, and arrests were frequent. Who can doubt the efficacy of prompt punishment, in criminal cases, after this? If the new code is carried out, it must have a most salutary influence upon the morals of community.

THE CORONER.—The City press without exception were down on us yesterday, for calling attention to the fact that the body of Martin Schmidt, which was taken out of a well on Balance street, was permitted to lie out in the open air exposed to passers by, on both Jackson and Balance streets all day and night.—We KNOW the fact that the man did lie there all day and night in the sun, exposed to the public view, almost naked and partially covered with filthy mud and dirt from the bottom of the well. We also know that a man in the immediate neighborhood called upon the Coroner, before the time when the inquest on Jenkins was in session, early in the forenoon of Wednesday, and that although a German, unacquainted with any person he was referred to a Justice of the Peace, whither although a stranger he went. But why did not the Coroner remove the body of Schmidt to the dead house and care for it as for that of the criminal Jenkins? The manner in which the latter came to his death was a matter of public notoriety, but as regarded the former it was a mystery.—Two days and more were spent over the carcass of the former, while five minutes sufficed for the latter. We did not intend to cast any reflections on the conduct of the Coroner, but simply wished to call his attention to the circumstance. We doubt not he is an efficient officer, but he should give these matters his personal and immediate attention.

Courier June 14

The Meeting Yesterday.

The adjourned meeting which was held on the Plaza yesterday evening was very large, and composed as heretofore of our most respectable citizens. By unanimous vote, Captain Weeb was called upon to preside, and in compliance took the stand. Captain W. said he was ready to go heart and hand with the people in anything the majority might decide upon. He had thus far acted with them, and shown an earnest of his good will and intentions to aid in the good cause, by his attendance and approbation of the proceedings of former meetings. But the city papers had this morning published the constitution and by-laws of the Vigilance Committee, and also the names of those composing it. For his part, he was satisfied that the interests of our citizens were safe in their hands, and so believing, he proposed that if a majority of those present should agree with him in opinion, that the meeting should adjourn. The question was then put on adjournment, and carried.

H. V. Toomey vs. B. R. Buckelew—Judgment made final on proof.

Chas. Moore vs. Edward Wilkinson et al.—Judgment entered for $600.

Thos. Leonard vs. Sebastian Vischer—Judgment on proof for $500.

RECORDER'S COURT.—Before Judge WALLER.

The following houses were fined $50 each for violation of city ordinance, by keeping open houses after 12 o'clock, viz: Braulio Veva, Mrs. Whitney's Saloon, and Green Devil. Proprietor of Unity House was discharged on a charge for same offence,

FINED—Charles Beers, assault and battery, $25. John Sullivan, drunk, $25.

CONTINUED—C. Marsh, refusing to pay license. California Exchange, gambling without a license. Askins, for fast riding. John Edmonds and Henry Claypole, suspicion of larceny.

June 14

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Cal Courier June 17

June 17

CALIFORNIA COURIER.

JAMES M. CRANE.....EDITOR.

TUESDAY, JUNE 17, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

Agents for the Courier.

The following persons have been appointed Agents for the Courier, and are authorized to receive and receipt for Subscriptions, Advertising, or Job Work:

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R. L. MURPHY.....*Sonora.*
W. H. BAXTER.....*Nevada City.*
R. R. GRIFFITH, JR.....*Santa Cruz.*
J. C. LOW.....*Eureka, Humb't Bay.*
L. B. GILKEY.....*Trinidad.*
CHAS. K. CULLEN.....*Los Angeles.*
JOHN I. SHEPPARD.....*Sonoma.*

WHIG STATE TICKET.

For Governor.
PEARSON B READING, of Shasta.
For Lieutenant Governor.
DRURY P. BALDWIN, of Tuolumne.
For Justice of Supreme Court.
TOD ROBINSON, of Sacramento.
For Attorney General.
WM. D. FAIR, of San Joaquin.
For State Comptroller.
ALEXANDER G. ABELL of San Francisco.
For State Treasurer.
J. M. BURT, of Butte.
For Surveyor General.
WALKER HERRON, of San Joaquin.
For Congress.
E. J. C. KEWEN, of Sacramento,
B. F. MOORE, of Tuolumne.

How the Law's Delay Works.

That the people should feel like taking the law in their own hands is not surprising, when all the facts are taken into consideration. No people have been so monstrously wronged. It ought not to surprise any one if the honest and industrious portion of the people were to rise in their majesty, and exterminate forever a large body of the inhabitants of this city. Men who have been holding office both in the city and State government, have plundered us until we are overwhelmed with debt, and we are now finding property which we supposed belonged to individuals, who have paid for it, put up under the auctioneers' hammer to pay those debts. The principal bidders for this property are, it is said, a considerable number of lawyers and others who have grown rich from money received from criminals for defending them against the people. Some of us have lost all we have made from hard labor by bands of criminals and outlaws. When they are caught, they have stolen money enough to fee lawyers to delay their trial, and by other ingenious modes enable them to escape imprisonment and the halter. Under present circumstances, we are likely to be taxed to death to pay debts to the State, created by public robbers in office, and then we are robbed by private criminals of whatever may be left to satisfy their villainous propensities and to pay their defenders. Perhaps no honest and industrious people have been plundered by a more abandoned class of men holding office, and by private midnight rogues, than the people of San Francisco. If the people in the true native dignity of their own right and power, cannot put a stop to these things, the wrath of Heaven will overtake us—for if we permit crimes to continue, we deserve none of His mercy and protection, but the severest judgment which can befal a people.

CITY MATTERS.

CITY HOSPITAL.—The physician of the City Hospital made his sixth monthly report last evening, from which it appears that the number of admissions into the City Hospital during the month was 73. Number of patients discharged, 58; number of deaths, 11; number now remaining in the institution, 88. During the past six months there have been 480 persons admitted into the hospital, of which 247 were Americans, and 233 foreigners. There are six insane persons confined in the hospital, of whom one is a female.

STABBING AFFAIR.—A young man, named Albert C. Burney, was brought up for examination before the Recorder, yesterday morning, charged with having stabbed a man named Whitzer, on Saturday night, at a dance house on Pacific, near Dupont street. It appears that the parties, who had heretofore been on friendly terms, had been wrestling in sport. Immediately after, Burney stabbed Whitzer. Burney assigned intoxication as the cause of his extraordinary proceeding, and appeared to deeply lament the unfortunate affair. He was held to bail in the sum of $2000 dollars to appear before the Court of Sessions. Whitzer is hardly expected to recover.

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The keeper of one of these establishments, a notorious individual named Hetherington, whose house was known to be a den where scoundrels of every description congregated, was warned by the Committee to leave the country in five days. He disregarded the notice, and when his leave expired appeared determined to hold out against the will of the Committee. Immediately a detachment was despatched to arrest him, and about eleven o'clock yesterday morning he was taken from the midst of his associates, having offered no resistance, to the room of the Committee of Vigilance. Here he was formally tried, and the proof being positive, it was decreed that he should leave the country. It is unnecessary to say that measures are being adopted to put the sentence in execution. Hetherington, who apprehended some penalty less mild, seemed not dissatisfied with the decree. On his person a quantity of jewelry was found, and we understand he has told a policeman that before leaving he will make disclosures, which will implicate persons against whom no suspicion is now harbored. Of course the accusations of such a character must be taken with much caution, but they may lead to some important discoveries, nevertheless.

The public will, we presume, be entirely satisfied from what has already been done by the Committee, that the public interests,—so far as regards the detection and prevention of crime and the punishment of criminals,—are abundantly safe in their hands.

Defence of Accused Persons by Lawyers.

EDITOR [illegible]:

I find the annexed article in a morning paper; and perhaps the importance of the principles involved will justify the publication of some subjoined suggestions in relation to them:

A SUGGESTION TO LAWYERS.—We have received the subjoined communication, containing a suggestion to the legal fraternity which they will not be likely to approve of with any great cordiality. Nor do we consider it a practicable one. It has been the practice of the profession from time immemorial, almost, to defend the very worst criminals when arraigned before a regular judicial tribunal, and it is not at all likely that the lawyers of this city would subject themselves to the dictation of the Vigilance Committee. All is considered fair in law as in war and politics—in the law the fee is the main object of interest. The avowed determination of the Committee is to relieve the legal gentlemen as well as the judiciary from any unnecessary labor. We give the writer the benefit of making his suggestion public:

SAN FRANCISCO, June 13, 1851.

Editors of the Alta California:

GENTS: Our Vigilance Committee is now installed, and the measures they propose to take, modified as they are from those originally suggested, are certainly such as can raise but very few objections. To shoot down *men* like dogs, is a very serious matter; to prevent notorious villains from landing on our shores, or to oblige those who have got in to quit them is, to say the very least, a much more justifiable proceeding.

One good measure, however, need not hinder others, and perhaps you would not think it useless to suggest to the public the following idea. Will any number of our influential citizens agree not to employ any lawyer who shall undertake the defence of these notorious characters in our courts of law, unless he, the lawyer, shall show to the satisfaction of the Committee of Vigilance, or other committee of respectable citizens, that he had reasonably good grounds for believing the accused person really innocent of the crime charged against him? In this way thieves' lawyers will come to be a class noted, avoided, and certainly one in which no man of talent or character would willingly be found. No objection can possibly be made to this step on the score of legality, and on that of effectiveness towards its object, it is surely at least worth a trial.

I have troubled you with these lines only in consideration of the importance of the subject, and desiring to be as brief as possible, I conclude by subscribing myself,

Yours, respectfully, J. A.

Articles like the above seem to indicate, that in the agitation resulting from recent events, there is danger of overlooking the safeguards which ages of contest have secured to the English and American citizen. It has long been a settled principle of individual right, that a man who is put upon his trial shall have the right of *being heard in his own defence.* If he has a right to be heard, then he has a right to be heard in the very best manner which he can provide. If he feels that he is agitated, that he is confused, that he cannot command his thoughts, that he has not the faculty of examining his accusers and the witnesses brought against him, that he cannot reason clearly upon the facts presented, and perhaps that he cannot speak at all, then he may call in as his advocate that person who in his judgment can perform these offices for him to his satisfaction.

Any other principle would bring us back at once to the bloody code which prevailed in England during the barbarous ages of its history. Before the time of Queen Mary, an accused person who was on trial could not have the benefit of counsel. Counsel was arrayed against him, but he was permitted no such aide. Even though he were blind, even though he were deaf, or imbecile, or paralyzed with that awful fear which the prospect of a sudden and violent death imposes upon men, still alone, unaided, he must stand up and meet the arguments of able counsel, the statements of hostile witnesses, the frowns of a severe judge, and what to most men is equally overpowering, the concentrated gaze of a numerous audience. But thanks to the growth of more liberal principles, the cruelty and wickedness of such a system has long been acknowledged, and it has long been settled that from the proposition that the accused has a right to be heard in his own defence, follows the other that he has a right to be heard in the very ablest manner which he can provide.

But it is said that lawyers will defend those whom they believe to be guilty. To this it may be answered that a lawyer's belief is like that of any other man—he may be mistaken in his conclusions. But the conclusive answer is, that a lawyer who is engaged in practice in the criminal courts has no right to prejudice the cause of an accused person by refusing to undertake his defence on the ground that he, the lawyer, believes that the accused is guilty. He has no right to throw the weight of his judgment, of his reputation, of his position against his accused fellow-citizen, by refusing to defend him on this ground. This is now well settled as a principle of legal ethics, not founded upon the convenience of the profession—for it is a stringent rule which operates to the disadvantage of lawyers—but founded upon a proper and careful consideration of the rights of the citizen. So profoundly is this principle appreciated by the high minded of the legal profession, that even Lord Erskine, who stands among the foremost defenders of national and personal liberty, at the time when he occupied the position of chancellor to the prince of Wales, suffered himself to be removed from office rather than refuse to defend Thomas Paine on an indictment for a blasphemous libel; and this on the distinct ground that an accused person has a right to make his defence by the mouth of any advocate whom he may choose to select, and that the lawyer so selected cannot refuse to perform the service on the ground that he believes the man to be guilty, and by so refusing prejudice the cause of the accused in the eyes of the public by adding to the presumptions of his guilt. To defend the cause of of a man who may be guilty, is not to share his guilt. No subterfuge, no fraud, no falsehood is required of the advocate. The accused has a right to present the facts as skilfully as he can—the lawyer may do that; to reason as plausibly as he can from the facts:—the lawyer may do that also; to balance presumptions and probabilities, to appeal to reason, to fear, and to sympathy. This question has been discussed by [illegible] and moral philosophers from the time of Aristotle and Cicero, and if there be any principle of morals [illegible] which is well settled, it is that an honest lawyer not only may, but must defend an accused person if called upon to do so, unless he can assign some better reason than a belief in his guilt.

As to lack of energy in prosecution of evil characters.

These who are not familiar with courts and with the history of criminal trials, can have but a faint idea of the stunning and cowing effect which a sudden accusation of crime, and the near prospect of death, frequently have upon the minds of men. Men often plead guilty when they are innocent, and confess to crimes of which not only are they innocent, but which have never been committed by any one. Humane and intelligent judges, who see men in the dock apparently prostrated and bewildered by a sudden accusation, and pleading guilty to indictments, often refuse to enter the plea, but compel eminent counsel to appear in their defence; and it happens in thousands of such instances that the accused is innocent, and that no crime had been committed. Every one remembers the two Bournes, who were tried and convicted of murder in Vermont, and who not only confessed the crime, but indicated the place where they deposited the body of their victim; and strange to say, the murdered man, a poor crazed wanderer, actually came to attend the execution of the men who by their own confessions were guilty of his murder! It is hardly necessary to suggest in addition the numerous cases occurring in Sweden and New England some two centuries ago, where persons were executed on their own confessions for the crime of witchcraft, and many of them for having carnal intercourse with the devil!

These suggestions are not made for the benefit of the legal profession, but for the benefit of all our citizens. We have witnessed the erection in our midst, within a few days, of a tribunal which works with a fearful efficiency terrible to malefactors, and whose acts have thus far, now that their plan and the actors are disclosed, met with a general approbation. But it is the first principle of this Association that punishment shall tread closely upon the heels of crime. Then it follows that in proportion to the rapidity of the proceeding, should be the number of the safeguards against the errors of hasty action. If it is the essence of a man's rights that he be heard in his own defence in the best way he can procure, even in the slow proceedings of our courts, then it is doubly so when he is suddenly called to meet the sharp justice of a summary tribunal. Let him defend himself with what assistance he can command upon the facts of his case, and even with all the ingenuity that can be devised. There is no danger that

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his numerous judges can be swayed by any sophistry or eloquence of mere declamation; but there is danger that an innocent man might otherwise find himself enveloped in a web of circumstances which he cannot disentangle, from mere ignorance or imbecility, or want of self-possession. For it should be borne in mind, that in not one case in twenty, is a criminal caught in the act; but in most cases his connection with the crime is to be evidenced by circumstances, from which his guilt is to be inferred by an act of reason. Give him then, even before this tribunal, the benefit of counsel, and the writer of this would be the first to condemn any lawyer who, on being requested, did not give the accused the benefit of his assistance, and that, too, in the present condition of things, without any pecuniary compensation.

JURISCONSULTUS.

SAN JOAQUIN INTELLIGENCE.

From the San Joaquin Republican.

GREAT EXCITEMENT AT SONORA.—An American citizen who was at work on Shaw's Flat, had in his employ two Mexicans. On the 10th inst., he signified to them his intention of quitting the place, and he agreed to sell them his long-tom.—The Mexicans asked him to call early the next morning at their tent, for his money. Having worked for him, of course they knew he had amassed a considerable amount of dust, which they were aware he generally carried about him in a belt. He went, as agreed, on the following morning, to the tent, when, while one of them was weighing out the dust, the other attacked him with a knife, and stabbed him in various places. The American managed to reach the opening of the tent and to give an alarm, which was heard by some persons, but before they could reach the spot the villains had escaped. To prove that the attack was a premeditated one, we may state that under the bed of the Mexicans was found a grave already dug, evidently to receive the body. The man still lives, but his life was despaired of. On Tuesday the brother of the wounded man arrested three Mexicans of suspicious character at McLean's ferry, and took them to Shaw's flat, where [illegible] the population of Sonora collected to witness their execution; but when they were confronted by the victim they were declared innocent of the deed.

The citizens of Stockton have organized a volunteer police force and divided the city into wards.

THE SIDNEY EMIGRANTS.—We have long urged upon our authorities here, the absolute necessity of taking some measures to prevent the introduction of criminals into our midst from the penal colonies of Great Britain. We are glad that decisive measures have at last been taken for that purpose.—The People's Vigilance Committee are entitled to much credit for taking the matter in hand, and it is owing to their efforts that the community is principally indebted for accomplishing so desirable an object. Arrangements have been made with the Revenue Department of the port, which will hereafter prevent the landing of these convicts, as none but those who can show clean papers will hereafter be permitted to do so. The American bark *Chief*, which arrived here on Saturday evening was put under a strict surveillance, and none of her passengers were permitted to land until a sub-committee of the Vigilance Committee had examined into the matter. All the passengers on board were people of respectability, and all except five were American citizens, and no objection was made to their landing. We are glad that such is the case, as we would have been sorry to see any American ship introducing a load of criminals into our midst at such a time as the present. We have our hands full of these villains, without any fresh importations. We learn that there are several ships about to arrive with a large number of the most abandoned class of these emigrants on board, but we have no fears of their landing, as long as the Committee are invested with such powers as they are now exercising. Reliable persons who are well acquainted with the residents in these colonies, are employed to assist in the inspection of vessels as they arrive here.

WHO STRUCK BILLY PATTERSON.—In answer to the card of Justice Shepheard published in the Picayune of Saturday, we have only to say that his statement does not invalidate that of ours in any particular. It only proves that the Coroner neglected the case of Schmidt to attend to that of Jenkins. It was his duty, if he could not attend himself, to see that some one did. We have never known such a muss to be kicked up over a vile criminal before, as there has been over Jenkins. From the present sympathy in his behalf, we may expect that a demand will be made to have the colors of the shipping half-masted, and the fire and church bells tolled, and a procession ordered to carry his mortal remains to the tomb, and there declared a martyr to God and liberty.

A DANDY TURTLE.—We noticed a turtle in front of one of the eating houses near the head of Central wharf, a few days since, whose back shone like a looking glass. We took some pains to inquire the cause, when we learned that a boy [illegible] had a stand in the immediate vicinity, was in the

CITY NEWS.

A STABBING CASE.—A man named Whitzner was stabbed on Saturday night in a house on Pacific steeet near Dupont, in so serious a manner that it is doubtful whether he will recover. Whitzner was drinking in the saloon with a party of his companions, when some altercation took place among them. He had then retired from their midst, and was seated upon a bench on one side of the room, when one of the party approached him, and drawing a huge bowie knife, stabbed him in the lower part of the abdomen. The blow was directed upwards, fairly ripping the unfortunate man open. He bled profusely, and as soon as assistance could be procured, was removed and placed under the care of Dr. Burns, who considers his situation dangerous. The man that dealt the blow was promptly arrested and taken to the Station House.

A MAN SHOT.—Mr. Stratton, one of the proprietors of Stratton & Harris's Rancho, fifteen miles below this city, in Yolo county, was shot on yesterday morning by one Mr. McLane. The parties were previously on bad terms with each other, and Stratton had threatened to shoot McLane on the first opportunity. McLane, fearing that he would put his threat into execution, loaded his rifle and went out to meet Stratton, whom he found on the ranch. He immediately fired, and the ball passed the arm of Stratton, shattering it considerably. He then fired a revolver twice, and both of the balls took effect, the one piercing his side, and the other passing through his arm. He is dangerously wounded.

Deputy Sheriff Harris was near at the time and arrested McLane.—*Union*, 14th.

Extra Session of the Legislature—Lynch Law

We have heard the intimation thrown out, that it was the intention of the Governor to call an extra session of the Legislature, chiefly with a view to the modification of the criminal code, and its adaptation to the requirements and necessities of the present social crisis. We are not aware whether such an intention hear has not been avowed by the Executive, but we trust that no such purpose will be seriously entertained. Not to mention the innumerable reasons that would make such a step obviously unadvisable, we have no sort of confidence that a Legislature which failed to do its duty while in a regular session, will be more conscientious or patriotic in an extra session; and if wisdom did not visit that grave and reverend body while assembled for the express purpose of framing such laws as were required by the condition and necessities of their constituents, surely it is not to be expected that they will be more fortunate when called together as if to make laws to order. We have other objections. The expense of an extra session for ten days would amount to about sixty thousand dollars, and all the laws the Legislature can make are not worth that sum. They had an opportunity to do us justice by ridding us of our district judge and they did not avail themselves of it. We hope a Legislature that proved so recreant to their trust may never again be assembled. The Governor will not consult the wishes or the wants of this community by convening an extra session.

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The truth is, we are getting on remarkably well. This city is more free from crime than it ever has been within our recollection, and the measures being taken by the Vigilance Committee will make it still more so. We are fast and imperceptibly getting rid of all the vagabonds who have been plundering and murdering so long with impunity. It is true we have still a wretched judi[illegible] we have a very inefficient police: but citizens are about to correct all that [illegible] degrees. They have set a mark on the forehead of the judge, and they have assumed the duty of the police. There is a conviction in the minds of all, that punishment will now closely follow on the heels of crime, and that crime can scarcely be committed without detection. It is true that as yet there are many things wanting, but what we do not want is an extra session of the last Legislature. We have many difficulties to contend with, but really that would be burdening us beyond our strength and patience.

A great deal is said about the prevalence of Lynch law throughout the country. Some three or four hundred warlike Indians have put to death twelve horse-thieves. Well, there is nothing very extraordinary or deplorable in that. We are glad to know that there is a force of some sort to restrain such depredations in the lower country, and while the native Californians have such a force we hope they will always call it into requisition against such an enemy. Two persons have been hanged at Sonora for murder, and two persons shot in a melee at the same place. It is, to be sure, to be regretted that the murder was committed and that the melee was provoked,—but nevertheless the death of those four persons was a perfectly natural consequence—the necessity of which was to be deplored of course—but nevertheless natural and unavoidable. In this city a man has been executed for burglary—a man belonging to a gang of robbers, assassins and incendiaries. Lynch law no doubt—but just law—a punishment rendered necessary by the prevalence of crime.

In all these cases we have seen no injustice, and in those in which the citizens were the avengers of the violated law, no haste or passion or thirst for blood. A firm determination there is to mete out punishment where it is deserved, and that determination will be persevered in whether there be an extra session of the Legislature at Vallejo or not.

interrupted by Yates' wife. The Recorder finding impossible to keep her quiet, ordered the officers to take her into custody. [illegible] that the circumstances developed in this examination would lead to the detection of the whole [illegible] engaged in the robbery of Mr. Robert's store.

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Notice to Quit.—It is known that the Committee of Safety have for several days past been distributing to obnoxious parties "tickets of leave," which gently remind the recipient that his presence in the city will be dispensed with at the expiration of five days, and blandly insinuate that his health will suffer if he remains after that time. A number of individuals who have received despatches of this kind, have taken a sudden fancy to visit the country and regale themselves with a sight of its full-blown beauties. They have become decidedly rural in their tastes. Others are in momentary expectation of receiving similar invitations, and strange to say, shun the bearers as if they were sheriff's officers and themselves no better than they should be. Property holders on Pacific street, between Kearney and Stockton, and round about Murderer's or Cat Alley, a quarter to which some rude folks have applied the name of St. Giles, have become alarmed at this sudden passion for enjoying the country air, and fear many of their tenants will be seized with the infection, and their quarter of the city be nearly depopulated. An individual named Hetherington appeared before the Recorder yesterday with a mysterious looking piece of paper, that had been served upon him in a most mysterious and unaccountable manner, which, upon examination, read somewhat thus:

"You are hereby warned to leave this city within five days. By order of the Committee of Vigilance."

He asked for protection against this decree, earnestly asserting that he was an American citizen bred and born, and was a native of Richmond, Virginia, that he was innocent of any offence against the peace and good order of the city, and was utterly ignorant why he should have come under the ban of the committee. The task of driving off the chaff from society—of separating the sheep from the goats—which the committee with a most commendable energy have undertaken, is a most delicate and responsible one no doubt, and requires the utmost caution lest innocent persons should suffer on the information of parties desirous of their ruin. The opportunity is a tempting one for a man of revengeful feelings to get rid of an enemy by denouncing him before the committee, and it will require all the caution, judgment and discrimination of the members to sift carefully the testimony of those upon whose information their action is to be founded. But we need not say that we have full confidence in the prudence and caution of the committee. The measures they have adopted for ridding society of the pests that have so long infested it, are conceived in a spirit of far-sighted carefulness and forethought worthy of all praise, and we will answer for them, that whatever they do will be done well and justly to all parties. Mr. Hetherington's story would appear very well but for the fact that he is connected with another gentleman up before the Recorder, named Barns, who has been too often before his honor to bear a very enviable reputation. We hope the committee will persevere in this, the most efficacious measure they have yet adopted for the suppression of crime in this city.

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Courier 6/18

Shall the Police be Disbanded?

Crime has for the last eight or ten months become so universal, and its devotees so daring in their atrocities, that we are called upon as a community to adopt some prompt and decided means to put an end to its further progress. The police of this city, while they may have done all that they were capable of accomplishing in suppressing crime, have in no manner succeeded. Under this state of things, the question arises, shall we continue this branch of the public service? We unhesitatingly answer, no. It should be disbanded, and that, if possible, at the next meeting of Council.

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Just now we pay an annual sum of about $260,000 for the support of the police. This is a heavy item of expense borne by us as a community. In fact, more than we are able to bear in our present embrrrassed condition. It is $210,000 more than is paid for the administration of government in Virginia per annum. If, therefore, this branch of the municipal government thus far has served us to no purpose, and is not likely to do so for the future, it is every way important that we get rid of it.

In the city of Mobile there is no such thing as a government police. The citizens themselves without charge to the city, watch by night, and guard it from the attacks of desperadoes. This arrangement in that city, requires each man to watch one night only of every month, or twelve times a year. Such a division of labor does not operate as an inconvenience to any man. In this way the city is always quiet, free from broils, fires, and crimes. It was not formerly so under a regular constituted police. In a frontier population like ours, a man must have an interest in that which he is to protect or he is likely not to give it the attention that is necessary. This thing a thief well understands, and he will apply all his ingenuity and skill to put a watchman off his guard.

Now we propose that the Common Council repeal the ordinance appointing policemen at once, and adopt the following or a similar plan in lieu of it. Let one man of great decision of character be appointed in each ward who shall act under the Marshal's direction. In each of these wards let a private police be established among the citizens who reside in it. And in every ward let there be a station house, not for confining criminals but for rendezvous, where a register may be kept of all the people able to do duty, as well as a register of the names of all suspicious persons and houses in the ward, and where information may be carried at any hour of the day and night, of the movements of criminals and for the lodgement of complaints.

Each one of the citizen police ought to be sworn in and to have some pass-word or countersign whereby they might understand and recognize each other. In this way information could be distributed throughout the ward without awakening suspicions in the minds of evil disposed persons and criminals. Thus a well systematized and powerfully organized citizens' police would be established throughout the city by day and by night. The plan might be perfected in better hands than our own. But one similar to this would not only relieve the city of the immense expense now incurred in the support of a regular police department, but it would have the effect of placing men to watch the city who have a personal and pecuniary interest in the property to be protected. This plan also would relieve the Marshal from a constant chase after a paid police, to see thaz they were attending to their duty. As chief of the citizens' police he would feel that those under him were reliable, from the fact that they were personally interested.

As a revenue measure as well as a prudential measure, we believe the present police regulation should be abandoned, and the plan we have submitted above be established in the place of it. Just now, there are at least fifty applications per day to get on the police. Many of these applications come from men known to be thieves. In fact the Marshal has had to dismiss several who came to him well recommended, and who he afterwards found were thieves at home, and thieves here. Under the circumstances, it is safer for us to trust our fate to those having industrious occupations as well as property to protect. A Swiss guard in a new country like this is not the one to rest upon in such a crisis as we are experiencing. We know that there are some good men on the police, but we fear there are not enough of them. This subject is worth considering, and we ask the attention of the Common Council and our citizens to it.

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Protection to Criminals.

The following inflammatory hand bill we understand is the joint work of a California state Senator and an attorney at Law, formerly a Judge in the States. The authors of course did not come to us to print this incendiary document, for they knew our views too well—but we hear that they carried it to several offices to be printed. It is understood that they finally got it printed at an office on Clay street. The most of the bills were suppressed by two gentlmen. It is a most insulting and libellous publication.—Assassins and criminals might well step forward to assassinate and rob us, when men holding prominent positions in this city become their advocates and defenders at the bar and on the public streets. We give the hand bill in full below.

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Ex P.J.I. Courier 6/19

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San Francisco, June 18.

It will be seen that this meeting is called on the Plaza on Sabbath afternoon, at the very hour and place when the Rev. Mr. Taylor is engaged to preach. Mr. Taylor would have no connection with such an assemblage. He goes with the people and against the thieves and murderers and their defenders. The charge that the men who hung up Jenkins are murderers, and that the principal actors are Dantons and Robespierres and that the Peoples Vigilance Committee is a secret Inquisition, are grossly libellous. Have the people who seek to rid the city of these gangs of criminals, covered their nakedness, and fed their stomachs from money stolen and plundered from this community? Can some of the false and hypocritical advocates of law and order say that they have not received such money. No they cannot.

We do not intend that they shall receive any more money in this way. They have protected the thieves as long as we intend they shall. Have these thieves not filched enough from us? Must we cry peace, when there is no peace—law and order when there is no law and order—until we lose what little we saved from their grasp, and then give them our lives. The only "secret inquisition" we know of in this city against which we may wish to see aroused public indignation and resistance, is the organization among a sworn band of burglars, thieves, incendiaries and assassins. The only Dantons and Robespierres we wish and are determined to put down are the head men in these acts of crime, and their aiders and abettors. This we will do at every hazard, and the criminals and their defenders may rest assured of it. We do not wish that they should misunderstand us or be deceived. Sink or swim—survive or perish, we mean to do the work before us most effectually. The men who will dare to stand between these criminals and the people, will find, perhaps when it is too late, that the people will serve them as they intend to serve criminals. Our advice to them is, not to presume too far upon the forbearance of this community.

The idea of appealing to the sanctity of religion, to law and order, to sustain the object of the proposed meeting on the Plaza, is ridiculous in the highest degree. The Bible teaches that "thou shalt not steal"—"thou shalt not kill." It enjoins the necessity of punishing criminals. That Holy Book cannot be appealed to by these misguided and false friends of religion and law. If we had laws adapted to the emergency, we would go for abiding by them; but so long as we have not, we go for making and executing laws that will protect both our lives and property from all these incendiarics and assassins, as well as their advocates and defenders. If such men do not think we are in earnest, let them take the consequences. The meeting had better not be held.

Courier 6/19

Discharged.—Mrs. Yates, the woman who was arrested on Tuesday last, on suspicion of being concerned with her husband, in the robbery, of the Jewelry store of M. Robert, in Dupont street; was on yesterday brought up for examination, and, nothing appearing, to warrant her detention, on motion of her Counsel and by the consent of the Plaintiff's counsel, she was discharged. This woman is undoubtedly connected. with a band of desperate characters. It is well known, that she is acquainted with Adams, the notorious burglar, and the police would do well, to keep an eye upon her movements.

More Arson.—We are informed that a fire was discovered under a building in the rear of Jones's Hotel yesterday afternoon. There was no damage done before the discovery was made. From all circumstances, it was supposed to be the work of an incendiary.

Watkins and Brier.—These notorious individuals, the first of whom is indicted for burglary, and the second for larceny, were arraigned on yesterday before the Court of Sessions, and plead to the indictments against them, "not guilty." There has as yet been no day assigned for the trial of the causes.

Poor Fellows!—Our sympathy was much excited yesterday in behalf of several gentlemen who are impatiently awaiting the arrival of the Oregon, on board of which steamer they suppose are their wives. We could not help comparing our own happy bachelor condition with their's and pitied them from the bottom of our hearts. May they not be disappointed when she does arrive.

Recorder's Court.—Before Judge Waller.

The attendance at the Recorders Court on yesterday morning was unusually slim. There were only four persons arraigned for being drunk. Their names are, Jas. Williams, Jas. Turney, Robt, O'Conner, and Richard Goonson. The two former were fined $5 each, and the latter were discharged.

Mrs. Yates, who was arrested on suspicion of being concerned with her husband in the robbery of a Jewelry store, was discharged.

Mary Ann Holbrook was brought up, on the complaint of Mrs. A. Swift, for being disorderly, and calling the plaintiff hard names. The case was continued for a further hearing.

Courier 6/19

CALIFORNIA COURIER.

JAMES M. CRANE.....Editor.

FRIDAY, JUNE 20, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

Agents for the Courier.

The following persons have been appointed Agents for the Courier and are authorized to receive and receipt for Subscriptions, Advertising, or Job Work:

E. B. Davidson.....*Sacramento City.*
R. A. Reddy.....*Marysville.*
Elliot Reed.....*San José.*
C. M. Davis.....*Benicia.*

CITY NEWS.

June 19

Arraignment of Watkins and Brier.—These two individuals charged with burglary were yesterday arraigned in the Court of Sessions, and pleaded "not guilty." They were both genteelly dressed and appeared perfectly self-possessed, whilst the indictment against them was read. Watkins is quite a young man, and yet a veteran in crime. He, in company with Adams, was caught by the police, after six nights' watching, in the office of Col. Stevenson, attempting to get into his safe. He escaped three times from the Station House, and was three times recaptured. It is probable that for his own safety, he has been captured once too often. His companion Adams, who is a most daring and expert burglar, brought up in the school of London criminals, is yet at large. Several persons have thought that they have seen him of late. He was the leading spirit of the gang. Brier was arrested several days after the apprehension of the other two on suspicion of being a confedate. A quantity of stolen articles were found in his house, some of them under the bed of his wife. His friend Watkins tried hard to swear him clear during his examination before the Recorder. Seymour was another of the same precious party. He too escaped and has never been seen since. It is probable he has learned wisdom and left the city. Watkins boasted when in the Station House that no prison in California—very few in the United States—could hold him; but he has found since his incarceration in the county prison under the watchful superintendence of Col. Hays and his subordinates, that he counted without his host. He has been kept, since his transfer to his present quarters, and he may rely upon it, he will be held until the law has run its course. His trial will take place on Friday the 20th inst.

Herald 6/19

Post Mortem Examination.—Dr. Matthew P. Burns sent in yesterday to the Marshal the report of the results of his examination of the stomach and intestines of Frank Brewer. He pronounces that the deceased came to his death by poison, probably administered to him in his food. A large quantity of arsenic and morphine was extracted from the unfortunate man's stomach.

Correction.—A person named Joseph Hetherington, from St. Louis, appeared before Judge Waller yesterday, and stated that the impression had got abroad that he was the Hetherington referred to in our article yesterday headed "notice to quit," as having obtained a "ticket of leave," from the Vigilance Committee, and desired the Recorder to bear witness that he was not the man. This the Recorder readily did. Mr. Joseph Hetherington, the public will understand, is not the individual referred to. The real person upon whom the committee have served a notice, lives on North Beach, and stated when he presented himself the previous day before the Recorder and Mayor, that the committee had directed their notice to "Herrington," although his real name was Hetherington, the same as that of the person who desired this correction to be made.

Morality of the City.—Cases in the Recorder's Court.—In continuation of our previous articles giving at stated times a view of the state of crime in our city by extracts from the records of the Recorder's Court, before which all offenders are brought for examination before being tried by a higher court, we find the following cases to have come before the Recorder from the 1st of June up to the present time, the 19th. The whole number of cases that have been examined since the institution of this court is 3,294; the number from June 1st to 18th, inclusive, has been 184, being an average of 10 per day. Of these the arrests were made for the following causes:

Drunk and disorderly	35	Counterfeiting	2
Furious riding and driving	14	Stabbing	1
Peddling	3	Discharging fire-arms	7
Fighting	25	Burglary	1
Assault and battery	27	Robbery	8
Larceny	14	Suspicion	7
Subornation of perjury	1	Threats against life	2
Resisting officers	4	Violation of city ordinance, principally that against keeping open after midnight	30
Poisoning	2		
Arson	1		

Of these 184 cases, 74 were discharged, being nearly one half; 8 were sent on to the Court of Sessions for trial, and the remainder were disposed of by fineing in sums ranging from $5 to $200, in a few instance by imprisonment in the county jail. Of the whole number of arrests made, it will be perceived that 146 were for minor offences, such as drunk and disorderly, fighting, discharging fire-arms, violation of sundry city ordinances, &c., &c.; but 8 being considered of sufficient importance or supported by sufficient testimony to send on to a higher court for trial.

Herald 6/19

☞ **Third Ward Volunteer Patrol.—List** of Officers.—Chief, J. L. Folsom; Assistant Chiefs, James Murray, Jas. C. Hasson. James F. Curtis, Joseph E. Dall, B. F. Decya, J. Shepherd, H. R. Hartle, L. P. Everett, W. W. Parker, H. Macla, C. Groulier, P. Markey, Thos. McCahill, W. F. Martin; Secretary, H. Wakeman; Treasurer, P. Warren Van Winkle.

Citizens wishing to join the Patrol can do so on application to any of the Chiefs or Secretary. my31

CALIFORNIA COURIER.

JAMES M. CRANE.....Editor.

FRIDAY, JUNE 20, 1851.

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C. M. Davis.....*Benicia.*
R. L. Murphy.....*Sonora.*
W. H. Baxter.....*Nevada City.*
E. E. Griffith, Jr.....*Santa Cruz.*
J. C. Low.....*Eureka, Humb't Bay.*
L. B. Gilkey.....*Trinidad.*
Chas. K. Cellen.....*Los Angeles.*
John I. Sheppard.....*Sonoma.*

WHIG STATE TICKET.

For Governor.
PEARSON B READING, of Shasta.

For Lieutenant Governor.
DRURY P. BALDWIN, of Tuolumne.

For Justice of Supreme Court.
TOD ROBINSON, of Sacramento.

For Attorney General.
WM. D. FAIR, of San Joaquin.

For State Comptroller.
ALEXANDER G. ABELL, of San Francisco.

For State Treasurer.
J. M. BURT, of Butte.

For Surveyor General.
WALTER HERRON, of San Joaquin.

For Congress.
E. J. C. KEWEN, of Sacramento,
B. F. MOORE, of Tuolumne.

The Authors of the late Handbill.

Having understood that the persons to whom we alluded yesterday as being the reputed authors of the late inflammatory hand bill, had denied connexion with it, we undertook to investigate the matter. After going to several of the parties, and the office where it was said the bill was carried to be printed, we found that they denied ever having accused the two gentlemen alluded to with bringing it to their offices to be printed, or of having anything to do with it. They also denied ever having their names connected with it. The gentleman who gave currency to the charge, when called upon, admitted that he made the statement on the report of another. We are now satisfied that the gentlemen to whom we alluded yesterday not only had no agency in it whatever, and did not know of its publication until it was out; but on hearing of it, they both disapproved of it, and urged the suppression of it. The real authors of the handbill have confessed that they published it without the knowledge or consent of either of these gentlemen; and one of them has called on us and made a statement to this effect. We have the names of the real parties who wrote and published it in our possession.

Although we have been opposed to the course of the parties alluded to yesterday, and opposed to the views of the other gentlemen, we will not do them any injustice. They are therefore entirely exonorated from such a proceeding or as the handbill proposed, or as parties to its publication in any particular. We do not intend to let any man escape be he high or low, rich or poor, but we shall not implicate any one unless we have the proof. Our object, as well as the purpose of the People's Committee is to get at the guilty and not at the innocent, and to wrong no man unjustly. We are anxious to have our ourselves and friends in the right and not in the wrong. Such a course will enable us to restore public confidence and accomplish success.

The Progress of the Vigilance Committee.

We must declare that never have we heard or read of an organization more thoroughly effective—an association of men so grandly successful in the object of their combination, as have been the Committee of Vigilance of this city. Pursuing their purpose noiselessly, earnestly and unremittingly, they have effected in twelve days what the Courts during the whole of their existence, armed with the thunderbolts of the law, have never been able to accomplish. They have palsied the hand of the assassin and the incendiary, and have encircled the criminals, who publicly defied the law, with a network from which all their efforts will not enable them to escape. Their vigilance never sleeps. Their investigations embrace all classes. Their agents are invisible and ubiquitous. The "cribs" which have been the nightly rendezvous and daily lurking places of thieves of every description, are all marked and have received or will receive notice that their nefarious practices will not be longer tolerated. The most notorious scoundrels are ordered to leave the country, and many more are being watched for the purpose of being more thoroughly detected. Criminal correspondence and connection has been traced to men hitherto occupying respectable positions in society, and their exposure has been delayed merely to give time for the accumulation of proof or for their departure from the country. In fine the Association have conducted their measures for the protection of the public safety with a cool circumspection, an earnestness, during and energy, that must command respect and admiration.

Herald 6/21

They now number over four hundred of the best men in the city. One fourth of this force is constantly on duty day and night, and each particular member seems to have devoted himself to the discharge of his duty with an enlightened zeal that has produced the most surprising results. The testimony already collected fills a large volume, and has occupied the exclusive attention of one man in transcribing. The Committee commenced with making a notable and severe example. It had the effect of proving that they were in earnest in the prosecution of the work they had undertaken. Since that time they have been employed in bringing to light the various places of resort of the criminals still at large. A large number of those cribs, as they are called, have been discovered, and after being duly warned, have been closed.

The keeper of one of these establishments, a notorious individual named Hetherington, whose house was known to be a den where scoundrels of every description congregated, was warned by the Committee to leave the country in five days. He disregarded the notice, and when his leave expired appeared determined to hold out against the will of the Committee. Immediately a detachment was despatched to arrest him, and about eleven o'clock yesterday morning he was taken from the midst of his associates, having offered no resistance, to the room of the Committee of Vigilance. Here he was formally tried, and the proof being positive, it was decreed that he should leave the country. It is unnecessary to say that measures are being adopted to put the sentence in execution. Hetherington, who apprehended some penalty less mild, seemed not dissatisfied with the decree. On his person a quantity of jewelry was found, and we understand he has told a policeman that before leaving he will make disclosures which will implicate persons against whom no suspicion is now harbored. Of course the accusations of such a character must be taken with much caution, but they may lead to some important discoveries, nevertheless.

The public will, we presume, be entirely satisfied from what has already been done by the Committee, that the public interests,—so far as regards the detection and prevention of crime and the punishment of criminals,—are abundantly safe in their hands.

June 24

Court of Sessions.

A. Campbell, Judge; H. S. Brown and E. McGowan, Associate Justices.

The People v. *Wm. Watkins*, indicted for burglary.—The defendant was put upon his trial before a jury, and the indictment being read, charged him and one George Adams and one Frederick Seymour with having burglariously entered the store of J. D. Stevenson, on the night of the 15th of March, at 11 o'clock.

G. K. Platt, District Attorney, appeared for the prosecution; George W. Barton, Esq., defended the prisoner.

The first witness for the prosecution being called, the prisoner's counsel arose and suggesting that the statute defined two kinds of burglary, one accomplished by force in the entrance, and the other without force, where made through an open door or window, contended that it was necessary for the indictment to set forth the particular kind, and the indictment being wanting in this requisite, he objected to any testimony in support of it. The objection being argued by the counsel, was overruled by the Court, and the testimony was proceeded with.

Joseph Marks, sworn, says: In accordance with information received from Seymour about the 5th & 6th of March, I went up and notified Mr. Parker, Col. Stevenson's partner, of their intention; three or four days afterwards Seymour introduced Watkins to me as his partner, and told me if I wanted to go in with them, that I must go down and get the impression of the key of the door; which I did with a piece of soap, according to instructions given me by Watkins, and handed it over to him. (here the witness described the manner of taking the impression.) W. then told me to meet him on Howison's pier at 7 or 8 o'clock in the evening, when he would have a key prepared, with which they would enter Stevenson's store and get some money in there. I accordingly met him at the hour appointed, on Sacramento street wharf, when they informed me tha: they had opened the lower door, but could not get into the office door, and wished me to go the next day to get the impression of the key of that door, also of the key of the safes. I went the next day and got the impression of the keys required; an hour or two afterwards I met Watkins in Dupont street and gave him the impressions, when he told me he would have the keys prepared by 7 or 8 o'clock that evening, viz: the 15th of March. When I went down that evening I met him, and he told me he had been in the lower door, but there was a light in the office; but that he had every thing ready to get the money out that night. About 8 or 9 o'clock I went down and saw Watkins, Seymour and Adams, walking up and down Long wharf, opposite Howison's pier; I asked them if they were going in, and they replied that they would wait until the moon went down; for about 5 minutes they talked together, when Seymour told me to follow Adams and Watkins to Stevenson's store; I did so, and saw the latter take out the key and open the lower door; they went in, shut the door and locked it behind them, telling me to watch outside, on Sacramento street wharf, for Col. Stevenson and Mr. Reynolds, and give notice if I saw either of them coming. I then notified officer Macauley, who was purposely stationed at the corner, that he would find the party up stairs, and while he was trying to get in I left. It had been agreed that the money was to be divided between us four.

Cross-examined.—I used to keep the Philippa House on Jackson street; afterwards kept bar on Long wharf; I went into this conspiracy for the purpose of informing on the others; I never have received or been offered any reward for giving this information. I came out here in Col. Stevenson's regiment.

Col Stevenson, sworn.—In the early part of March I received information of the intention of these parties, and assisted my informant in preparing impressions of the keys asked for by them; and had Mr. Reynolds, my clerk, and a police officer stationed so as to enter the room by a back door at the proper time.

Thomas R. Eddy, police officer—Had been watching several evenings in the back room, by reason of the information thus received; on Sunday night, about 9 or 10 o'clock, the door below was unlocked and we heard persons coming up-stairs and go into the office, passing by the room in which we were concealed; on their opening the office door we opened another door leading into the office, and went in, where we found the prisoner Watkins and Adams. On my seizing them they asked me if I was an officer, and desired me to show my authority; Adams then said that they were friends of Col. Stevenson, just paying a visit to his office; they were both armed; when we went into the room, the prisoner was handling the safe; the other was at the window.

The case for the prosecution was here rested, and the counsel for the prisoner stating that they had no witnesses, nor desired to make any argument, the case was submitted to the jury with an instruction from the court that if they found the prisoner guilty, it was their duty to fix his sentence, at a term of imprisonment not less than one, nor more than ten years. The late act, making the offence punishable with death, did not go into effect until after the commission of the crime charged, and consequently could not apply to this case.

The jury retired, and after an absence of about ten minutes, returned with a verdict of "guilty," and fixing the sentence at ten years' imprisonment.

Col. James, associate counsel for the prisoner, requested the court to delay passing sentence until Monday morning, before which time they would move for an arrest of judgment. The court replied that the law required a delay of two days between the finding of a verdict and the passing of sentence, and ordered the prisoner to be conveyed to the county jail.

The People v. *Francis Brier.*—The defendant was put upon his trial on a charge of having in his possession, together with others, a lot of watches and other jewelry stolen from C. Justin, on the 15th day of March last. The indictment was also against the wife of prisoner, who has since died.

L. S. Eddy, Esq., counsel for the prisoner, was proceeding to make a motion to quash the indictment, when the court refused to entertain it, on the grounds that the motion was made too late after the pies being put in; and further, that the question proposed to be raised had already been adjudicated on a demurrer, argued some time since.

The evidence of C. Justin, and police officers Macauley and Eddy was heard, which established the fact of the robbery of the former, and the finding by the latter, of most of the goods stolen, in a house on Broadway, between Dupont and Stockton streets, in a room of the upper story of which Brier was arrested, and where his wife was found sick abed. In the room occupied by the latter was found but a few of the articles, and those produced in court, and identified by Justin as his property.

The testimony for the prosecution being closed, the prisoner's counsel addressed the jury by stating that he did not consider it necessary for the acquittal of the prisoner to produce any testimony in his behalf; but in consideration of the popular excitement, and also to prove his innocence clearly, he would show that this stolen property was found in the room occupied by the burglar Watkins, and rented by him from Brier, who had no connection with him. He would also prove his previous good character and the respectability of his connections in New York. But his witnesses not being in attendance, he moved the Court for an adjournment of the case until to-morrow. After some discussion, the Court granted the motion, and the Court adjourned until to-morrow morning at 10 o'clock.

The following cases are on the calendar for Saturday, the 21st inst.:

The People v. Valencia—Larceny.
The People v. Hetherington—Perjury.
The People v. Davis and Hetherington—Conspiracy to cheat.
The People v. Wm. Thurgood—Swindling.

Recorder's Court—Hon. R. H. Waller, presiding.

James Neal was fined $5, for discharging fire-arms within the city limits.

John Bailey was sent to the county jail until the 1st of July, to get over the effects of a bottle of champagne, fraudulently spirited into his possession from that of the Alcalde's office.

Two Frenchmen, Auguste Bourie and Quimie, were fined $15 each, for indulging their belligerent propensities.

Herald 6/21

ACTION OF THE VIGILANCE COMMITTEE.—Many persons were under the impression that the Vigilance Committee was organised on the spur of the occasion for the punishment of Jenkins. In this they are very much mistaken. Their object extended much further—their aim was not only to punish for offences committed, but to prevent the future perpetration of outrages. The assassin and villain, when caught in the overt act, were to be punished, but a still more effectual remedy for the protection of society was adopted by warning all who had become notorious by their connection with criminals to leave the city. This latter course has been entered upon after due deliberation and is prosecuted with unflagging energy. As previously stated, many have received notices to quit, and their good sense has induced them in almost every instance to obey the mandate and relieve the city of their presence. Burns, upon whom such a notice was served, asked a hearing from the Committee to give him an opportunity to prove that the character of his house had been misrepresented. Such an opportunity was readily afforded by the Committee, and in the meantime an extension of his permit to remain has been granted. Hetherington, who had in vain applied to the various city officials for protection against the decree of the Committee, finally determined to refuse obedience on his own responsibility. He had the idea that their energetic action had ceased and that he might with impunity overstay the time allowed him to depart. But he was yesterday convinced that he had mistaken the character of the men with whom he had to deal. They not only issue an order, but they see that it is obeyed. Accordingly, Mr. Hetherington's five days of grace having yesterday expired, and he refusing to obey the decree of banishment, the Committee assembled in great numbers, probably two or three hundred, and took their way towards North Beach, where was the residence of the proscribed. They surrounded the house of the offender, and despite his remonstrances and bluster, carried him off to the committee room, opposite the Rassette House, where he was condemned for contumacy, and ordered to be sent back to Sydney by the first vessel that leaves for that port. In the meantime, it is understood that he has been removed on board a vessel in the harbor—not a revenue cutter—for safe keeping. It is probable that such prompt and efficient action on the part of the Committee will have its effect upon others upon whom their process has been served and induce them hereafter to pay ready obedience to their instructions.

CITY NEWS.

CONVICTION OF WATKINS.—The case of the great escaped, and as often re-taken, Watkins, was finally brought to a trial yesterday, before the Court of Sessions, and resulted in his conviction, on the charge of burglary, and sentence to imprisonment for a term of ten years, the extreme penalty of the law applicable to his case. The prisoner manifested a supreme indifference throughout the whole trial, and received with a placid smile the announcement of the verdict; and while being conducted from the court house to the county jail, laughed very heartily at the joke of a boy who picked up a rope and presented it to the crowd who followed, as very convenient for the hanging of Mr. Watkins. Three or four sheriff's and police officers accompanied the prisoner, and a numerous body of outsiders followed, doubtless, with a view of seeing anything that might "turn up" on the way. A full report of the trial will be found in another column.

THE VIGILANCE COMMITTEE.—This body of citizens united together for the purpose of executing justice and giving force to the laws, did not include in the beginning more than one hundred members. Since the execution of Jenkins, however, and the vigorous and effective measures that have since been taken to rid the city of the pests that infest it, large additions have been made to their ranks from among the most influential and respectable citizens—so that the Committee now comprises several hundred members. The uninitiated do not know how extensive are the ramifications of this body. The names previously published are not a moiety of the present members. Rogues and scoundrels generally should therefore be cautious—for they cannot know at what moment one of the Committee may be at their elbow. The organization is complete and effective.—Stated and frequent meetings are held, at which regulations to give efficiency to their actions are adopted, and every effort made to ferret out the vile and infamous characters who have so long and with such impunity made this city the scene of their depredations. Any good, respectable and honest citizen can become a member on the recommendation of two of the Committee. Since the publication of the constitution and the names of those composing the Committee—but above all, since the vast amount of good which has been effected calmly and dispassionately by ridding society of its pests—the objections of a great many who honestly and from conviction opposed the institution of such a body in our midst, have been removed, and they now join with the original supporters of the Committee in saying "amen" to their well directed efforts.

H. H. Bancroft Collection
Bancroft Library

California Courier

ANOTHER TERRIBLE CONFLAGRATION!!

NEARLY ONE-FOURTH OF SAN FRANCISCO IN ASHES.

SIX MEN KILLED!!

ESTIMATED LOSS OF PROPERTY $2,000,000!!!

We are again called upon to record another terrible conflagration in our city. San Francisco seems to be doomed to affliction from fires. In all these fatal conflagrations, no man appears free from apprehension, and all, in part, become common sufferers.

The present fire, which makes the seventh that has overtaken us, commenced yesterday morning about half-past ten o'clock, in a two story frame building, occupied by some Frenchmen, near the corner of Powell on Pacific street. It was evidently the work of an incendiary. In fact, we learn that there was not a flew, stove-pipe, or any other means by which fire could be communicated to the building. We understand that a few minutes before the fire broke out, a man was heard coming down stairs. The occupants of the house hearing something cracking in the second story, started up to see what was the cause of it. On opening the door, they found the whole room enveloped in flames.

If the proper persons had been on the ground when the fire broke out, its spread could have been prevented. By the time it reached the adjoining building, the wind arose, and blew with great violence, immediately down upon the main portion of the city. Although a number of houses were torn down, yet there seemed to be none at the proper time. In fact, there appeared to be but very little concert of action. Nothing, however, among all the available means used, was sufficient to resist the march of the flames.

The fire burnt every house on Powell, from Broadway through, and some distance beyond Washington street. From Powell, between Broadway and Jackson down, these two streets to Ohio street. Also down Jackson and Washington streets to Montgomery, and beyond Montgomery to Jones' Alley—half way bktween Montgomery and Sansome streets. On the east side of the Plaza, it consumed the Jenny Lind theatre, and nearly the whole square of frame buildings between Clay and Washington sts.—Among those saved were the Bella Union, the Custom House, the Verandah, the El Dorado, the California Exchange, the Union, Kelsey, Smith & Risley's brick store, and all the brick banking establishmedts on Montgomery, between Washington and Clay sts.

Burgoyne & Co. fortunately removed their treasure and all other valuables from the adobe on the Plaza, into the vault of their new building on the corner of Montgomery and Washington streets, where they will open for business this morning at nine o'clock. The Post Office was saved by the greatest exertions of the Post Master, his clerks and others. Some noble hearted fellow brought three loads of water in a hogshead to the block of frame buildings on the west side of the Plaza, by which means nearly the whole block was saved.

The remains of two dead men were taken from the ruins of some houses on Jackson, between Dupont and Kearny streets. One of them had about his person a gold watch and a gold ring. They have, we believe, both been identified.

It is impossible to tell to-day the amount of property lost, or the persons who have suffered by the fire. We will try and present a correct list of those who have met with losses to-morrow. We give what few we have had reported to us.

Mr. Chauncey, county assessor, $5,000; Alderman Grant, $5,000; Recorder McGlynn, $5000; S. A. Johnson, $11,000; J. & *M.* Phelan, $35,000; Burgess, Gilbert & Still, $1,500; Bonnemaun & Sclochta, $1600; Jno. Winterton, $6,000; Reynolds & Co., $6,000; Markwald, Caspari & Co., and Mauson & Co., $165,000; City and County, $200,000: Alta California, $60,000.

Among the heavy losses, are the First resbyterian Church edifice, (Rev. Mr. Williams,) the Hall of the California Guards, the City Hall, the building of the Alta California, Dr. Stout's Hospital, and others that we do not now recollect. About one-fourth of the goods placed on Portsmouth Square caught fire, and were either consumed or materially damaged. The Baptist, Episcopal, and Congregational Churches were saved by the greatest exertions. In fact it was a remarkable Providence that either were saved. It is to be deeply regretted that the beautiful Presbyterian Church and the Hall of the California Guards were burned. We regret to hear also, that the City Hospital was destroyed.

The fine brick building in Jackson street which stood through the last fire, surrendered to the flames of the present fire. The owners of the building lost $15,000, and the occupants $150,000 in merchandize. The greatest loss however was the burning to death of two persons who were inside trying to save it. One of the number has been found—the other one had not been discovered up to one o'clock this morning.

Among the many citizens who took an active part in staying the flames and saving property yesterday, none are more deserving of credit than J. C. Saunders, Esq. By his untiring exertions and good judgment, he was mainly instrumental in saving Pacific street wharf. Mr Saunders arrived here a few weeks previous to the fire of the 4th of May last, and brought with him two Baltimore fire engines, together with a large quantity of hose, expecting to find a ready market for them in this place; but not succeeding in disposing of them, he has, at the last two fires, generously volunteered their use, with that of the entire apparatus. Such acts of disinterested kindness should not go unrewarded.

It is impossible to-day to name all who were most prominent in assisting to put a stop to the fire, and in assisting to save the property of our citizens. But we may name Mayor Brenham, ex-Mayor Geary, J. L. Van Bokkelin, Capt Thompson, Ald. Meiggs and Grant, Wood & West, C. M. Elleard, Capt. Garwood, and many others whose names we have forgotten, it is said performed gallant service. We are satisfied that we have the names of but a few persons. We have not the room now to speak even of those whose names we have mentioned. We will try and give the particulars to-morrow.

The Station House was set on fire in half an hour after the fire was discovered in Pacific st During the progress of the flames, the city was attempted to be fired in six places by a gang of villains. A man was caught setting fire to Pacific street wharf. Many of the incendiaries and thieves were arrested. The Peoples' Committee have a number of them, and the police have charge of the balance. Two thieves were shot dead by officer Noyes while attempting to make way with stolen goods.

The Vigilance Committee.

Various reports were in circulation last night, relative to the action of this body, but owing to the excitement consequent upon the fire, many of them were very incorrect. Many of the Vigilance Committee, like our noble fireman, had deep private interest at stake,—but disregarding these, we saw them at all parts of the city, protecting their neighbor's property, and doing all in their power for the public good. So far as we can learn, there has been some seven arrests prior to dark, last evening, principally for petty larceny. What action has been taken upon their cases, we are not advised, but we can assure the public, that they will be fully advised of the result of the deliberations of the Committee, prior to the infliction of any punishment. The gentlemen composing the Committee are law abiding men, and will mete out justice without fear, favor, or affection.

June 23

Foul Murder.

Last evening, about half-past ten o'clock a man by the name of N. L. Pollock was shot dead with a pistol, by a man called Samuel Gallagher. It is said they are both sporting men. The murder occurred in a house of ill-fame in Merchant street, kept by a woman known as Mary St. Clair. It appears that Pollock was found in bed with a woman kept by Gallagher. As soon as the latter heard that the former was in bed with his woman, he forced open the door, and demanded why he was there. Pollock instantly rose, and said, "You have a pistol," and tried to get away. He made but a few steps, however, before he was shot through the head by Gallagher, and fell dead. His brains were scattered about the floor. Although the murder took place in a vile house and over a vile woman, yet, from all the facts furnished, it appears to be a cold-blooded murder. If Gallagher be found guilty by the People's Vigilant Committee, in whose hands he is, he ought to be hung to-day in the public Plaza.

Since writing the above we have received the following verdict of a Coroner's Jury held by Justice McGowan over the deceased:

The Jurors aforesaid upon their oaths find that the said Lewis Pollock deceased, came to his death by a pistol ball shot from a pistol by Saml. Gallaher at the City of San Francisco, on the 22d day of June 1851, the said ball having penetrated the brain of the deceased.

Signed by Saml. H. Dwynelle, Alex. Dodge, J. B. Wing, Janus Edgerton, R. R. Harris, George S. Griffin, E. A. Maloney, Mulford Nickerson, Levi Markley.

San Francisco, June 22d 1851.

THE FIREMEN.—We have always awarded to this noble body of men, the highest praise, but their exertions yesterday were unparalled. To our distant readers, who are acquainted with the city locality, it is difficult to explain, the full extent of their operations. Our citizens were on the ground themselves, and witnessed their struggles to stay the devouring element, and can appreciate the service rendered. Whatever variety of opinion of service rendered may exist on the subject, all must agree that their efforts were unceasing. We feel proud of them as a body, and hope that the proper authorities will take all the means to foster, cherish and protect this branch of our service.

SHOT.—Officer Noyes, of the police, yesterday, saw a Mexican of a suspicious character carrying a trunk. Mr. N. hailed the man and ordered him to stop, which he did, and threw the trunk at the officer with such violence as to knock him down, and then ran off. As soon as Mr. N. could recover, he again commmanded him to stop, but on his not obeying the order, the officer drew a revolver and fired at the thief twice, both balls taking effect between the shoulders, and producing immediate death. We were unable to learn the name of the deceased.

ANOTHER.—During the fire yesterday, officer Noyes discovered a man attempting to break into a jewelry store on Merchant street, and fired at him with a revolver, and at the same time two other shots were fired at him by parties unknown, one of which took effect, instantly killing him. From appearances, he is supposed to have been a Sydney man. Mr. Noyes is one of the most efficient officers in the police, and deserves great credit for the summary manner in which he dispensed justice to these fire thieves—and we think this species the most heartless of the whole tribe.

BURNT TO DEATH.—The body of a man was yesterday taken from the ruins of a house in Jackson street between Kearny and Dupont. A Coroner's inquest was held over it, but it was so disfigured that it was impossible to recognize the name of the unfortunate individual.

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temper in this case was dismissed.

Clark and others vs. Falch & Peterson.—The further trial of this cause was had, and concluded. The cause was taken under advisement.

RECORDER'S COURT.—Before Judge WALLER.

Senora Antoine, a Mexican woman, was brought up for stealing $70 from a man named John Wright, at the Baltimore and Philadelphia House on Pacific street. It appears that Wright went in the house and got into bed with the girl, and upon awaking, discovered that the money had been abstracted from the pocket of his pantaloons. She was committed to take her trial at the Court of Sessions. Bond $500.

Wm. Blythe, alias Bonnul, alias Capt. Vellum, was brought up, charged with having obtained money and goods under false pretences from Joseph R. Beals and John Bissett, of the Arkansas market. Decision deferred.

Ira Cole was fined $50 for assaulting Mr. Christie, the proprietor of the Jackson House.

John Bailey was brought up for stealing a bottle of champagne and sundry other articles from Mrs. Smith. The Recorder reserved his decision until this morning. Bailey is just out of the chain gang.

Mr. Really was brought up for knocking down a Frenchman at the Eldorado who had insulted him. The complainant not appearing, he was discharged.

Mr. John Hamlin was fined $20 for furious riding.

John Sillars was fined $5 for selling liquors without a license.

The proprietors of the California Exchange were fined $50 for violating a city ordinance.

For the California Courier.

Pen Knife Sketches.—2d Series, No. 6.

BY AN OLD BLOCK.

WATER POWER.—Water power! What, in San Francisco? Why not in San Francisco as well as in Lowell, Old Block. I tell you the water power of this city aids to turn a most tremendous mill, and why should it not be spoken of among the thousand and one curiosities of this wonderful city of "mare Pacificus." There; stand at the head of Sansome street, just under that home-made cliff, scooped out by City authority along Broadway. Now casting your eye along between Sansome and the bay, you will see a vast number of buildings standing on pegs, in the water, as if they were just ready to be launched, while in many of the open spaces you see piles sticking out of the water, like so many parrot roosts. Very good; there's your water, but where's your mill, and the force to turn the machinery. Why, up town, to be sure. It is up hill I know, but every principle is reversed in California. Good morals go backward, and vice comes forward. Business goes forward, but profits go backward. Law goes one way, and justice another. The statutes are made to screen scoundrels, while the Vigilant Committee, God bless it, breaks the law, to do what the law ought to do, screen the honest, and industrious of the people, and if these are all antagonistic to each other, why in the name of uncommon sense, may not the water power of San Francisco work up hill; and with a sort of double and treble gearing, turn—not a saw-mill—but a law-mill? And so it does.

Some considerable time after the children of Israel crossed the Red Sea, California was conquered by the indefatigable, eternal Yankee Nation, and by certain conditions became a part and parcel of the dominions of that queer, and universal people. One of these conditions was, to grant in fee simple, the undisturbed possession of old residents who held their lands under another government, but nothing was specified with regard to water lots, or water power. In fact there was but one broad water lot between Oregon and the Mexican boundary In the course of a few minutes—I meany days, before any regular system of government was established, a horde of adventurers were seen pouring into the country through the Golden Gate, and landing on the sand hills of our crescent cove, took possession of the soil on which San Francisco stands, politely telling the commandant (there was no civil governor then—every thing was uncivil) that he might be [don't swear] they'd have it any how.

By some hocus pocus contrivance the commandant represented his old sire E Pluribus Unum, and willing to indulge the boys in their notions of right, gave for a quid pro quo, a grant, —[not Col. Grant—he's not to be sold for love nor money] of various portions of the ground, to erect tents on. In a few hours, this "poco tiempo" Governor, vacating his premiership, the granting of grants, was granted to subs, appointed to office by somebody. This was found to be profitable, and others went into the grant business, who didn't always stop to examine the lines and boundaries of the old Mexican grantees, and finally among the multitude of grantors, which arose in the name of authority, the grants of other grantors were lost sight of, and the business being over done, it produced a mixed medley of clashing interests, that would have puzzled old Bacon himself to unravel. In the mean time, Uncle Sam held on to a nibble of the ground for his own use, but the boys thinking he had land enough at home, just squat down into his lap and began to grub the buttons off his pockets, under the name of claims. Then the State was organized, and the young pet must have a finger in the pie, so tossing her head, she seized a right to a corner, and granted all the favors she pleased. Anon, in the course of a day or two, a city arose, with a charter, Mayor, board of Aldermen, and turtle soup, and it was discovered she had a maw which threatened to swallow a portion of the grants, or claims of individuals. Really, the weather looked cloudy.

In the course of time there was such an infernal raft of boys along shore, that they had no picking on land, when they began to build roosting places over the water, by driving piles in the bay, and then there was a rushing of Mexican, U. S., California, Alcalde, Colton, City and private interests, grants, and rights, Squaters, and squattees in every direction, from Rincon to Clark's Points, and deeds and pile drivers were flying about as fast as nail makers. One man bought a city lot second hand, another held by U. S. pre-emption, another squat on a water power lot which was claimed by some other right, swearing that that right was wrong.

One would build a house on a lot claimed by another by pre-emption or grant, rent the house out, and if the poor devil of a tenant paid the rent to one party, he was liable to be called on for the same rent by another party, cursing the hour that imposed two landlords upon him, and breathing in the language of the Poet

"Hey, diddle, diddld, the cat's in the fiddle."

By this time, the Law Mill was in active operation, and this tremendous Water lot affair as well as land interests, was used as a motive power to do a California business, that is, up hill. There are two serious difficulties in the operation of the mill, which gives great dissatisfaction to customers, one is that the mill is so long grinding a grist, that the Miller forgets whether he has taken toll or not, and keeps dipping, and the other is, the customers quarrel so much for a grind, that the grist is nearly all used up before the thing is settled.

Don't you think that the San Francisco water power is a curiosity? OLD BLOCK.

[The above has been in type for some days, but has been crowed out for want of space.—ED.]

THE HERALD.

Tuesday Morning, June 24, 1851.

NO REMOVAL.

The publication office of this paper is unchanged. It is still on Clay street, three doors below Montgomery.

The Fire of Sunday—Present Condition of the City.

We publish in another column a letter from Eugene Delessert, Esq., stating the circumstances which have come to his knowledge in connection with the origin of the fire in his building on Pacific street. These circumstances tend almost irresistibly to the conclusion that the conflagration had its origin in the machinations of an incendiary. Mr. Delessert states that it was the daily habit of his servant to repair in the morning from his house on Pacific street to his office on the Plaza, for the purpose of sweeping it out:—that he himself generally left his house at such a time as to meet his servant about half way on the latter's return from the office:—that on Sunday morning the servant left at seven o'clock, and that he left about nine. On going out he observed a man with light hair and whiskers and a flannel shirt on the opposite corner, apparently watching him, but took but slight notice of this circumstance. The servant returned to the house about a quarter past ten, and a short time afterwards, being in the lower rooms, heard the crackling of fire in the upper story. Mr. Delessert states that there was no chimney in his house, and no fire was used for any purpose on the premises. His servant is a man of tried integrity, who has been in his employment for ten years, and everything considered, Mr. Delessert is convinced the fire was the act of an incendiary.

So much is known—the rest is mere conjecture. No man has yet been arrested we believe against whom there is positive proof of incendiarism. Doubtless the cinders borne by the wind to places at a distance from the main body of the conflagration, induced the belief in many instances that they were planted by design; but making every allowance for accidents of this nature, there is yet sufficient to warrant the conviction that attempts were in reality made at divers points to cause the fire to spread.

The Committee of Vigilance have been active in their efforts to detect and arrest the criminals. There is not sufficient proof against any as yet taken in charge, to call for severe punishment. Some of those arrested were found to be innocent—others were guilty of minor offences, and such have been turned over to the courts for punishment. It was prudently deemed inexpedient for the Committee to undertake the punishment of a culprit except in cases where the public safety demanded a rigorous example.

The case of Samuel Gallagher, accused of the killing of the man Pollock on Sunday night, the Committee have very properly refused to take cognizance of. They have united for no such purpose. Crimes which are the result of personal animosity are not properly within their province. They have formed an association for the suppression and punishment of public offences committed with the intent of rapine. Robbery, and every crime committed with a view to robbery, including murder, burglary, assault and incendiarism—all these are within the legitimate sphere of the Committee's cognizance, but none others. In everything else where the claims and necessities of justice are to be asserted, the Committee will assist the authorities in the vindication and maintenance of the law:—but in no others will they take a leading part. In this they totally disprove the accusations of the cavillers, that they are inflamed with a desire to exercise undue and irresponsible authority over the lives and properties of their fellow-citizens; and in nothing they have yet done, have they given more convincing proof of the moderation of their views and the purity of their motives.

More of the Fire—Scenes and Incidents.

From the evidence collected yesterday we are satisfied that the fire of Sunday was the deliberate work of an incendiary—nor was this the only attempt of the kind made during the day. We have heard of four different places to which fire was applied while the fire was raging in the upper part of the town, viz.: Pacific street wharf; a segar-store next to Marvin & Hitchcock's in Montgomery street; a house in Sacramento street and one in Kearny street. The gang, it seems, were detailed on duty in different parts of the city, so that the destruction might be total and the ruin overwhelming. Had the attempts in Montgomery and Sacramento streets been successful, all the eastern and southern portions of the city, which have fortunately escaped, would have been swept before the flames beyond the hope of redemption. These incendiary attempts, aside from their fiendish malignity, display a degree of recklessness, considering the excited state of the public mind, and the consequent risk if detected that is positively astonishing. The halter would be almost too mild a punishment for him who should be unmistakeably detected in such an act. The crime of arson in this city is more heinous than even murder; for besides the immense destruction of property, and the suffering to thousands arising therefrom, it presupposes, and thus far has invariably been accompanied with, great loss of life. But unfortunately it is a crime which is very difficult to detect. The case with which the slow match may be applied, and the incendiary retire to a distance to watch the result of his schemes, almost defies any hope of discovering him. If, as we are convinced, the late fire did originate in this manner, no better spot for the success of the plot could have been selected than the one where it broke out. It was a point which from the nature of all the circumstances—time, place, and the juxtaposition of so many combustible buildings, added to the scarcity of water, must have necessarily rendered the attempt successful. The time, about 11 o'clock,—when the wind begins to spring up, each moment increasing in power—the place, far up in the northwest part of the city, from which, by the known direction of the wind, the fire might safely be calculated to sweep through the main portion of the city to the water—a connecting link of dry, inflammable buildings all the way to the centre of the city—no water to check the ravages of the flames once under way—all these circumstances concurred to point out the spot where the fire originated as the best possible to effect the purposes of the incendiary. And then when the fire had nearly spent its force, laying low the dwellings and crushing the spirits of thousands, this infamous gang of desperadoes, not content that any should be spared, and intent on making the desolation complete, attempted to start it again at points as well selected for their purposes as could be found.

When we first reached the ground, shortly after the quick, sharp pealing of the alarm bell broke upon the quiet of the city, we felt convinced that it could not be stopped much short of the bay, except by extraordinary means, which were not adopted.

The engines were powerless, and there was no hope of safety except to anticipate the fire by blowing up or pulling down all the houses a square ahead. Although this was done in many instances, yet never sufficiently far in advance or on a sufficiently large scale to do any good. This arose from the natural aversion that property holders, whose buildings were not actually in flames, had to the destruction of their all. They hoped against hope that some lucky accident would intervene to stop the conflagration before it reached them. The firemen in many instances did attempt this at points where they might have done good, but the owners of the houses, in several cases, threatened the lives of those who should attempt to tear them down or blow them up; in others, they swore they would sue the axemen for damages and hold them individually responsible. These threats saved their buildings from being torn down only to fall a prey a few minutes later to the ravages of the scourge. No one liked to take the responsibility of razing a house in face of the violent opposition of the owner. To this general rule there were some exceptions. One gentleman in Dupont street, when told that the levelling of his building would save the square across the street, replied, "Well, if it must come down, go ahead, and I will have the satisfaction of striking the first blow," and immediately seizing an axe, fell to work manfully.

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When the flames had gained the mastery and had enveloped in one general conflagration nearly thirteen closely built squares, ranging from Powell to Sansome street, and from Broadway to Clay, the appearance presented by the city was grand—awful beyond description. It looked as if an ocean of flame were sweeping in fiery surges over the ill-fated city. Dense, black volumes of smoke rolled up and settled like a pall of darkness upon the scene beneath. The flames shot up like fiery tongues of serpents, as if they would lick the very clouds. Myriads of sparks and burning brands were whirled high up into the heavens by the gale, and fell far around like showers of falling stars. The awful roar of the conflagration—the crackling of the flames—the shouts of the firemen and the citizens—the sharp pealing of the alarm bells—the rushing of vehicles to and fro, and the deep sound of explosions, mingled with the crashing of falling timbers throughout the city, struck upon the ear with fearful power. None who witnessed the scene and shared in its horrors, can soon forget it.

As the shades of night began to descend and darkness to settle upon the city, the fire had expended its violence, and found fuel only in the prostrate ruins. From these it shot up over the burnt district, relieved on the darkness of the night like the watch fires of a great army. Now rising and again sinking, it flickered for a while like the expiring candle in the socket, and when at last it did subside, leaving but smouldering ruins to mark its path, it was as if loth to leave the scene upon which it had rioted.

And what a sad and desolate prospect was presented in the morning, when the fierce excitement of the day before had subsided, and the sufferers assembled with spirits almost crushed to gaze upon the ashes of their homes and their hopes.

From Powell almost to Sansome street, not a building stands as a monument of the mercy of the terrible scourge. The eye roams unchecked over the desolate waste.

During the conflagration eight persons certainly lost their lives, either from the direct effects of the fire or from circumstances growing out of it. Three of them, Messrs. Bach, Charles S. Lyons, and a man unknown, in Pacific street, were burned to death. Two were shot by an officer while in the act of robbing. Two were beaten to death, one a Frenchman named Jean Baptiste Durand, who was falsely accused of incendiarism, and the other a Mexican, who was stealing some bales of goods, and one died from terror and excitement. There are rumors that besides these a Mexican woman and two children were burned to death in a house on Dupont street, and one or two others besides Mr. Lyons in Mawson Brothers' store. In addition to these Pollock was shot at night.

There were during that eventful day many instance of noble daring on the part of the firemen and others that would entitle them to the laurels of the hero. Among these was the rescue of a little child from a burning house in Jackson street by Frank Wheeler. The building was enveloped in flames, and the frantic mother was wringing her hands, crying out that her child was within. Mr. Wheeler rushed forward and leaping through the burning house, seized the child, and had just time to escape when the rafters fell in. He delivered the infant to its mother amid her joyful thanks. Any man might have envied his feelings at the moment. He was himself badly burnt in his daring exploit. Mr. Dexter had been exerting himself to save the Parker House, when becoming exhausted by the heat and smoke, he fell to the ground and would have been soon destroyed had it not been for the intrepidity of Mr. Edward Gallagher the Coroner, and Capt. Howard of the Police. Many other similar instances of deeds of daring done under the impulse of a warm and generous heart were performed. We shall be glad to record them if their friends will inform us of the names.

We have heard of several instances of liberality growing out of the fire. As yesterday stated, Dr. Baldwin has placed at the disposition of the city his extensive building on North Beach for the purposes of a Hospital. The Catholic Church was previously tendered for the same purpose. Mr. H. P. Hoyt offers those who are made houseless, the use for thirty days, without charge, of ten dwellings on North Beach. We are authorized to say that Dr. Mathew P. Burns, at the corner of First and Mission streets, will attend gratuitously all those who were injured at the fire.

We are informed that a number of persons received injuries more or less severe, by burning in the face, hands, &c. Mr. McKinley and another gentleman, had each a leg broken. Dr. Delyech was shot in the foot under singular circumstances.

H. H. Bancroft Collection
Bancroft Library

June 24

S.F. Herald June 24

The Origin of the Fire.

MR. EDITOR—I wish to apprise the public, through your journal, with certain circumstances connected with the fire of yesterday. The fire broke out in my dwelling house at the head of Pacific street, corner of the square. At the time it commenced there was no fire on the premises. From all the circumstances I have concluded it must have been the work of an incendiary. Some of these circumstances I shall relate and leave the public to judge. As I have said, there was no fire in the house; the building had no chimneys and no cooking was done there, and it could not have caught from a match or a segar as it is not my habit to smoke in my dwelling house. My servant, who occupied the second story, where the fire broke out, had left his room at 7 o'clock in the morning to go and arrange my office in the adobe building on the Plaza, as was his custom every morning. I myself occupied the lower story. I left the house at 9 o'clock to go to my office;—therefore, for some time before the fire occurred, no one was in the house. My servant returned at about 10 o'clock, or a quarter past ten, and was engaged but a quarter of an hour below in cleaning my room when he heard the crackling of the flames above. He rushed up the steps to save his own furniture and get some portion of mine, but the flames had already enveloped his room, and he found it impossible. He then ran down, and with the help of some friends, he tried to save my bed-room furniture.

The next house to ours was untenanted, and I am constrained to believe that some one must have got to the roof, through our yard or the neighbor's yard, and set the building on fire.

I was down Washington street, at Messrs. Cobb & Co's auction store, when I heard the bell; therefore, it is not true, as many reports circulated in the city represent, that I saw the incendiary and fired a pistol at him.

From the position of my house, standing at the head of the street, near a lot of lumber which lay on the public square, and the wind blowing down the street at the time towards the populous parts of the city, anybody may at once see that a fire originating at this point must have spread. Therefore it is more than probable that it must have originated by mischievous design.

I remain, &c., EUGENE DELESSERT.
of the banking house of Eug. Delessert, Ligeron & Co.

INQUESTS.—There were three inquests held yesterday on the bodies of those who had come to their deaths on Sunday. The first was by the Coroner on the body of a man named George Herbert, a native of Scotland, about 40 years of age. He came from Callao in the brig Kate Heath last fall. He had been sick for some time, and was taken from his house in Jackson street as the fire approached—while being conveyed to the Plaza he died. The verdict of the jury was "that the deceased came to his death from causes to the jury unknown."

The second was also held by the Coroner on the remains of a man identified as Charles S. Lyons. He was about 32 years of age, formerly from New York. He was endeavoring with others to save the building of Markwald, Caspari & Co., in Jackson near Kearny street, and was burnt up in the attempt. His body was frightfully burned—the surface almost to a cinder. His lower limbs were missing. David Leavitt, a druggist, identified the body as that of Mr. Lyons, from the fact that the false teeth found in the mouth of the deceased had been inserted some months ago by himself. Verdict in accordance with the facts.

The third inquest was held in a cell of the county prison by Justice Shepheard, on the body of a French sailor, named Jean-Baptiste Durand, belonging to the French ship Montelambert. It appeared that he had come on shore in the morning to assist and sympathise with his Captain, who was a loser in the fire—that passing down Pacific street, he stooped and was picking up some fire to light his pipe, when some man rushed out of a house and struck him over the neck with a plank. Others joined the assailant, and the poor sailor was terribly beaten. He was then carried to the County Prison, where he died. His Captain and messmates give him a high character for honesty and kindness of heart. The verdict of the jury was "that he came to his death from congestion of the brain, produced by injury and violence inflicted by some person to the jury unknown."

Herald June 24

LAW INTELLIGENCE.

MONDAY, June 24.

RECORDER'S COURT.—Before Judge WALLER.

The examination of the witnesses in the case of Samuel Gallager, who is charged with the murder of Pollock, at the house of Mary St. Clair, in Merchant street, on Sunday evening, was postponed until to-day at 10 o'clock, P. M. It being ascertained that the three witnesses, whose names are Jane Harley, "alias" Virginia Blair, Mary Robinson and Mary A. St. Clair, intended to leave the city so as to avoid giving testimony, they were placed in custody of the City Marshal.

Louis Cardinas, Perfides Guiterey, Alschuo Plumas, William Snooks, Thos. Paine and J. O'Connor, were brought up on suspicion of stealing at the fire. They were all discharged with the exception of the latter, who will have his examination this morning. Levi Smith was also brought up on suspicion of the same offence and continued until to-day. James Hassam, John McLeod and Dennis Kelley, were brought up for fighting, and discharged.

James Marks was brought up for interfering with an officer in discharge of his duty, discharged. Thomas Davison and John Waller, supposed to have stolen goods from the fire, were discharged, there being no evidence against them. James Browers, Wm. Freeman, J. C. Allen, Charles B. Taylor, John Williams and Mr. Weaver, were brought up for being drunk and disorderly; discharged.

From Sacramento.

Gregory and the Confidence supplied us with Sacramento papers last night.

A Mexican was stabbed mortally, on Sunday night, by another Mexican named Potato, with a knife.

One thousand tons of hay, belonging to

List of Losses by the Fire.

W Reynolds, Washington st	$500
R M Sherman, Stockton st	5000
J & M Phelan, Jackson st, above Montgomery, wholesale liquor dealers, total loss, stock and buildings	35,000
Cronin & Markley, Montgomery st, saved all except building.	
W G Badger	20,000
Crobat & Co	2500
Bach, Barnett & Co	100,000
Mawson Brothers	85,000
Markwald, Caspari & Co	25,000
F L Jones	2500
White & Watson	2000
R Josephs & Co	15,000
George O'Doherty	1000
Joseph's saddlery	2000
John O'Callahan	2000
Kernuff & Finnegan, Jackson st	500
Capt Otis Webb	3000
C Cummings, Pacific st	7000
J Cauffouth, Washington st	2400
Potts & Atkinson, Kearny st, Queen City House	6000
Isaac Harman	8000
Dr Lorenzo Myrick, Stockton st	400
James Murray	2500
Thomas J Brown	500
Albert Hamilton & Co, Merchant st	10,000
E W Hutchins & Co, paper hangers and upholsterers	6000
W O Wilson & Co	2000
Colt & Beals, commission merchants, saved most of their stock of goods	400
Frank Knowle s, Kearny st	500
Stott, Macgowen & Co, cor Washington and Dupont sts	4000
L A de Groote, furniture store, cor Dupont and Jackson st	4700
Reynolds & Co, groceries and provisions	6000
J Hendricks	5000
Bonnimaun & Schiechta	1600
John Winterton	6000
City and County	200,000
J Noah	1400
F Follet	100
Alphonzo Brooks	5000
— Bailey	5000
H Kent	2500
Scott & Vandewater	4000
Dr O'Brien	5000
Dr Kenneiff	5000
B Elam	3000
Sines & Prescott	2000
Luther & Co	5000
N Mitchell	1500
Stura & Co	6000
O Johnson & Co	1100
Cooper & Co	10,000
Allman & Clayton	500
A T P Ezekiel	3000
A A Crarait	4000
Meyer & Co	8000
Brooks & McCracken	500
G W Chapman	2000
Levi, Simon & Co	11300
Hong & Co	3000
Capt Harding	4000
Fox & O'Connor	8000
St Charles	2000
Sully Cox House	2500
Columbia House	3000
Belle Inn	2500
Ontario House	8000
Mrs Lilly	2500
Universe Restaurant	5000
John Sullivan	50,000
Mrs Swift	500
Alta California	60,000
Jackson Restaurant	20,000
California Restaurant	8000
Washington Restaurant	9000
M Noah	7000
F L Sullivan	5000
Washington Baths	9000
Joseph Saddler	11,000
Smiley, Korn & Co	5000
V H Randolph	1500
Bache & Grotjan	7500
Foreman & Aggate	5000
Joseph's Confectionery	500
Denney & Calvyn	2800
C B Young & Co	2000
Track Depository	1000
Stout's Hospital	10,000
W Langerman	25,000
Taylor & Gordon	15,000
McKenzie, Thompson & Co	5000
J B Hule & Co	4000
Delmonico's	2500
Dewey & Smith	10,000
C J Jansen	4500
Stedman & White	3000
W E Keyes & Co	3000
Hayes & Bailey	3000
Everett & Co	2000
Chas H Beers & co	3500
Alexander Ely	5000
Miss Webb's Saloon	1000
Drs. Skinner & Graham	500
Oyster Saloon	400
R Shepard	15,000
M Dennison	6000
Dr Hall & co	8000
J C Hackett	2000
Palmer, Cook & co	5000
Sims & Haven	8000
M Keesling	3000
C Koch	2500
J Lilly	2600
J E Spence	3000
A J Bowie	4000
Mrs Ross	10,000
Dr Hastings	5000
A Munson	500
B Davidson	6000
Schaffer & Van Bergen	8000
Tobin & Dixon	6000
J C Levy	900
Keniff & Tenyan	500
J Hart & co	8000
Cobb & co	5000
S & B Harris	3000
P Acrobat & co	3000
Geo Snook	10,000
King & co	9000
M Chauncey	5000
Alderman Grant	5000
Recorder McGlynn	5000
S A Johnson	11,000
N H Leopold	4000
R F Ryan	600
R J Tobin	15,000
H Sparks, Polka House	6000
James Ratum	2200
J Bullum	3000
Queen City House	5000
Old Guard Restaurant & California Guard hall's	12,000
L Bunsch & co	3000
Hart & co	4000
H Spark's building	2500
Wallace, Dickson & co	5000
Col Stewart	3000
Jos Clements	2500
Presbyterian Church	14,000
T A Crovat	1000
D & W Snooks	10,000
Cooper & co	10,000
T McGuire, Jenny Lind Theatre	30,000
Kinley & co	6000
Hunter & co, American Bakery	4500
Thos Clark	3000
Moore & Folger	12,000
Samuel W Percival	1500
N Haber	1200
S Marks	3000
Bach, Barnett & co	50,000
S C Harding	12,000
S Keyes	2100
T Everitt	1500

H. H. Bancroft Collection
Bancroft Library

June 24

THE PACIFIC STAR.

WEDNESDAY MORNING, JUNE 25, 1851.

Efforts to Suppress Crime.

For some months past it must have been apparent to all, that a corps of the most abandoned villians who have ever disgraced humanity were associated together in this city for purposes of murder and plunder. The penal colonies of Great Britain had sent their thousands who had regularly graduated in their callings, and whose cunning, and adroitness here, baffled all efforts to punish. Occasionally some notorious felon who had become bold in the commission of crime, was arrested, placed in confinement, and before the citizens had ceased to congratulate themselves on his imprisonment, and the hope of conviction, he was again at large—again arrested, and again escaped. The insecurity of our prisons, and the character of a portion of our police was such, that when regularly convicted by the Judicial tribunals, and sentenced to imprisonment for a long period of years, the culprit laughed at the sentence, and soon through the aid of friends and associates, turned years into days, and ere the moon had changed was again at his old haunts. The daily papers regularly announced "the escapes," while their columns were regularly filled with accounts of robberies, burglaries and arsons.

During the past two months more than 700 emigrants came directly from Sydney, and San Francisco was fast becoming the receptacle of all the finished villians of the State. For the fifth time she was laid in ashes. On the 4th of May many useful lives were lost, and more than ten millions of property destroyed. During that month four different attempts were made to fire the city, and consume the little that had been spared. All felt that there was no longer security for our lives or property. There was no power to snatch the torch from the hand of the incendiary, or stay the arm of the assassin. Our citizens fully feeling, and appreciating this sad state of circumstances, proceeded to organize a Committee of Vigilance, who are now actively engaged in breaking up their haunts, and bringing the miscreants to justice. More than 400 of our most respectable citizens have thus associated themselves together, and are now working day and night to rid the city of these abandoned wretches. It is understood that 100 of the Committee are on duty each night in every section of the city, watching over the lives and property of our people.

Whatever diversity of opinion may have existed as to the propriety of such an organization separate, and distinct from the ordinary police, no one can doubt that thus far, their labors have exercised a most salutary influence.—Crimes have certainly diminished, and a great many villians driven from the city. Every one when he retires to his bed sleeps more quietly because he knows that honest and vigilant sentinels are watching over his person, his family, or his property.

It is true that the power claimed and exercised by this Committee may be abused—so may all human power. The Courts may abuse their power; the police theirs; and yet this is not a sufficient reason for withholding all power from them. Our reliance is in the honesty and integrity of the men who compose the Committee. They are men, so far as we are acquainted with them, of high character, extensively engaged in business and deeply interested in whatever tends to advance the welfare of the city. Their object is not to break down the constituted authorities of the State, or city, but to aid in the suppressing of crime, and bringing offenders to justice—to secure our lives and property against the outrages of the assassin and robber—to prevent our fair city which has just risen from the ashes from being again laid in ruins—to break up the nest of thieves and outlaws whose depradations have injured our character at home and abroad. The Committee have already done much, but more remains to be done.

Let all the efforts of this Committee be directed as they have been thus far to the suppression of crime and the removal of convicts from our midst, and soon the necessity which caused their creation will cease to exist. Our laws will no longer be set at defiance, but will be found giving adequate protection to life and property; and San Francisco will become a great and well-ordered city, distinguished for her moral and intellectual character.

P. S.—The above was written prior to the awful fire on Sunday last. This conflagration and the circumstances attendant thereon only seem to increase the necessity of greater watchfulness on the part of the Vigilance Committee. We feel that they will exercise their delicate powers justly, and that they will persevere until every known villian shall be re-transported to his old convict home, and crime shall cease to stalk abroad in our city.

June 25

The Vigilance Committee at Work.

A Thief Publicly Lashed.—A number of arrests for stealing were made during the fire.—Some of the offenders were taken by the officers to prison; but whenever a citizen caught a fellow at his depredations, he carried him off as a matter of course, to the office of the Vigilance Committee. We saw one fellow on Ohio street deliberately filling two enormous pockets of his great coat with somebody's tea, and when seized, he asked, in well feigned astonishment, if a man hadn't the right to carry off his own property.

Among those carried before the Vigilance Committee was a Mexican, named Juan, about 30 years of age, who had been detected stealing clothes. He was tried and found guilty, on Monday night, and sentenced to receive twenty-four lashes and expulsion from the city. It was proposed to inflict the punishment the same night, but it was wisely deferred until morning, that it might be done publicly. Accordingly, he was brought out about half-past ten o'clock yesterday morning, and for want of a whipping post, tied to the tail one of the dirt cars in Battery street, nearly opposite the Oriental House. He was then stripped to the buff, and four men stepped forward with a cat, with which twenty-four lashes were well laid on. The knots had been removed from the cords, so that the rascal's back was not much lacerated, but the welting he got will no doubt do him a great deal of good. It was exactly the kind of punishment suited for such an offence, and the discrimination displayed by the Committee in this case, gives proof of their moderation and sound judgment.

The fellow stood the lashing as if he were used to it, and hardly winced—not a cry escaped him. When unbound, he put on his shirt, no doubt thankful at getting off so easy, and being warned to leave the city in twenty-four hours, under pain of something worse, he left, no doubt to obey the mandate.

Let such punishment as this, increasing each time in severity, be administered upon the thieves that fall into the hands of the Committee, and we will answer for it a stop will be put to their depredations.

H. H. Bancroft Collection
Bancroft Library

$5,000 REWARD WILL BE PAID BY THE Committee of Vigilance, to any person or persons who will place in its power any one against whom sufficient evidence can be brought to convict him of the crime of arson. j-26

El Comitado de Vigilancia ha decidido, en su sesion de anoche, que la suma de cinco mil pesos seran pagados a la persona o personas por la aprension y conviccion de un incendiario ante dicho Comitado. j-26

Le comite de surveillance a decide, dans sa seance d'hier soir, que cinq mille piastres seraient donnees a quiconque mettrait dans son pouvoir avec temoinage auffisant pour la conviction de toute personne coupable du crime d'incendie. j-26

Der sicherheits comite in seiner sitzung von gestern abend beschlossen fuer die auslieferung eines Brandstifters die summe von fuenf tausend dollars zu bezahlen. j-26 tf

California
Courier, June 26, 1851. See supra, 11/59.)

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Col Courier
June 26

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Herald
June 26

Capt. of Belg. ship Louis, consigned to E. Thelen & Co. Eugenet,

Jenie 27

Card.—It having been currently reported that Gallagher, who was arrested for shooting Pollock, was a member of the "Committee of Vigilance," the Committee take this opportunity to deny that report—he never having been in any way connected with said Committee.

San Francisco, June 24, 1851. Je25

Notice.—Geo. A. Hyndson, City Comptroller, and Thos. D. Gwynne, City Tax Collector, have removed their Offices to the [illegible] R. Battelle's new building, Montgomery street, opposite to Adams & Co.'s banking-house—where they can be found at all times, between the hours of 9 o'clock, A.M., and 3 o'clock, P.M.

Je26 1c

The *Marysville Herald* learns that the body of a man was found floating in the South Branch of the North Fork of Feather River, near the American Ranch, by Mr Moses Greener, one of the firm of Montgomery, Roberts & Co., at that place. There was no coroner's inquest held, there being no Coroner there, but the body was examined by twenty-five or thirty persons. They found the throat cut from ear to ear—in fact as far as the bone would allow the knife to go. The skull was also badly fractured, a blow having been given in the forehead, above the right eye, apparently with a pick. There was a deep cut, about four inches in length, on the right side of the body, below the ribs. The front part of the body was cut open from the breast bone downward, the perpetrators of the murder doubtless thinking to sink the body under the water by this means.

The man had apparently been dead fifteen or twenty days. He had a Roman nose, black hair, sparse beard and mustache, was about six feet in height, and would probably weigh about 180 pounds. He appeared to be about 25 years of age. The body had no clothing on whatever except a cravat.

LAW INTELLIGENCE.—June 24.

United States District Court.
O. Hoffman, Jr., Judge.

(Sitting over Clement's Merchants Exchange, Montgomery street.)

Return day of process.

In the cases of J. W. Raymond *v.* Bark Edwards; Herman Lomer *v.* Brig Magdalena; O. Endicott et al. *v.* Ship Ohio; Burroughs & Co. *v.* Steamer Gold Hunter; J. W. Raymond *v.* Ship Orpheus; F. Salmon *v.* Bark Cherokee; G. Thornton et al. *v.* Ship Victoria, it was ordered that judgment by default be entered except as to all other persons than the claimants or intervenors appearing.

In the cases of P. S. Aikins *v.* Bark Marcella; B. Davidson *v.* Bark Timandra; S. Lent *v.* Steamer Sea Gull; H. S. Farrington *v.* Steamer Fashion, judgment by default was entered against all persons, and they were referred to the Commissioner to report the amount due.

Wm. Tyson v. Cargo of Coal of Ship Orpheus.—Ordered that the coal be sold and the proceeds paid into court to await further orders.

Joseph Mercer et al. v. Ship Genesee.—Ordered that the seamen's wages and the costs of court be paid out of the proceeds of this vessel sold on Saturday.

Recorder's Court—Hon. R. H. Waller, presiding.

EXAMINATION OF SAMUEL GALLAGHER.

F. M. Pixley, City Attorney, conducted the prosecution.

Col. Weller and Judge S. Heydenfeldt defended the prisoner.

Mary Robinson, sworn—Lives at Mary St. Clair's, on Merchant street. On Sunday night last I was standing by the parlor door and heard Mr. Gallagher's voice; I saw him standing by the parlor door at the head of the stairs, outside of the door of the bed-room occupied by Jane Hurley; the bed-room door was closed; some one inside was trying to get the door open; it was opened a little ways, then slammed to; it was opened a little way again, and the person inside said, "you have a pistol"; Gallagher replied, "I have;" and the door was again closed; then the person inside tried to get out again, pulled the door open and flew out in a great passion; it was Mr. Pollock; he flew at Mr. Gallagher; the latter held his left hand up as though he was trying to push P. away; he said something as he put his hand up, which I did not hear, and then the pistol was fired, which I saw immediately after in Gallagher's hand; they were close together; Pollock fell and died in about five minutes; as Pollock fell against Gallagher, the latter exclaimed, in a faint voice, "Oh! I have killed him," as though he regretted it; to the best of my knowledge, at the time the pistol was shot, there was no person in the hall besides Pollock, Gallagher and myself; I screamed, and two or three persons came out of the parlor and some up the front stairs; one of them, a gentleman, to whom Gallagher surrendered himself. The first words I heard from Gallagher when he was standing outside the door were, G—d d—n you"; his hands were raised toward the door, as if to push it open; the door was then opened by a party inside, and slammed to when Pollock asked about the pistol; the latter came out in his shirt; I saw nothing in his hands then or afterwards. I do not know of any difficulty between Gallagher and Pollock; on the day of the fire, I heard Pollock throw out some insinuations against Gallagher, calling him a "coward," &c.; this was on the Plaza, in my presence.

Cross-examined.—As Pollock came out, he had his right hand up, and Gallagher put out his left hand against him; as he fell, his head struck upon the wash-board on the opposite side of the hall.

Jane Hurley, sworn—Lives at Miss Mary St. Clair's, on Merchant street. On Sunday evening, June 22d about 10 o'clock, I was in my room on the second floor; Mr. Pollock was also there, undressed and in my bed; the door was not locked. Mr. Gallagher opened it and came in, saying to Pollock "I understand you have called me a coward." Pollock replied, "yes, I did;" Gallagher, said "you're a lying son of a b—h." I jumped out of bed and ran into the next room and saw nothing more. I presume it was about ten minutes afterwards that I heard the discharge of the pistol. I have been acquainted with Mr. Pollock about a year; I have known the prisoner about the same time. On the day of the fire I heard Pollock insult Gallagher two or three times. I do not know of Pollock's having any weapon that night; I did not see any weapon in Gallagher's hand. Mr. Peebles and Miss St. Clair were in the same room when Gallagher came into it.

around and saw his brains lying on the floor; his head was scorched with the powder. I have known the deceased about a year, also the prisoner; from their appearance I should judge that Pollock was rather the heaviest man.

No further testimony was produced, and Col. Weller briefly addressed the Court, stating that the prisoner's counsel had not been able for want of time to elicit and show all the facts of the case, and that owing to the present excited state of public feeling and the misinformation which prevailed in reference to this case, they would consent that the prisoner be committed; but that they would at some future day make application to admit the prisoner to bail by a writ of *habeas corpus* before some competent court.

Judge Heydenfeldt expressed the same views, and the prisoner was committed on the charge of murder, the witnesses being bound over to make their appearance in the sum of $5000 each.

Antonio Gonamles was fined $50 for assaulting another Mexican with a pickaxe.

Cross-examined.—Gallagher had been in the habit of calling to see me frequently.

Mary St. Clair, sworn.—Keep house on Merchant street. On Sunday night Mr. Gallagher came to my house in the early part of the evening; he came back again between the hours of nine and ten; I was in the room occupied by Miss Hurley; Mr. Peebles, Mr. Pollock and Miss Hurley were in there; Miss Robinson had just gone out; I was at the door when he first came, and told him not to come in; that the parties inside had gone to bed. He said "I just wish to speak to a person." I made no reply, and he came in; I then heard Miss Hurley, who was in bed, say "oh, don't come here." Gallagher halted and said, "Pollock, I understand you have talked about me to-day;" the latter said, "quite likely;" the other said, "you are a d—d liar;" Pollock rose up and said, "you have a pistol;" the other said, "I have;" Gallagher was then pushed out of the room by Mr. Peebles and the door was closed. Pollock jumped up and tried to get out of the room; the door was closed twice by Peebles; the third time it was opened Pollock succeeded in getting out with his right hand raised and his left on the door. The door was closed as he went out, and I heard then the report of a pistol; Pollock was in his shirt; I did not see any weapon in his hand; I did not see any in Gallagher's hand, and do not know whether the latter made any effort to get into the room after he was pushed out.

Cross-examined.—The room in which this interview took place was my room, and had been frequently used as a sitting room by persons who did not wish to go into the public room—it was next door to the wine room; I had given it up temporarily to Miss Hurley, who came there that morning. When Gallagher first came into the room he hesitated, and appeared as if he did not know that Pollock was there; when the latter got up and tried to go outside, he appeared to be in a rage. Gallagher had been in the same room with Miss Hurley in the early part of the evening. When the latter had come into the room the second time and spoke about Pollock's having talked about him, he said to Pollock, "I understand you called me a coward!" The latter replied "I did," and it was then that Gallagher called him a liar.

Wm. R. Peebles, sworn—On Sunday evening last was at Miss St. Clair's house on Merchant street; I saw the prisoner there at about 10 o'clock; I was in the room where Mr. Pollock and Miss Jane Hurley were in bed; Miss St. Clair was also in the room; I was sitting on the side of the bed when Mr. Gallagher opened the door and came in; Miss St. Clair turned around to him and asked him not to come in; he walked in, appearing to be very much excited, and said to Mr. Pollock: "I understand you have been talking about me." The reply was: "Likely I have." At this Mr. Gallagher walked to the side of the bed where I was sitting, and asked Mr. Pollock whether he had called him a coward; Pollock replied that he did. I then discovered that Mr. Gallagher had his right hand under his coat, which was partially buttoned up, and I discovered the end of a pistol in his hand. After Pollock's admission to him that he had called him a coward Gallagher said: "You are a d—d lying son of b—h." At this Pollock attempted to get up. I caught hold of Mr. Gallagher, pushed him out of the room and shut the door. I then turned around to Pollock as he got up and asked him not to have a difficulty there. By this time Gallagher had pushed the door open again, and was just in the door—I shut the door a second time. By this time Mr. Pollock was at the door, and remarked to Gallagher that he had a pistol. Gallagher replied that he had, and that he would shoot him. I got away from the door and Pollock went out, closing the door after him; at that minute the pistol went off; I went out and saw Pollock lying dead in the hall. I saw the pistol in Mr. Gallagher's hand the second time I shut the door, which was the reason of my getting away from the door. I saw no weapon about Pollock.

Cross-examined.—It was about as much as I could do to get Gallagher out of the room; Pollock had not got out of bed; he was just in the act of getting up and was at my side as I closed the door; after I had shut the door the second time Pollock opened it and stepped out. The remark about the pistol was just as Pollock was going out; I think it was as I was closing the door the second time that Pollock spoke about the pistol; it was only spoken of one time. I believe Pollock was a gambler; I believe Mr. Gallagher was also considered a gambler. The house where this occurred had the reputation of a "house of ill-fame." I do not know whether gamblers are any more in the habit of carrying weapons than any other profession in this country.

Thomas Morris—Was on Merchant street on Sunday evening; was in the parlor of the house abovementioned, at about 10 o'clock; shortly after I came in, I heard words of altercation between two persons; I arose to see what it was and to depart; I reached the parlor door, and a man came forth from a room adjoining the stairway in his shirt; previous to his coming there, these words were used which caused me to arise: "Come out of that room or I will shoot you"; then I heard this man at the door say "you will", and then he shot; it was done instantaneously; I cannot say whether the prisoner is the man or not; he had on a broad-brimmed hat, a pistol in his hand which he held levelled, and fired; I saw the other man fall; some other party came up to the man who had fired, and said—"Sir, you must allow yourself to be arrested," and the other surrendered himself.

Cross-Examined.—I had been in the parlor about ten minutes before I heard this conversation; there were three persons who remained there while I was. I think; there was one person who stood just where I did; it was was a gentleman named Mr. James Hollohan; I was not acting particularly as a member of the Vigilance Committee on that occasion; when I got up and went to the parlor door I saw no females in the hall; I saw only the two men; I was walking just to the threshold of the door when the pistol was fired; my intention was to go out of the house; this parlor door is about 3 or 12 feet from the door out of which the man came; there was a lamp burning over the stairs; Pollock had got out of the door when I got to the parlor door; the man who shot was standing near to the door of the stairway; Pollock was in the passage with his left hand to the door, and said as well as I can recollect "You will," and the pistol was fired instantaneously.

The testimony for the prosecution was here closed.

For the defence.

Charles Duerr, sworn—It as passing by Miss St. Clair's house on Sunday night, and heard some loud talking up stairs; I halted at the lower door and looked up stairs, and saw that the door at the head of the stairs was closed. I heard Gallagher's voice, which I know, saying "keep back, I tell you—keep back," and something else which I could not distinguish; supposing that they were moving furniture, I passed into the bar-room in the lower part of the building to inquire about the extinguishment of the fire; was invited to take a drink, and while standing at the bar heard the screams of women up stairs; I ran to the door of the saloon and thence up stairs—meeting three persons coming down stairs holding one another. I went up and inquired what was the matter, when some one replied "that Captain Gallagher had shot Pollock." I found the latter lying on the floor with a hole over his eye, out of which blood was gushing freely; I put my thumb over the hole and stopped it; I spoke to him but received no answer; I looked

Card.—It having been currently reported that Gallagher, who was arrested for shooting Pollock, was a member of the Committee of Vigilance, the Committee take this opportunity to deny that report. he never having been in any way connected with said Committee. Je25 1t

I. Campbell, Judge. [illegible] and T. McGowan.

The People vs. J. Hagan—Indicted for stealing a chain, &c. Motion for Judge Campbell to quash the indictment for the defendant, argued; demurrer to the indictment on the ground of insufficiency, in not stating the offence charged, in accordance with the provisions of the statute under which the indictment was found. District Attorney Platt opposed the demurrer, which was overruled by the Court. Justice McGowan dissenting. Defendant's counsel then announced themselves ready for trial, but the prosecution not being ready, the case was continued over until next term.

The People vs. Wm. Webber—The defendant, having pleaded guilty of burglary on Friday last, was brought up to be sentenced, and upon being asked what he had to say, replied "nothing," whereupon Judge Campbell, expressing his conviction of the prisoner's guilt, and remarking upon his good luck in committing the offence before the operation of the new law, sentenced him to ten years' imprisonment.

The People vs. Francis Brice—The defendant, convicted of receiving stolen goods, on Saturday last, was arraigned for the purpose of receiving sentence. L. A. Eddy, Esq., moved for the prisoner's discharge and moved for an arrest of judgment on the grounds that the verdict was contrary to the evidence, and that the 2d section of the 2d [illegible] of the statutes, which provides that the Judge, in charging the jury, shall make no statement with regard to the facts of the case, or the charge to be given, was violated. The Court decided that there had not been any opinion as to the weight of the testimony, or otherwise violated the law; and further, considering that nothing but a dead chance appeared upon the record, could be urged as a ground for arrest of judgment, overruled the motion. Sentence of five years' imprisonment was then passed upon the prisoner.

The People vs. Hetherington and Dayton—Indicted for a conspiracy to cheat. A *nolle prosequi* was ordered in the case.

The People vs. C. Duane—Indicted for an assault with intent to kill. On this case being called, appeared from the statement of the Sheriff and District Attorney, that none of the witnesses could be found; whereupon it was continued over until the summer session.

The People vs. John and Ann Archbell—Indicted for larceny. The calling of this case elicited a [illegible] question of the [illegible] of the law in relation to [illegible] In the first place, [illegible] appeared at the bar and asked him not to have a difficulty there. By this time Gallagher had pushed the door open again, and was just in the door—I shut the door a second time. By this time Mr. Pollock was at the door, and remarked to Gallagher that he had a pistol. Gallagher replied that he had, and that he would shoot him. I got away from the door and Pollock went out, closing the door after him; at that minute the pistol went off; I went out and saw Pollock lying dead in the hall. I saw the pistol in Mr. Gallagher's hand the second time I shut the door, which was the reason of my getting away from the door. I saw no weapon about Pollock.

The People vs. John Trest—Indicted for assault with [illegible] to kill.

The People vs. R. McCormick—Indicted for larceny.

The People vs. [illegible]—Indicted for [illegible]

The People vs. Ohio Street, Richmond Pacific and Broadway—[illegible] of Court, [illegible] parties were disbarred and [illegible] with the exception of Messrs. Dennis Kelly and [illegible], who were fined $50 each, for failing, [illegible]

Notice.—[illegible] Office, San Francisco, June 24th, 1851. The sale of property belonging to the estate of Peter Bailey, at the City Hall, San Francisco, will be resumed on SATURDAY, the 28th inst., at 11 o'clock, A.M. [illegible] C. G. BATES, Sheriff.

I Tribune
June 25

I Tribune
June 26

Discharged.—In the case against Charles Duane a nolle prosequi was entered by the Court of Sessions yesterday, the prosecuting Attorney stating that there were none of the witnesses necessary to the prosecution to be found.

The Dupre Case.—The situation of this woman seems a peculiarly hard one, and produces considerable excitement. On yesterday, the woman Mary Ann Moran, who has been living with her husband, was put on her trial at the Court of Sessions, for assaulting Mrs. D. when she visited the house of her husband on Wednesday. The evidence showed the case to be a most aggravated one, as the woman Moran assaulted Mrs. D. with a hatchet while the latter had her infant in her arms, and it was only by the strenuous interference of a person present that severe injury was not inflicted. The jury returned a verdict sentencing her to one year's imprisonment. A brother of Miss Moran's will be tried to-day for being engaged in the matter. It was proved in court that Mrs. Dupre has always sustained an excellent character.

Horse-Thief Caught.—The Vigilance Committee arrested a man last evening, charged with horse-stealing. We were unable to learn his name, or what disposition was made of his case.

LAW INTELLIGENCE.

Col Courier June 27

Before Hon. Ogden

Courier 6/27

as we do, and none exist who would more extensively patronize them, were they built, and now [illegible] would [illegible] help to erect them when they [illegible] that the thing can be done. In a few days I may present a few more facts in relation to this—the greatest of modern Improvements.

Improvement.

Sacramento and Vicinity.

Freeman & Co. supplied us with Sacramento and Marysville papers last night.

St. John's Day, was celebrated by the Masonic fraternity of Sacramento by a procession, an oration by M. S. Latham, Esq., which is described as being very chaste and elegant. A sumptous dinner was also served up.

A Mexican was hanged at Jackson, Cala-

& CO'S EXPRESS—Daily to Stockton, and [illegible] of the Southern Mines, and by every steamer. Humboldt, Trinidad, &c. Office, at Ad. [illegible]'s, Montgomery street. ap16

ORRY, W. H. CUTTER, EDW'D B. DIMMOCK. [illegible] & CO., General Commission Merchants, Sacramento City. mh26 tf

D STATES BAKERY SALOON has opened [illegible] erchant street. Refreshments furnished at all [illegible] JAMES M. MESCHERT. Je12 3m

& CO., Mettle Roofing and Iron House building, and all kinds of Sheet Iron work done with [illegible] and dispatch. Office [illegible]

Prodigious Oats.—It has been our province to notice some remarkable specimens of the agricultural products of this country, but nothing has yet offered to compare with the five stalks of oats from a single grain which were brought to this city by Mr. Wetherwax, from the farm of Messrs. Brown & Edmond, near Placerville. The average length of the five stalks is eight feet and five and a half inches! and they all measure an inch in circumference near the bottom. We saw, lately, some barley of like dimensions, except in length; but the oats we believe to surpass any thing of the kind recorded.—[Sac. Trans.

The man who stabbed a Mexican on Sunday night, has been arrested, and committed to prison.

A discussion took place in front of the Crescent City Hotel, on Monday evening, between Messrs. Kewen and Marshall. Both gentlemen acquitted themselves creditably, but as might be expected, Mr. Kewen came off victorious.

The body of a man was found in the water of the south branch of the North Fork of Feather river, which was cut from ear to ear, [illegible] had been murdered, without doubt. [illegible] is given by which to identify him.

THE HERALD.

Friday Morning, June 27, 1851.

NO REMOVAL.

The publication office of this paper is unchanged. It is still on **Clay street, three doors below Montgomery.**

The County Prison.

We are glad to learn that the County Prison serves so well the purpose of its erection, it is now regarded by the malefactors who infest the city with as much terror as death itself. The prospect of a confinement for many long years, cooped up within the narrow limits of a cell, in the heart of a busy city and yet dead to all its enjoyments, is so fraught with gloom and desolation, and so palsies all energies of hope for the future, that an ignominious death is not regarded with more dread than this terrible incarceration. Any one who visits the prison must be convinced that every idea of escape is utterly hopeless. The walls of solid masonry—the doors of heavy iron—the discipline unflinching in its rigidity, and yet uniform and controlled by an intelligent humanity—all establish a system and a certainty in punishment which must paralyse all anticipations of relief or escape in the inmates of the prison.

An instance of the terror the jail has for prisoners, has recently come to our knowledge. While the sheriff was conducting Brier to prison on Wednesday, after being sentenced to five years' imprisonment for receiving stolen goods, the culprit remarked that it was useless to attempt to keep him in that prison for five years. Being asked if he hoped to escape, he replied he would escape in one way. They might keep his dead body, but they would have nothing else; and that all their precautions could not prevent him putting an end to an existence, which with the prospect of five years' incarceration, would be too terrible a burden to bear. While there was a hope of escape life might be endured, but in this prison hope was dead, and there was no inducement to live.

Had this prison been built one year ago we should have had no trouble with criminals, and our citizens would not have been compelled to assume to themselves the vindication of the law. It is not the severity of punishment so much as the certainty of its infliction that restrains crime. In certain States the abolition of capital punishment has been found to operate advantageously, and we have hope that by the combined and zealous effort now being made throughout the country society, will in a short time be so purified that prison discipline will supersede the necessity of death by hanging. But it is impossible to ignore the fact that society requires this purification, and that until criminals be banished from the country in some way, it will be necessary at times to resort to the most rigorous punishment.

Since the Sheriff has undertaken the erection of the jail, there has been nearly as much accomplished as had been previously done since the commencement of the work. One row of cells has been completed, and with an outlay of but a few thousand dollars. It is the only place where the desperadoes, whose trade is to prey upon the property of the community, can be effectually restrained of their dangerous liberty for any length of time. This being the case, we trust an effort will be made by the citizens to have the building completed. The plan of the jail is an admirable one, and if fully carried out, the security of the inmates will be increased tenfold. It is therefore of the greatest importance to the public peace and safety that the building should be finished as soon as possible.

H. H. Bancroft Collection
Bancroft Library

☞ Card.—It having been currently reported that Gallagher, who was arrested for shooting Pollock, was a member of the "Committee of Vigilance," the Committee take this opportunity to deny that report—he never having been in any way connected with said Committee.

San Francisco, June 24, 1851. le25t

☞ Notice.—Geo. A. Hyndon, City Comptroller, and Thos. D. Greene, City Tax Collector, have removed their Offices to the building of T. R. Battelle's Assessor, on Montgomery street, opposite to Adams & Co.'s banking-house—where they can be found at all times, between the hours of 9 o'clock, A.M., and 3 o'clock, P.M.

le25 3. Jarvis p le25tf

The *Marysville Herald* learns that the body of a man was found floating in the South Branch of the North Fork of Feather River, near the American Ranch, by Mr Moses Greener, one of the firm of Montgomery, Roberts & Co., at that place. There was no coroner's inquest held, there being no Coroner there, but the body was examined by twenty-five or thirty persons. They found the throat cut from ear to ear—in fact as far as the bone would allow the knife to go. The skull was also badly fractured, a blow having been given in the forehead, above the right eye, apparently with a pick. There was a deep cut, about four inches in length, on the right side of the body, below the ribs. The front part of the body was cut open from the breast bone downward, the perpatrators of the murder doubtless thinking to sink the body under the water by this means.

The man had apparently been dead fifteen or twenty days. He had a Roman nose, black hair, sparse beard and mustache, was about six feet in height, and would probably weigh about 180 pounds. He appeared to be about 25 years of age. The body had no clothing on whatever except a cravat.

LAW INTELLIGENCE.—June 24.

United States District Court.

O. Hoffman, Jr., Judge.

(Sitting over Clement's Merchants Exchange, Montgomery street.)

Return day of process.

In the cases of J. W. Raymond *v.* Bark Edwards; Herman Lomer *v.* Brig Magdalena; G. Endicott et al. *v.* Ship Ohio; Burgoyne & Co. *v.* Steamer Gold Hunter; J. W. Raymond *v.* Ship Orpheus; P. Salmon *v.* Bark Cherokee; G. Thornton et al. *v.* Ship Victoria, it was ordered that judgment by default be entered except as to all other persons than the claimants or intervenors appearing.

In the cases of P. S. Atkins *v.* Bark Marcella; B. Davidson *v.* Bark Timandra; S. Lent *v.* Steamer Sea Gull; H. S. Farrington *v.* Steamer Fashion, judgment by default was entered against all persons, and they were referred to the Commissioner to report the amount due.

Wm. Tyson v. Cargo of Coal of Ship Orpheus.—Ordered that the coal be sold and the proceeds paid into court to await further orders.

Joseph Mercer et al. v. Ship Gracier.—Ordered that the seamen's wages and the costs of court be paid out of the proceeds of this vessel sold on Saturday.

Recorder's Court—Hon. R. H. Waller, presiding.

EXAMINATION OF SAMUEL GALLAGHER.

F. M. Pixley, City Attorney, conducted the prosecution.

Col. Weller and Judge S. Heydenfeldt defended the prisoner.

Mary Robinson, sworn—Lives at Mary St. Clair's, on Merchant street. On Sunday night last I was standing by the parlor door and heard Mr. Gallagher's voice; I saw him standing by the parlor door at the head of the stairs, outside of the door of the bed-room occupied by Jane Hurley; the bed-room door was closed; some one inside was trying to get the door open; it was opened a little ways, then slammed to; it was opened a little way again, and the person inside said, "you have a pistol"; Gallagher replied, "I have," and the door was again closed; then the person inside tried to get out again, pulled the door open and flew out in a great passion; it was Mr. Pollock; he flew at Mr. Gallagher; the latter held his left hand up as though he was trying to push P. away; he said something as he put his hand up, which I did not hear, and then the pistol was fired, which I saw immediately after in Gallagher's hand; they were close together; Pollock fell and died in about five minutes; as Pollock fell against Gallagher, the latter exclaimed, in a faint voice, "Oh! I have killed him," as though he regretted it; to the best of my knowledge, at the time the pistol was shot, there was no person in the hall besides Pollock, Gallagher and myself; I screamed, and two or three persons came out of the parlor and some up the front stairs; one of them, a gentleman, to whom Gallagher surrendered himself. The first words I heard from Gallagher when he was standing outside the door were, G—d—n you!"; his hands were raised toward the door, as if to push it open; the door was then opened by a party inside, and slammed to when Pollock asked about the pistol; the latter came out in his shirt; I saw nothing in his hands then or afterwards. I do not know of any difficulty between Gallagher and Pollock; on the day of the fire, I heard Pollock throw out some insinuations against Gallagher, calling him a "coward," &c; this was on the Plaza, in my presence.

Cross-examined.—As Pollock came out, he had his right hand up, and Gallagher put out his left hand against him; as he fell, his head struck upon the wash-board on the opposite side of the hall.

Jane Hurley, sworn—Lives at Miss Mary St. Clair's, on Merchant street. On Sunday evening, June 22d about 10 o'clock, I was in my room on the second floor; Mr. Pollock was also there, undressed and in my bed; the door was not locked. Mr. Gallagher opened it and came in, saying to Pollock "I understand you have called me a coward." Pollock replied, "yes, I did;" Gallagher, said "you're a lying son of a b—h." I jumped out of bed and ran into the next room and saw nothing more. I presume it was about ten minutes afterwards that I heard the discharge of the pistol. I have been acquainted with Mr. Pollock about a year; I have known the prisoner about the same time. On the day of the fire I heard Pollock insult Gallagher two or three times. I do not know of Pollock's having any weapon that night; I did not see any weapon in Gallagher's hand. Mr. Peebles and Miss St. Clair were in the same room when Gallagher came into it.

around and saw his brains lying on the floor; his head was scorched with the powder. I have known the deceased about a year, also the prisoner; from their appearance I should judge that Pollock was rather the heaviest man.

No further testimony was produced, and Col. Weller briefly addressed the Court, stating that the prisoner's counsel had not been able for want of time to elicit and show all the facts of the case, and that owing to the present excited state of public feeling and the misinformation which prevailed in reference to this case, they would consent that the prisoner be committed; but that they would at some future day make application to admit the prisoner to bail by a writ of *habeas corpus* before some competent court.

Judge Heydenfelds expressed the same views, and the prisoner was committed on the charge of murder, the witnesses b… the sum of…

Antonio …
Mexican w…

Cross-exa… calling to a… Mary St… street. On… house in th… again betw… room occu… lock and N… just gone o… told him n… gone to bed… son." I ma… Miss Hurley… Gallagher … have talked… likely;" th… rose up and… "I have;" … by Mr. Peeb… ed up and t… closed twice … Pollock sno… raised and h… he went out… Pollock was… his hand; I… not know wh… the room aft…

☞ Card.
…ed that Galla…
…lock, was a m…
…Committee t…
…he never ha…
…Committee.

A. Campbell, Judge S. … Brooks and E. McGowan, Esqs., Counsel.

The People *vs.* J. Nugent, indicted for stealing a shirt, Col. Weller and Judge S. Heydenfeldt, counsel for the defendant, argued a demurrer to the indictment on the ground of insufficiency, in not detailing the offence charged, in accordance with the provisions of the statute under which the indictment was found. District Attorney Platt opposed the demurrer, which was overruled by the Court, Justice McGowan dissenting. Defendant's counsel then announced themselves ready for trial, but the prosecution not being ready, the case was continued over until next term.

Recorder's Court.—Before Judge Waller.

Philip Horn, arrested for assault, was discharged.

John Williams, arrested for arson, was discharged, there appearing to be no grounds for his detention.

G. Manypenny and Dennis Kelley were fined $50 each for an outrageous assault upon Wm. Sillane.

Two Mexicans, Lagouy and Lopez, were discharged from custody, on a charge of larceny.

Discharged.—In the case against Charles Duane a nolle prosequi was entered by the Court of Sessions yesterday, the prosecuting Attorney stating that there were none of the witnesses necessary to the prosecution to be found.

The Dupre Case.—The situation of this woman seems a peculiarly hard one, and produces considerable excitement. On yesterday, the woman Mary Ann Moran, who has been living with her husband, was put on her trial at the Court of Sessions, for assaulting Mrs. D. when she visited the house of her husband on Wednesday. The evidence showed the case to be a most aggravated one, as the woman Moran assaulted Mrs. D. with a hatchet while the latter had her infant in her arms, and it was only by the strenuous interference of a person present that severe injury was not inflicted. The jury returned a verdict sentencing her to one year's imprisonment. A brother of Miss Moran's will be tried to-day for being engaged in the matter. It was proved in court that Mrs. Dupre has always sustained an excellent character.

Horse-Thief Caught.—The Vigilance Committee arrested a man last evening, charged with horse-stealing. We were unable to learn his name, or what disposition was made of his case.

LAW INTELLIGENCE.

Cal Courier June 27

Courier 6/27

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A Mexican was hanged at Jackson, Calaveras county, for murdering another Mexican, on Monday 23d inst. He was arrested and tried by the people, and hung at 4 o'clock the same day.

Mr. Wilcox a young man from Connecticut was murdered at Kanaka creek, a tributary of the Middle Yuba, by the Indians on the 12th inst. It is thought he was murdered by the Indians at the instigation of a white man whom they have arrested and it is probable he will be lynched by the miners.

Prodigious Oats.—It has been our province to notice some remarkable specimens of the agricultural products of this country, but nothing has yet offered to compare with the five stalks of oats from a single grain which were brought to this city by Mr. Wetherwax, from the farm of Messrs. Brown & Edmond, near Placerville. The average length of the five stalks is eight feet and five and a half inches! and they all measure an inch in circumference near the bottom. We saw, lately, some barley of like dimensions, except in length; but the oats we believe to surpass any thing of the kind recorded.—[Sac. Trans.

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June 27

June 26-30

CALIFORNIA COURIER.

JAMES M. CRANE.....Editor.

SATURDAY, JUNE 28, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

Agents for the Courier.

The following persons have been appointed Agents for the Courier, and are authorised to receive and receipt for Subscriptions, Advertising, or Job Work:

R. B. Davidson.....*Sacramento City.*
R. A. Eddy.....*Marysville.*
Elliot Reed.....*San José.*
C. M. Davis.....*Benicia.*
R. L. Murphy.....*Sonora.*
W. H. Baxter.....*Nevada City.*
R. R. Griffith, Jr.....*Santa Cruz.*
J. C. Low.....*Eureka, Humb't Bay.*
L. B. Gilkey.....*Trinidad.*
Chas. K. Cullen.....*Los Angeles.*

WHIG STATE TICKET.

For Governor.
PEARSON B READING, of Shasta.

For Lieutenant Governor.
DRURY P. BALDWIN, of Tuolumne.

For Justice of Supreme Court.
TOD ROBINSON, of Sacramento.

For Attorney General.
WM. D. FAIR, of San Joaquin.

For State Comptroller.
ALEXANDER G. ABELL, of San Francisco.

For State Treasurer.
J. M. DUBT, of Butte.

For Surveyor General.
WALTER HERRICH, of San Joaquin.

For Congress.
E. J. C. KEWEN, of Sacramento,
B. F. MOORE, of Tuolumne.

☞ **Our Yearly Subscribers** are reminded that the first volume of the *Courier* ends on 1st July next. Those who wish to subscribe for the coming volume, will please notify us at our Counting Room, corner Sansome and Jackson streets, on or before the 1st July. je27

☞ **Notice to the Public.**—Dr. A. J. Lassetr is authorized to procure subscribers, advertisements, and job work for The California Courier Office. His receipts will be good for all payments made. Dr. Lassetr is a gentleman of high respectability, and we take great pleasure in recommending him to the favorable notice of our friends.

STEAMER COURIER.

☞ **Our Steamer Edition of the Courier will be issued THIS MORNING**, next, and be ready for delivery at our Counting-room, at 10 o'clock. It will contain a large amount of the most valuable matter, comprising Mining, Commercial, Political, and General News.—Among which will be found, Interesting Correspondence from the Mines, from Oregon, Sandwich Islands, South America, and the whole Pacific Coast. An excellent number of "Old Block's" series will be contained in it, and also an interesting account of the Baptist Convention at Sacramento.—A full account of the terrible tragedy at Los Angeles, and also those at Sonora and the Southern mines, with full account of the proceedings of the Vigilance Committee.—Telegraph in California.—Interesting Agricultural Statistics of the State, etc. It will also contain a number of leading articles, among which will be found the defence of the Administration against the secret attacks against it. We shall also publish a full statement of the Great Fire on the 22d instant, together with all the losses sustained. In fact, this will be one of the most interesting numbers ever published in this city

The Pulpit, Press, and the Vigilance Committee.

Whatever course the Pulpit and the Press may see fit to take and act upon, is likely to be sustained by the people. Their influence was peculiarly felt in the American revolution. Indeed, they have been felt in all prominent and important periods in our history. Nor is the power they exert confined to our own country; and it is a source of high satisfaction that they are now beginning to tell upon the public mind of California.

On yesterday, the Rev. T. D. Hunt preached a remarkably able sermon on the causes which led to and the circumstances attending the execution, by the people, of the notorious criminal Jenkins. We regret that we were not present on the occasion. Those who heard it, speak of it in terms of the highest approbation. He sustained, we understand, the action of the People's Vigilance Committee. He considers that we have reached a crisis, and that we are called upon to use severe and stringent remedies for the correction of crime. He spared not offenders in high places,—those who have clothed themselves with dishonor, while entrusted with the affairs of the people. Mr. Hunt has done well, and has spoken out as a good Christian minister should speak, in times like these.

The Rev. Mr. Wheeler also yesterday nobly stood by the people in their efforts to rid our city and State of offenders and criminals in high and low places. He was not for excusing men who were "clothed in purple and fine linen, and who fared sumptously every day" but that we must follow the guilty up and make them feel that neither station nor pretentions should sheild men against popular resentment and punishment.

The People's Vigilance Committee with the Pulpit, the Press and great men on their side need fear nothing. So long among the lower order and more private thieves they have made terrible havoc of [illegible] prospects. The execution of Jenkins and the arrest of other well known villians by the Committee, with the view of transferring them back to Sydney-their rigid police regulations—and the prompt punishment of all offenders have done more for the security of life and property than has been accomplished by all the laws of the land, since the reign of law commenced to operate in California.

We understand that the sermon of the Rev. Mr. Hunt is to be published. We hope that a large edition will be printed and that it will have a wide circulation.

Gregory's Express.—Our enterprising friend Gregory seems determined not to be outdone. He has now removed to the corner on Merchant street opposite to his old stand.—The new building is most thoroughly fireproof. Gregory has now room enough to accommodate the business wants of his numerous customers, in America, Europe and Asia.

☞ Our thanks are due to Todd & Co. for Stockton and Oregon papers, Gregory for Los Angeles and Oregon papers, and Freeman & Co. for Sacramento papers.

☞ We have rumors of an affray which took place at the Oriental last evening, between two well known gentlemen of the city, but not sufficient to give a full account.

Fourth of July.—On account of a press of advertisements and other matter we are compelled to defer until to-morrow the proceedings and programe in relation to the 4th of July—as we are compelled also to defer other interesting intelligence.

Arrests.—We hear that several persons were arrested last evening by the Vigilance Committee as being concerned in the firing of the city on the 22d inst.

From Sonora—Shocking Intelligence!

THE EDITOR OF THE SONORA HERALD AND TWO OTHER MEN SHOT!!!

We learn by Todd & Co's Express that in consequence of an article which appeared in the Sonora Herald a party of gamblers went to the office and shot Dr. Gunn, the Editor, Mr. Christian one of the proprietors and a Mr. Coufforth. Four others were wounded and several arrests were made We have not room for further particulars this morning.

☞ **Vigilance Committee.**—At a meeting of this Committee, held on Friday evening, June 27th, it was resolved, that each and every member of said Committee shall report himself at the committee room once in every twenty-four hours.
San Francisco, June 28, 1851. y

☞ **The Members** of "Pacific Independent Fire Association" would hereby return their thanks to Messrs. B. [illegible] proprietors of the Saloon called The Corner, for refreshments furnished during the trial of appr[illegible] Friday, June 27th.
je28 y FLORENCE MAHONEY, Foreman.

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☞ **Union.**—The members of this [illegible] that a special meeting [illegible] THIS MORNING, June 28th, at 9 o'clock, [illegible] at Richmond's Building, on Jackson [illegible]

June 30

☞ We were informed last night that the Vigilance Committee have in charge a negro who confesses that it was he who originated the fire on the 22d, which brought such misery and desolation to the hearts of hundreds of our citizens. He states that he was hired to perform this hellish deed by a woman, or rather a fiend in woman's shape, in order to gratify her revenge on the proprietor of the house. We obtained this information from a highly respectable source.

Southern News.

The Steamer Goliah, Capt. Nason, arrived from San Diego and intermediate ports on Saturday [illegible] To the polite attentions of the Purser we are indebted for the *Los Angeles Star* of the 21st inst., from which we glean the following items of news.

[illegible] attacked John-

H. H. Bancroft Collection
Bancroft Library

VISIT TO THE JAIL.—A large number of the Vigilance Committee proceeded yesterday to the County Prison, by invitation of the Sheriff, for the purpose of inspecting the cells and examining the plan of the building. They entered each of the apartments in which the prisoners are confined, and went over the entire premises with the view of ascertaining the degree of security that could be attained by a completion of the structure. We understand they expressed themselves highly satisfied with every thing they saw, and that a strong effort will probably be made to raise the necessary funds to finish at least one story of the building. There is at present so great a number in each cell that but for the strict attention paid to cleanliness by the officers of the establishment, it would be impossible to prevent sickness in the prison.—There will continue to be an absolute necessity, however, to crowd the cells until the Sheriff shall be enabled to provide further accommodations. Now that the Vigilance Committee have taken the matter in hand, we have every confidence that a spirited subscription will be got up for the furtherance of this most necessary and laudable undertaking.

VILLAINOUS FORGERY.—We are informed by a member of the Vigilance Committee that an atrocious attempt is being made to prejudice the Committee in the minds of the citizens, by sending to several respectable lawyers, merchants and other citizens, notices to leave town—such notices purporting to be issued and signed by the Vigilance Committee.

We are authorized to state for the information of such gentlemen, that in no case has any such notice been sent by the Committee through the Post Office. In every instance they have been served personally by a sub-committee of three or more upon the parties intended to be reached.

The Committee, with their accustomed energy, are on the track of these forgers, and we doubt not they will succeed in unmasking and bringing them to punishment. In all probability, these villainous attempts are made by the same parties who on one or two occasions endeavored to supply some of the prisoners in the County Jail with means of escape.

S F Herald July 1

parties.

A FRAUD.—We learn from a most reliable scource that letters have been sent *through the Post-office* in the name of the Vigilance Committee, to men of respectability, warning them to leave the city. These letters are all said to be forgeries. But two warnings have been sent by the Vigilance Committee, as our informant asserts, and both these were delivered personally by members of the Committee. These warnings stated the reasons for the action of the Committee, and both the parties are now in custody.

Our informant believes the object of these fraudulent notices to be, to create an unjust predjudice against the operations of the committee. Whatever may be the object, there is no doubt that any such action is highly culpable, as the names of a body of men publicly known are used without their consent, and for purposes of which they disapprove.

COL. FREMONT.—This gentleman was recently at Los Angeles, where he arrived by way of Tulare [illegible] early in the [illegible] he was engaged with a company in purchasing cattle for the San Joaquin Valley, and was to have [illegible] but this time with a drove of from 4000 to 5000 head. We understand he has a contract for sup-

VILLAINOUS FORGERY.—We are informed by a member of the Vigilance Committee that an atrocious attempt is being made to prejudice the Committee in the minds of the citizens, by sending to several respectable lawyers, merchants and other citizens, notices to leave town—such notices purporting to be issued and signed by the Vigilance Committee.

We are authorized to state for the information of such gentlemen, that in no case has any such notice been sent by the Committee through the Post Office. In every instance they have been served personally by a sub-committee of three or more upon the parties intended to be reached.

The Committee, with their accustomed energy, are on the track of these forgers, and we doubt not they will succeed in unmasking and bringing them to punishment. In all probability, these villainous attempts are made by the same parties who on one or two occasions endeavored to supply some of the prisoners in the County Jail with means of escape.

S T. Herald July 1

Jail 63 July 2 Work & Continued 23 1/2" Footsteps 9.25

Herald July 12 - 1851

Suspicious

Hans Linck

Wm. Stevens.—I have told you Kitchen lives on the hill near the North Beach. I refuse to tell the name of the woman with whom I stayed. Kitchen showed me the house; Kitchen was here on Tuesday night, 1st July. I saw him at the El Dorado; I know where he lived, but looked for him there; I went from the El Dorado to the Bella Union, from thence to North Beach; he then showed me the house; I have known the woman before; I had 6 or 7 dollars with me; I don't know Mr. Pixley, a lawyer; I left the woman soon after day-light next morning, and went to the Mission; I have a cousin there named John Stevens; he is working at a baker's; he has been in the country about 16 months; has been at the Mission two months; Kitchen told me my brother was living at the Mission; I left the Mission same morning at about ten o'clock; I got there by 5; about 9 o'clock was taken; I consider it as near again to go over the hill as to keep the plank road. I have travelled same road often before; I came back from the Mission alone.

366

LYNCH LAW AT SONORA.

Good Gentlemen!

By an Extra from the office of the Sonora *Herald*, we have the following particulars:

Attempt to Fire the City!

SUNDAY MORNING, June 29th.

Last night some villain attempted to fire the city by placing a bundle of old canvass on fire under the eaves of a house covered with tar cloth, next door to Dodge's butcher stand. Mr. Dodge smelled the burning canvass, and got out of bed just in time to save a terrible conflagration.

12 O'CLOCK.

A large Vigilance Committee is being organized, and we shall have a full police of our best citizens standing guard all the while. Wo to the man caught in the act!

Prisoner Hung in Sonora!

EVENING.

Early this morning, people from the various camps were on their way to Campo Seco. About 11 o'clock, the person arrested in Sonora last evening was taken over to Campo Seco, accompanied by Sheriff Work and others, to stand his trial there. A form of examination was gone through, and no positive evidence other than that of the doomed man appearing against him, he was honorably acquitted.

After 6 o'clock, Hill was led forth to execution. A large number of accomplices and other villains had collected from various camps. After the prisoner was placed on the stand, he made a few remarks, describing his life as one of crime, and warning others against following his course. He also said that he had robbed and stolen and done other acts of crime, but had never shed blood, and he threw himself upon the mercy of the people.

The question was then put, "Shall he be hung!" A large number answered aye, but an equal number responded in the negative. Immediately some hundreds of pistols were drawn, and a universal stampede occurred. Horsemen plunged through the crowd and over them, and the people ran in every direction.

Order being partially restored, several persons spoke for and against the execution—until at length George Work arrived by himself, and asked to be heard. He then pledged his own life that the prisoner should be forthcoming at the District Court, if they would deliver him into the hands of the civil authorities. His remarks were responded to by cries of "Thornly! Thornly!"

In the excitement, the prisoner was taken from the stand, his hands still tied while pinioned behind him, and he was thrust into a wagon, which immediately drove off at a rapid rate for Sonora. The Sheriff and one other person were also in the wagon, and several others accompanied them on horseback.

News of the rescue having reached here shortly after the rescue, Mr. L. D. Edwards, accompanied by E. Lineberg, with a gun, passed through the city and called a meeting of the people hastily in front of Mr. Holden's store. Mr. Edwards then addressed the crowd in a short but very effective speech, referring to the escapes of criminals heretofore, and the danger of our citizens while such shelves and rascals were permitted to escape. He proposed to take the prisoner as soon as he might arrive in town, and hang him. There was not a dissenting voice.

The crowd then prepared with weapons to meet the sheriff and the prisoner at the entrance of the city. They came in a wagon, with two persons alongside on horseback. But all was of no avail. The men in that crowd were not to be frightened. They followed the wagon driving at a rapid rate, until it struck against a post, it being dark. Geo. Work then jumped out with the prisoner, holding him by the collar, and both ran at full speed for the jail, plunging through the arroyo, while the crowd behind were shouting "Stop him in front—we are afraid to shoot lest we may kill our friends—stop him in front!"—Mr. Lineberg soon caught the prisoner behind, and hung on to him, compelling him to drag him along, and thus impeding his progress. Col. Cheatham also—all praise to the man—ran ahead at full speed, to the jail, and planting himself before the door, cocked his revolver, and as George Work and the prisoner came running up, he placed one hand on the prisoner, and presenting his pistol towards George, said "George, you have your pistol and I have a pistol; yours is cocked and so is mine—blow away, I can kill too, but let this man alone!" Others by this time came up, and one party taking George, another the prisoner, no shots were exchanged and the rescue was made. Two persons threw a rope over the prisoner's neck, and away he was led to execution. The place selected was the limb of a tree behind the El Dorado. A minister was requested, and fifteen minutes allowed, the prisoner being surrounded by a ring of firm men who were cool and determined in the work before them. A large crowd was gathered round, but all were still as death. The fifteen minutes having expired, the signal was given, and in an instant the wretched man was hanging by the neck. There was scarce a struggle. The crowd were deeply impressed, but all were satisfied of the righteousness and necessity of the punishment.

All through the city the rowdies—men who live sumptuously and yet do no work—men who are marked, and against some of whom there are more than suspicions of guilt—were solemn and subdued. Two or three might be seen in a squad in various places, talking softly, and evidently alarmed for their own safety. We say, keep the halter ready, and use it whenever one is caught, be he American or foreigner.

We glory in the fact that American justice is dealt out to all alike. The prisoner's real name was David Hill, and he was from Courtland county, New York. Among the last words uttered by him were, that his confession was true, and the several persons implicated by him were guilty as he had described.

A ROBBER CAUGHT IN THE ACT.—A rare instance of a robber caught in *flagrante delictu* occurred yesterday morning about two o'clock. The rascal had mounted upon a wood shed in the back yard of Mr. J. C. Pelton's house, near the corner of California and Stockton sts., in order to make his entrance through the second story [illegible]. This he raised, and was quietly crawling [illegible] when Mr. Gelston, who had been aroused by the noise produced in opening his window, and had taken his stand a little one side within, seized the rascal before he could retreat, jerked him inside and secured him. Assistance being speedily obtained, the robber was handed over to the care of the Vigilance Committee, who will do doubt pay all due attention to his case.

DISCHARGED.—Ira Cole, arrested as accessory to the assault of Duane upon Bailey, discharged yesterday, the Grand Jury not having found a true bill against him.

FINED.—Judge Campbell yesterday fined C. L. Ross, B. C. Horn, and ten others of the Grand Jury, $25 each for non-attendance.

ACCIDENT.—A horse attached to a cart ran away near the corner of Pacific and Stockton streets, about six o'clock last evening; the driver was thrown out and run over, the wheel passing over his neck, and causing the blood to gush from his mouth, nose and ears. He was picked up nearly dead. He was supposed to be intoxicated at the time. Name not ascertained.

THE CASE OF L. BAIL.—This man, a Frenchman, believed to be crazy, who has been indicted for the murder of Guerrero, was brought into the District Court yesterday morning, and pleaded "not guilty," to the indictment. He stated that he had neither friends, money, nor counsel, whereupon the court appointed as his counsel, Judge Moore, Hall McAllister, Esq., and Samuel Flower Esq. His trial will take place on Saturday next.

CITY NEWS.

STREET AFFRAY.—It is known that an unfortunate difficulty between [illegible] days past between Mr. William H. [illegible] and Mr. George F. Lemon. The parties had come to [illegible] Sunday evening on the Orizaba, when Mr. Graham threw a tumbler of water into Mr. Lemon's face. The parties were then separated, and no more was heard of the matter until yesterday morning, when a card appeared in the papers signed by Mr. Graham, in which the severest epithets were applied to Mr. Lemon. This in our thought would necessarily bring about the collision that ensued. The circumstances of this affair as related to us by many of the bystanders, are substantially these: Both parties were seen on the Plaza yesterday morning, Mr. Graham walking up and down and Mr. Lemon standing near the office of the Alta California on Washington st. Both were known to be armed. About 12 o'clock Mr. Lemon moved down Washington and up Kearny towards the Exchange, and took his stand opposite the clothing store adjoining that building. Mr. Graham had about the same time crossed over to the Union. Quite a number of persons were congregated around to witness the result. As soon as Lemon halted on the steps, Graham made a movement towards him, but was checked for a second by his friends. He crossed Merchant street and walked along on the planked street to a point just opposite Lemon, where he exclaimed "draw and defend yourself," and instantly produced a revolver from his pocket. Lemon wheeled rapidly towards him, at the [illegible] instant drawing his own revolver from his pocket. Both fired, and so nearly together that opinions are divided as to who shot first.—Most of those present however appeared to think that Graham was a second ahead. Neither of these two shots took effect. Lemon then advanced on Graham, who continued to recede, keeping a few paces in front. Both were rapidly discharging their pistols all this time—both seemed perfectly cool. While thus crossing Merchant street and firing, one of Mr. Lemon's shots took effect in Mr. Graham's arm. At the two steps on Merchant street leading to the front of the Union, Mr. Graham stumbled backwards and fell upon the platform on his arm. Mr. Lemon was advancing so eagerly that he had almost passed his prostrate antagonist—he therefore stood and fired down at him; the ball took effect in the mouth of Mr. Graham and lodged in his neck. The blood spouted from his lips, and the bystanders interfered and stopped further proceedings.—The wounded man was conveyed to the back room in the California Exchange, where he received prompt medical attention. It was thought at first that he was mortally wounded, but [illegible] we are glad to state, is not the case. The wound in the throat is very severe, but is not considered dangerous. The ball has not yet been extracted. He was walking about after his wounds were dressed, and before he was removed to his lodgings.

Nine shots were fired during the fight. Mr. Lemon was not in the slightest degree hurt, although we hear that a ball just grazed his skin. As was to be expected, some other innocent parties, witnesses of the transaction were hurt. The crowd around was considerable, but as every bullet has its billet, somebody could hardly help being wounded. We have heard of two persons who were injured: one was a boy, standing in the Exchange, who was shot in the arm; another was a sailor, who was passing along Kearny street at the time; his arm was injured by a ball. These wounds account for four balls in all—two in Mr. Graham, one in the boy and one in the sailor. The marks made by the others may be seen all round the spot. One went through a pane of glass in the clothing store next to the Exchange—one lodged in the pillar in front of the Union—one in the planking of the street, &c. The only wonder is that half a dozen men were not shot in the affray. We hear from [illegible] that an attempt was made to stop Mr. Graham after the first shots were fired, but that the firing went on nevertheless as briskly as ever.

Mr. Lemon was arrested by Sheriff Hays and taken to the Ohio-street Station House, where an examination of the case was had yesterday afternoon before Judge Waller. The testimony and result may be found in another column.

TRANSACTIONS OF THE VIGILANCE COMMITTEE—ITS PROGRESS AND EFFECTS:—The Committee of Safety, which many supposed but an ephemeral organization for the punishment of Jenkins, has become a permanent body in our midst, and pursues the even tenor of its way—the terror of criminals and the guardian of the city—without exciting any disturbance or being the subject of particular remark. Noiselessly and calmly the good work of repressing crime is going on. The belated citizen treads the streets at night with firmer step; he fears not the lurking assassin or prowling robber at every corner, because he knows that an hundred vigilant eyes are watching for his protection; he lies down at night in security, and pursues his calling free from the dread of depredation. This state of things has not been brought about without the expenditure of much time, money and labor on the part of those composing the Committee. They have conducted themselves with so much prudence, moderation, and enlightened policy, as to have disarmed nearly all of their original opponents (from honest convictions,) of their objections. And now, what have they done and what are they doing?

Since the execution of Jenkins, just previous to the sailing of the last steamer, they have increased their numbers, by voluntary enrollments, from one hundred to nearly five hundred, composed of those who have an interest at stake in the preservation of the city. One hundred of these are always on duty, night and day, and all may be summoned at a moment's notice in case of need. This is the preventive means they employ.

They have instituted a most elaborate and thorough investigation into the haunts and character of all suspicious persons, and where the evidence is satisfactory that individuals live by plunder and rapine, comprising a portion of that gang which it is the object of the Committee to extirpate, they have given them a warning to leave the city within five days. By this peaceful means the community has been rid of a great number of the vilest criminals that have infested it. Where obedience is refused to their mandate—as in the case of Hetherington—the Committee proceed in a body to enforce their sentence. They are not children to be trifled with, and the outlaws are now convinced of it.

They have made a number of arrests on suspicion of various crimes. Several have been discharged, no proof being found against them, and others have been found guilty as well of positive crimes brought home to them, as of general bad character, making them dangerous to the peace of the community. Several of those found guilty are now confined securely in the harbor, and arrangements have been made to ship them back to Sydney in a few days. One, a Mexican, was publicly lashed, and then expelled from the city. There are men still under examination for the commission of crime. The committee are waiting for important witnesses that have been sent for in the interior. To expedite the ends of justice they spare no expense and are deterred by no difficulties. Witnesses will be sent for, when necessary to the farthest corners of the State, and the committee will bear their expenses. Their arm is long as well as strong. In addition to all this they have offered a reward of $5000 for the apprehension and conviction of any one guilty of the crime of arson. These admirable and sagacious means for the prevention of crime, and for the sure and speedy punishment of those caught in its commission, have instilled the hope in the bosoms of our citizens that a brighter and better day is before them. The Courts, too, have been incited to unwonted exertions by the presence of this body in our midst, and have lately disposed of criminal cases with great promptness and energy.

Taking all these assured and tangible benefits into consideration, few will regret the past, and all must accord the meed of praise to those who thus devote their time, labor and money for the good of the whole community.

SACRAMENTO INTELLIGENCE.

By Last Night's Boat.

By Freedman & Co.'s Express, we are in receipt of Sacramento papers of yesterday.

Two persons, one a lady and the other a Frenchman named Amado Juvenal, have been murdered by the Indians, at a place known as the Wild Yankee Ranch, on Feather river.

The iron steamer Union has been snagged in the river going up to Marysville. She sank in six feet of water. The San Joaquin on her upward trip got aground opposite Ysba City.

The Sacramento river is falling fast.

The Shooting of Yesterday.

The examination of G. F. Lemon, charged with shooting W. H. Graham, was commenced before Recorder Waller at 4 o'clock, P. M., at the request of the accused. T. B. Van Buren, Esq. appeared for the defence.

Jacob Case, sworn.—Was informed by the Marshal that a breach of the peace was likely to occur on the Plaza, and was instructed to go there; went there; Mr Lemon was pointed out to me, also Mr. Graham, who was in company with three or four gentlemen in front of Judge McGowan's office; I stopped there some time, probably about half an hour, I afterwards saw Mr Lemon coming down Washington street by himself; about the time he reached the Bella Union, I saw Graham cross the plaza going towards the Union Hotel; I told Worthy, another policeman, to take the right hand side of Graham, I would take the left; Graham went to the front of the Union, where he stopped to talk to some gentlemen; I think Mr Broderick who was one of them spoke to him and advised him not to fire or do anything more, as he had sacrificed Mr. Lemon enough in the public prints of the morning, and ought to be satisfied; Mr Lemon was then standing on the corner of Merchant street, near the California Exchange; I was then within a few inches of Graham, with a full determination to arrest him; I heard him, all of a sudden, call to Mr. Lemon to "prepare," I think, and to "protect" himself; on the word, he fired his pistol, otherwise I should have interfered; Graham fired three shots, and I think Lemon exchanged three shots, perhaps four; I stood by Graham's side while the six shots were fired at the time of the first six they were fifteen or twenty feet apart; I think they stood still until after the third shot; Graham then retired sideways towards the Union; he then took his pistol up from the ground and tried to fire it, but it would not go off; at that time Lemon stood over him and fired at least once; I think the latter shot took effect in Graham's face; Lemon was then arrested; as Graham moved towards the Union, Lemon followed him.

Cross-Examined.—When Graham fired the first shot, I stood between the Union and the California Exchange; he stood in front of the Union when Mr Broderick was talking to him; I did not see him take out his pistol before he told Lemon to defend himself; when Graham was on the ground and seized his pistol, he pointed it at Lemon; the latter then fired; I do not know whether that shot took effect, but think it did; at the time Graham approached Lemon I think the latter was going into the Union.

Benjamin F. Sanborn, sworn.—Resides at the Rectman's House; was passing in front of the California Exchange this morning; Graham darted past me, got in front of me and drew a pistol, saying to the man on the steps, "draw and defend yourself;" I put my arm up to knock the pistol aside and the ball went through my wrist; thought at first it was all in sport; Graham fired his pistol at a man on the steps; I immediately left to go to a surgeon's, and heard these shots afterwards. I was just about taking a passage to go home; when Graham went around me, it was near the middle of the street; and when he said "defend yourself," he was not backed; I could not tell whether the other man fired or not; could not tell which man G. fired at; she did not appear to care which one.

Wilson T. Worthy, sworn.—Was sent to the Plaza this morning with officer Coze, by the Marshal, to put a stop to any breach of the peace between Mr. Graham and Mr. Lemon; on the way down, Mr. Gallagher told me they were armed; arrived on the Plaza. Mr. Graham was pointed out to me in front of Judge McGowan's office; Mr. Lemon was just above the Alta office, on Washington street, but not in sight of each other. We went in front of Judge McGowan's; Capt. Harding and I then walked up near where Lemon was standing; Lemon then walked down Washington street, having a stick in his hand, and as he got about opposite the Bella Union, Graham started to cross the Plaza, and stopped in front of the Union; Lemon walked leisurely along by the Union; when I first saw Graham, I saw the hilt of a pistol in his bosom; when Lemon got in front of the California Exchange, he put his foot on the step, and appeared to talk with some gentlemen, saying, "this is the place," towards the Union; while Graham stood in front of the Union, I heard him make some remarks, but could not say; saying he would shoot Lemon, &c.; Graham then walked about half the way between the Union and Lemon, about twenty feet from the latter; he drew his pistol, saying, "draw yourself," and fired; I had command of him and was holding him when he fired; almost instantly, as quick as a man could cock a pistol and pull the trigger, Lemon fired; the ball came whizzing by me, and I thought it time to leave; Graham fired three shots in quick succession, retreating backwards, and Lemon advancing towards him; Graham had fired three shots before he fell, and Lemon had fired three; I do not think he had retreated more than one or two feet when he fell; Lemon was then not over ten or twelve feet from him; Lemon came up within two feet of him and fired, only once, I think; Graham said "Oh!" and put his arm over his mouth; when he fell, he had a pistol in his hand and fired; he fell on his right elbow and fired once after he had fallen; I stepped up and took Reuben's pistol from him; all the barrels were discharged. When Graham fired the first shot, I had hold of him by the shoulder.

James R. Maloney, sworn.—Was standing on the steps of the Union, about 11 o'clock, talking with Mr. Broderick; Graham was standing in front of McGowan's; Lemon was near the old adobe; about 10 or 15 minutes afterwards, saw Lemon walking leisurely down Washington st; he halted at the corner of the El Dorado, where he held a conversation of 3 or 4 minutes with Mr. Jackson Moore; he then walked by the Union; Graham, in the mean time had come down to the Union and stopped to talk with Broderick; as Lemon passed, Graham said to Broderick: "I think I will shoot him;" Broderick advised him not to do so; but he made one or two steps towards Lemon who had stopped on the steps of the California Exchange; I then started towards Lemon to put him on his guard; Graham advanced towards Lemon and told him to defend himself, drawing his pistol and firing; instantaneously; Lemon immediately returned the fire; Graham fired 3 or 4 times, retreating towards the Union, both exchanging shots, until he reached the steps of the Union where I think he stubbed his toe and fell; Lemon was following along the side-walk, until he got to the end when he jumped into Merchant street; as Graham fell, he threw up his arm and fired; Lemon had got up to him and fired almost instantaneously his last shot. There were perhaps 100 or 150 people in the immediate vicinity, who appeared to have congregated in expectation of the event.

Joseph R. Mathews, deputy sheriff, sworn.—Met Mr. Lemon on the side-walk about half way between the California Exchange and Merchant street; I stopped to speak to him; he had his face towards the Union; some one passed by on the side-walk and said "look out for yourself;" he then put his hand into his pocket and turned partly around; at that instant some one approached on the street, saying "draw and defend yourself;" I looked around and saw Graham in the street with a pistol in his hand, cocked and pointed towards Lemon; the latter drew his pistol; Graham fired and Lemon returned the fire; about that time Capt. Harding approached Graham and put his hand upon him; he fired again, and a third time, retreating sideways towards the Union, and Lemon following, returning the fire; Graham fell at the steps of the Union; I think he discharged his pistol at the time he fell; he fell on his right arm and had his pistol raised and presented when Lemon fired the last shot; do not think this occupied more than 30 seconds; it was a continued discharge of the pistols; thinks from Graham's position he was not shot in the face the last time.

E. Gallagher, sworn.—Mr. Graham was in my office two or three times in the morning, talking about the difficulty between himself and Lemon; he said he could not fight him as a gentleman; but he would give an opportunity to any gentleman who bore a challenge from him to fight him (Graham). He also said that if he and Lemon met in the street, they would probably exchange shots, &c. I endeavored to dissuade him from any such intentions. Mr. Moore came in and said something to Graham, Graham turned around and said, "Boys come out and you will see some fun," or remarked in that sort. I then concluded to go down to the Marshal's office, to inform him of the contemplated bloody affair, and accordingly did so.

[illegible] G. Wallace, Capt. A. C. Harding and Jackson Moore, were also called as witnesses, but their testimony was but cumulative, showing nothing important that was new or unadmitted.

Mr. Van Buren moved for the discharge of the accused. Recorder Waller expressed his disapprobation of the neglect of the Marshal and other officers in not having prevented this collision, and called the attention of the counsel to what he considered the objectionable feature in the case on the part of the defendant, in neglecting to complain of his threatening antagonist, and to forestall this affray by arraignment to the law.

Mr. Van Buren further addressed the court in support of his motion, and the Recorder ordered that the defendant be discharged.

July 2

as [illegible] Sampson was arraigned before Hall, and taken to the Chief-street Station House, where an examination of the case will be had yesterday afternoon before Judge Waller. The testimony [illegible] may be found in another column.

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B. H. Bancroft Collection
Bancroft Library

July 3

Vigilance Committee in Santa Clara.

We are rejoiced to learn that the people of Santa Clara have formed themselves into a Committee of Vigilance with the view of acting in concert with the Vigilance Committee of this city, for the detection and punishment of crime. We trust the example will be followed by the citizens of all the towns of the interior, and that we may have an organization existing throughout the entire State so powerful as to produce the most complete efficiency in the punishment of criminals. The following are the proceedings of the people of Santa Clara at their first meeting:

At a meeting of the citizens of Santa Clara, held pursuant to public notice, Mr. Joel Clayton was called to the Chair, and Mr. R. Buckner appointed Secretary.

Mr. Pierson addressed the meeting, and stated the object to be to take measures to act in concert with and approve the proceedings of the Vigilance Committee of the citizens of San Francisco, and offered the following resolutions, which were unanimously adopted:

Resolved, That we deeply sympathise with the citizens of San Francisco, in their losses sustained by the late fires.

Resolved, That as we believe the late disastrous fires to have been the work of a regular band of thieves and incendiaries, too fiendish and dangerous to be suffered to prowl about San Francisco—therefore

Resolved, That as we believe our interests are identified with the sustaining of that city, we will heartily second and assist the citizens to detect, bring to justice and punish the scoundrels that infest that city.

Resolved, That we consider the hanging of the notorious burglar and thief Jenkins, entirely justifiable, and in our own opinion, it is the shortest and only way to save the lives and property of citizens.

Resolved, That we hereby call upon the Vigilance Committee of San Francisco to transmit to the Vigilance Committee of this place, descriptions of suspected desperadoes whenever they shall hereafter leave that vicinity.

Resolved, That we call upon the Press of San Francisco to publish these resolutions, and assure their citizens that if a vigorous effort should be made to free themselves from the pest, we will come to their assistance, *en masse* if necessary.

Mr. Gates then moved that those present form themselves into a Vigilance Committee, which motion was unanimously adopted, and the Chairman, Mr. Clayton, elected President of such Committee, and Mr. Gates Secretary.

On motion of Mr. Gates, a committee of five, consisting of Mr. Pierson, Capt. Rush, Mr. Buckner, Col. Davis and Mr. Buffum, were appointed to draft resolutions and rules to govern the action of the Vigilance Committee.

Whereupon, the meeting adjourned to Thursday evening, the 26th inst.

JOEL CLAYTON, Chairman.
R. B. BUCKNER, Secretary.
Santa Clara, June 25th, 1851.

At a subsequent meeting held on Thursday last, the Committee adopted a constitution and by-laws, and took other measures towards a thorough organization. We learn that not a single citizen has yet refused to join.

STAGNATION OF POLITICS.—The two organs in Sacramento finding it impossible to get up a good argument, [illegible] no [illegible] position of either party to dispute about, keep up the warfare by statements as to the respective popularity of their candidates. A correspondent of the Democratic organ, writing from Georgetown, [illegible] the following representation

San Joaquin Republican 7 July 51

HIGHWAY ROBBERY.—By a gentleman just down from the mines, we learn the particulars of a recent robbery on the road from here to the San Joaquin river, which rather surpasses any thing in that line we have heard of recently. It appears that four or five teamsters were coming down, and when about twenty-six miles from Stockton, they were suddenly beset by some six or seven mounted bandits, who made them halt, and ordered them to give up every thing of value in their possession. Being unarmed, the men had no other alternative than to submit, and they were pinioned and thoroughly searched. This done, the robbers then bound them separately, and after taking each one to a different place off from the road, they were left to extricate themselves as best they could.—*Journal.*

The Fourth of July is to be celebrated at Stockton. Mr. A. C. Bradford will deliver the oration, and Mr. J. F. Stephens will read the Declaration of Independence.

Mr. Moore, the candidate for Congress, addressed a large meeting at the town of Mariposa, in Mariposa county, on the 15th. He was received with great enthusiasm.

Two men have been executed at Melone's by the decision of a popular tribunal—one for stabbing Captain Acklin, and the other for being engaged in the assassination of Captain Lyon at Sonora. Both were Mexicans, and the jury who tried them was composed of Mexicans and Americans.

B. H. Bancroft Collection
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July 4

CALIFORNIA COURIER.

JAMES M. CRANE.....Editor.

FRIDAY, JULY 4, 1851.

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Good Work—The Grand Jury.

Yesterday, Judge Campbell empannelled the Grand Jury, and appointed Alderman George Endicott as Foreman. The Jury was called together at 11 o'clock, A. M., and were charged by the Judge in a very sensible and highly appropriate address. He said that crime had been so general and punishments so trivial that he was not surprised that the people should organize themselves into a Vigilance Committee, with the view of protecting themselves against assassins, thieves and incendiaries.

At twelve o'clock, the Jury retired to their room—issued subpœnas for witnesses—examined fourteen of them, and indicted Gallagher for murder, and Lewis, for arson. All this was done in about three hours.—The guilt of the prisoners was proved beyond a shadow of a doubt. The Court held a special session at 3 o'clock, to receive the Grand Jury's report. The Court and the Grand Jury then adjourned until Saturday, at 10 o'clock. Such a Grand Jury as this is of some service to the people. They seem to be determined to put criminals right through. Now let the Court hold a special session to try these men, and if they are found guilty, let them be hung at once.—When the courts act promptly, the people will sustain them.

The following persons compose the Grand Jury:

Geo. Endicott, Foreman; William B. Peck, F. A. Ball, Wm. M. Hoag, John McCurdy, O. N. Bush, B. C. Horn, Kingsbury Root, H. F. Cutler, W. E. Lyndall, C. F. Tuffts, Francis Panton, D. A. Sheppard, Henry Dickinson, E. Tichnor, J. L. Merrick, C. L. Ross, A. P. Kinman.

July 4

HERALD.

Friday Morning, July 4, 1851.

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Impunity of Crime.

It is now some fourteen months since the District Court went into existence, embracing the period from April 20, 1850, to May 23, 1851, the whole number of persons committed for trial at that Court amounted to one hundred and eighty-four. It is a startling fact that of this number but nine remain now in custody paying the penalty of their offences. Seven have been discharged by the Grand Jury, six have died, and two have been pardoned. Besides these nine, some few others of the one hundred and eighty-four are in prison awaiting trial; but of the whole number, nine only are in custody under sentence. Forty have been admitted to bail, and doubtless never again heard of. Sixty-one have been acquitted and discharged by order of the court, and twenty-one have escaped and have not been retaken. In order that our readers may see at a glance the state of the criminal calendar we subjoin a tabular statement:

Whole number committed for trial at the District Court from April 20, 1850, to May 23, 1851	184
Of these, admitted to bail	40
Discharged by the Grand Jury	7
Acquitted and discharged by order of the court	61
Pardoned	2
Escaped and not retaken	21
Died	6

Of the number committed, thirty-seven have been arraigned, tried and most of them convicted of serious offences, as follows:

1850.
Aug 24..Gregoire Cordero, grand larceny, 1 year.
24..Seth H. Haskins, " 18 months.
16..Francis Murray assault and battery, 1 year.
24..Francisco Routido, *nolle prosequi*.
31..Thomas Curry, " "
Sept 9..Allan Cooper, grand larceny, 1 year.
9..James Pitcher, having stolen goods, 9 months.
9..Jose Miguel, manslaughter, 6 months.
9..Pedro Logue, " "
Nov 19..W. McGregor alias Billy Chapman, receiving stolen goods, *nolle prosequi*.
20..Stephen Hendrickson, counterfeiting, 1 year.
21..Wm. Greenwood, grand larceny, *nolle prosequi*.
21..Alex. Hamilton, forgery, bond forfeited.
21..Nicholas Gomez, assault with intent to kill, bond forfeited.
22..J. Hughes, robbery, 7 years.
27..John Smith, grand larceny, 1 year.
27..J. Williams, assault with intent to kill, 7 years.
27..John Mitchell, grand larceny, bond forfeited.
27..Catherine Byrne " *nolle prosequi*.
28..James Wilson, "
29..James Hamilton, robbery, 1 year.
29..Richard Hepburn, " "
Dec. 3..Antonio Romaro, grand larceny, *nolle prosequi*.
1851.
Jan. 29..Wm Welsh, grand larceny, 5 years.
29..Alfred Irwin, " 4 "
Feb. 8..Spiers and Williams, *nolle prosequi*.
10..Thos. Brown, assault with intent to kill, 3 years.
10..James Minor, grand larceny, *nolle prosequi*.
12..Philip Reter, rape, 15 years.
13..Wm. Dillon, assault intent to rob, 1 year; par'd.
13..L. Breese, " " "
16..Jean Baptiste, grand larceny, 1 year's imprisonment, and afterwards a new trial granted and *nolle prosequi*.
Mar. 15..T. Burdue, assault with intent to kill, 14 years.
20..J. Windred, " " 10 do;
24..John Boughtis, grand larceny, *nolle prosequi*.
Jun. 20..Wm Watkins, burglary, 10 years.
21..Francis Brier, receiving stolen goods, 5 years.
19..M. G. Costa, grand larceny, 4 years.

The following are the names of those of the above who are now undergoing the penalty of their offences in prison:

1850.
Nov. 27..Jno. Williams, shooting, intent to kill, 7 years.
Nov. 20..S. Hendrickson, passing counterfeit money, 1 yr
Aug. 24..G. Cordero, grand larceny, 4 years.
Sept. 9..A. Cooper, " 1 year.
Nov. 27..John Smith, " 1 "
1851.
Jun. 19..M. G. Costa, grand larceny, 1 year.
21..F. Brier, receiving stolen goods, 5 years.
25..W. Watkins, burglary, 10 years.
Stuart alias Burdue, assault intent to kill, 14 years.

Now, we wish to know what has become of the others. Where are they? Why are they not in prison? By what process have they been enabled to evade the penalty of their crimes?

We have at present no charges or comments to make. We submit the above figures to the public for their consideration, and we ask do they not furnish the most convincing argument in favor of the action of the Vigilance Committee? Where such was the administration of criminal justice, it is not to be doubted that some urgent and extraordinary measures were necessary for the purpose of bringing criminals to justice.

Suit against the Vigilance Committee.

It is stated that one Peter Metcalf has brought an action against F. Argenti, Atkinson and others, laying his damages at twenty thousand dollars, for an alleged injury to his character, caused by the defendants examining his premises and searching a number of trunks found in his house. The facts stated to us by a member of the Committee are as follows:

A carman named Metcalf, agreed for fifty dollars to take charge of four loads of furniture and wearing apparel during the recent fire. When called upon, he returned but three loads and could not account for the fourth,—the load not forthcoming being the most valuable of the four. The excuses made were so confused and so contradictory as to create strong suspicion, and the matter was brought before the Vigilance Committee by the parties interested. The Committee called upon Metcalf and found a house up among the sandhills, out of the way, richly furnished and provided with a capacious bar. Some twelve or fifteen trunks, most of them containing new and valuable wearing apparel, and a large number of firearms and swords, &c., were found on the premises, and for these he could not satisfactorily account. Of these facts the very respectable counsel who have undertaken the suit, could not, of course, have been aware, else they would not have lent their aid to mulct the Committee in damages for doing what was purely a matter of public duty. To counterbalance this, however, we rejoice to learn that several of the most eminent members of the bar have proffered to the Committee their gratuitous services for the defence of this action.

The Committee will harm no honest man.—They are organized for the detection and punishment of criminals only, and none else have aught to fear from them. In such times as these no man who has the public welfare at heart will object to suffer a little inconvenience to promote the ends of justice. If Mr. Metcalf was so honest as to be above suspicion, his character could not have suffered, and this suit must be projected by him not from a desire to relieve his reputation from an injurious imputation, but solely for the purpose of annoyance and revenge. Of course the gentlemen who conduct it have been led by his representations to take a very different view of the matter.

LADIES' FAIR.—The Ladies' Fair, in aid of Trinity Church, which has been for some time in contemplation, was opened last evening in the Court Rooms of the California Exchange, and will remain open during the remainder of the week. It will doubtless be crowded during to-day and this evening.

HOWARD ENGINE COMPANY.—We understand this fine company dine together this afternoon at the Bueña Hotel at 4, P. M.

THE CALIFORNIA CONVENTION.—We are indebted to J. Ross Brown, Esq., for a copy in Spanish of the debates of the Convention of Monterey to form a State Constitution.

Herald - July 4. 1851

☞ **Committee of Vigilance.**—The members of this Committee are hereby notified that a special meeting will be held at the Committee rooms on Saturday evening, July 5th, at 8 o'clock.

As business of great importance will be submitted, a full attendance is particularly desired. Jy 4t

☞ **The Members of the Masonic fraternity** are hereby notified to assemble at the Lodge Room this morning, at 10½ o'clock, each person in his coat indicating his rank, for the purpose of proceeding in procession to the Plaza, to join in the festivities of the day.

July 4

☞ Sons of Temperance—4th of July—

July 6

☞ Vigilance Committee Room.—It having become necessary to the peace and quiet of this community that all criminals and abettors in crime should be driven from among us, no good citizen, having the welfare of San Francisco at heart, will deny the Committee of Vigilance such information as will enable them to carry out the above object. Nor will they interfere with said Committee when they may deem it best to search any premises for suspicious characters or stolen property. Therefore,

Resolved, That we, the Vigilance Committee do claim to ourselves the right to enter any person or person's premises where we have good reason to believe that we shall find evidence to substantiate and carry out the object of this body; and further, deeming ourselves engaged in a good and just cause—WE INTEND TO MAINTAIN IT.

By order of THE COMMITTEE OF VIGILANCE.

No. 67, Secretary.

San Francisco, July 5, 1851. jy8

☞ Commercial Rooms and Free Reading Room, corner of Washington and Sansome sts.—These splendid rooms will be opened THIS DAY, at 11 o'clock, a. m., with a lunch and champagne free. The public are invited. [jy8 1t*] D. JOSSON, Proprietor.

☞ Attention Patrol!—The regular monthly meeting of the Voluntary Patrol, for the 5th and 7th Wards, will be held at the California Engine rooms, on TUESDAY EVENING, July 8th, at 8 o'clock. By order of the Chief, F. W. MACONDRAY.

WILLIAM BROWNE, Sec'y. jy8

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Dudley.

The Murderer of the Sheriff at Foster's Bar.

We understand the Committee of Vigilance have in their possession the real Stuart who murdered the Sheriff of Yuba county some time since. Our citizens are aware that the person convicted of the murderous assault on Mr. Jansen of this city, has been taken to Marysville to be arraigned for this murder, and that he is now on trial. That he is innocent of that charge is, we think, beyond doubt, as the evidence against the person now in the hands of the Committee, both as to his identity and his agency in the murder is unquestionable. A gentleman who had him in his employment in the mines came forward voluntarily on the trial of the other Stuart *alias* Berdue, and swore that the latter was not the man who committed the murder at Foster's Bar. Mr. Pixley, who had defended the murderer twice on some other charges, gave testimony to the same effect. The former gentleman has now come forward and pronounced the person in possession of the Vigilance Committee *the* Stuart who committed the murder at Foster's Bar. Several other respectable witnesses have also identified him.

There is one fact conclusive as to the innocence of the man Berdue of the murder of Moore, and that is, that several witnesses testified on the trial at Marysville that the murderer is five feet nine and a half inches in height, while the man convicted of the assault on Mr. Jansen is but five feet six and three-fourths inches. Besides this, fifteen witnesses have sworn positively that he is not the man; and furthermore, their description of the real murderer corresponds precisely with the appearance of the man now held by the Vigilance Committee. From the evidence adduced here and in Marysville, we are confident it will turn out that the real "Jim Stuart," known to the professional thieves as the most desperate of the gang, is the man now in custody in this city, and that the man Berdue, now on trial at Marysville, although he may have been the assailant of Mr. Jansen, is innocent of the murder of Mr. Moore.

The person in the hands of the Vigilance Committee gave his name first as Stevens, and then wrote it as *Stephens*. He has been identified as having been connected with the gang who robbed the Custom House at Monterey, and is in all probability the most expert and unscrupulous thief in the country. It is more than probable the Committee will send him to Marysville there to meet with his deserts.

[Since writing the above we learn by the Sacramento papers that Berdue has been convicted of the murder of Mr. Moore. The Vigilance Committee have written up to Marysville apprising the Vigilance Committee there of the capture of Stuart, and we trust this intelligence will save the unfortunate man Berdue, who is, without doubt, the victim, in this instance at least, of an unlucky resemblance.]

July 7

The Murderer of the Sheriff at Foster's Bar.

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Pacific Star
July 7

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ACKNOWLEDGMENTS.—We are much indebted to **Adams & Co., Berford & Co.** and Gregory for files of papers by the Steamer Pacific. Some of the papers of the latest dates received through **Berford & Co.'s** Express were forwarded by the **purser of the Brother Jonathan.**

GONE HOME.—The Vigilance Committee have sent back to Sydney, Burns, Hetherington, and some other precious scamps, with the injunction never to return, unless to be hung up like Jenkins. They have also been examining a ship-load of emigrants recently arrived here from Sydney, some of whom they have politely requested to return. This is the right course. Unless they can show that they are honest and industrious people, we do not want them.

THE VIGILANCE COMMITTEE.—We understand that the Vigilance Committee have arrested the real Stuart who killed Mr. Charles E. Moore. He is the brother of the one who tried to kill Jansen, and who has been tried and condemned in Marysville. The committee have made many important arrests. Let them continue the good work they have begun.

THE FIREWORKS.—On the night of the 4th of July, there was a considerable display of fire works in and about the Plaza. Immense crowds were gathered in front of the Custom House, Exchange and Union to witness them. The

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THE MURDERER OF THE SHERIFF AT FOSTER'S BAR.—We understand that the Vigilance Committee have in their possession the real Stuart who murdered the Sheriff of Yuba county some time since. Our citizens are aware that the person convicted of the murderous assault on Mr. Jansen of this city, has been taken to Marysville to be arraigned for this murder, and that he is now on trial. That he is innocent of that charge is, we think, beyond doubt, as the evidence against the person now in the hands of the Committee, both as to his identity and his agency in the murder is unquestionable. A gentleman gentleman who had him in his employ in the mines came forward voluntarily on the trial of the other Stuart *alias* Burdue, and swore that the latter was not the man who committed the murder at Foster's Bar. Mr. Pixley, who had defended the murderer twice on some other charges, gave testimony to the same effect. The former gentleman has now come forward and pronounced the person in possession of the the Vigilance Committee *the* Stuart who committed the murder at Foster's Bar. Several other respectable witnesses have also identified him.

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Pacific Star
July 7

ACCIDENT ON THE ERIE RAILROAD.—Dunkirk, May 24. The express passenger train on the Erie Railroad, from New York, on Thursday morning, when between Forestville and Dayton, was passing over an embankment ten or fifteen feet high, when the track gave way after the engine and one passenger car had passed over it. It appears that the heavy rain of the previous night had washed out a culvert, thus overhanging the embankment. The other cars were thrown from the track, and several passengers were injured. One man had his arms badly broken, and sustained other injuries; it is feared he will not survive. A Frenchman had his arm broken, and one man, who was standing on a platform, was thrown twenty-five or thirty feet into the air. He, however, received no material injury.

I. T. Herald
July 7

ORDERED TO LEAVE.—It is rumored that an individual, who keeps a restaurant in the vicinity of Happy Valley, known to be connected with Lewis and other notorious characters, has been ordered, by the Vigilance Committee, to leave the country within five days.

Municipal Affairs.

BOARD OF ALDERMEN.—Present—Messrs. Dorr, Abbott, Green, Greene, Paulson, Ross, Eddy and Read.

PETITIONS PRESENTED.—Of M. Desrogers for the payment of a bill of $ for fire works furnished the Fusion Corporation. Referred to the finance committee. Petitions of citizens residing on California st. represent-

Call Sept 5
Carson

July 8

Herald

Writ of Habeas Corpus for Stewart.—An affidavit was yesterday made by Mr. F. Pixley, the City Attorney, that he had reason to believe that a man named Stewart was illegally confined by a body of men known as the Vigilance Committee. A writ of habeas corpus was demanded for said Committee to bring the body of said Stewart into Court, and show by what authority he is held. The question of granting the writ will come before a full bench of the Supreme Court to-day. In relation to this man Stewart, the evidence elicited before the Committee during his trial seems conclusive of the fact that he is the man that murdered Mr. Moore, the Sheriff of Yuba county. The remarkable likeness that Berdue, now under sentence of death in Marysville, bears to Stewart, has unfortunately caused his conviction for this murder. An express, however, has been sent up by the Committee to inform the authorities of these facts and stop the execution. Berdue though innocent of this murder, is nevertheless under sentence of fourteen years' imprisonment for a murderous assault on Mr. Janson. He will of course be brought back to serve out his time in the County Prison. July 51

Habeas Corpus for Stuart.—A writ of *habeas corpus* was granted by the Supreme Court yesterday, in the case of Stuart, detained by the Vigilance Committee. The writ was sued out, we understand, by Mr. Pixley, the City Attorney.

This attempt to ignore the existence of the Vigilance Committee as a body organized for the suppression and punishment of crime, at this late day, is simply ridiculous. The worst possible experiment the Courts could adventure upon would be a trial of strength, whether legal or physical, with the Committee; any such occurrence would bring the Judges into more thorough contempt and ridicule, if that be possible.

It is clear that an organized effort is being made to thwart the action of the Committee, but we do not apprehend it will exercise the slightest influence on the course of that body. And least of all do we imagine that any considerable portion of citizens will abet the proceedings against them.

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Stuart alias Burdue.—We understand that the Vigilance Committee have become so well satisfied that they have the real murderer of the Sheriff of Yuba county, that an express has been despatched to Marysville, asking a suspension of further action in the case of Stuart who was convicted upon that charge, until a fuller and more complete investigation can be had. The whole transaction is rather of a singular character, and there being so many conflicting proofs and opinions as to the identity of the persons mentioned, that too much caution and prudence cannot be exercised before taking any decided action in the case.

Coroner's Inquest.—Judge McGowan held an inquest yesterday upon the body of a woman named Susan Farrell, aged 70 years, who died from neglect and destitution at her residence on North Beach. [illegible] in accordance with the facts of the case.

The Salary Bill.—The bill fixing the amount of the salary to be received by the different officers of our city government, passed the Board of Aldermen yesterday. The bill allows the Mayor, Recorder, Auditor, Comptroller, Marshal, City Attorney and Street Commissioner, $4000 each; City Assessors, $1500 each; City Collector, 2 per cent., and Treasurer, 1-2 of one per cent. upon all monies collected. The bill provides that the salaries shall be [illegible] it yet awaits the action of the

Stolen Goods.—A gentleman who has just returned from the Sandwich Islands, states that a large quantity of goods have arrived at the Islands from this port which were evidently stolen. Many of these articles have the fire marks upon them. This fact is worthy the attention of our city authorities.

The Columbia.—This fine steamer will leave this morning at 8 o'clock, for Oregon. She is one of the finest boats on the Pacific, and Capt. Le Roy, her gallant commander, is a prince of a gentleman. May he long live to command her. The Columbia will carry away many who will receive a warm welcome from some Oregonians.

July 9

THE HERALD.

Wednesday, July 9, 1851.

Lockwood, Tilford and Randolph on the Vigilance Committee.

In a morning cotemporary appeared on yesterday a curious corrrespondence, if such it can be called, of which the following is a copy:

[Extract of minutes of the Vigilance Committee.]

That a committee be appointed to wait on Messrs. Lockwood, Tilford & Randolph, acting as counsel in the case of Metcalf v. Argenti, Atkinson and others, and they are hereby directed to request those gentlemen to withdraw the suit and decline further proceedings in the matter touching the case.

Committee—Messrs. Sharron, Curtis, Bromley and Spence.

July 7th, 1851.

Clipper 12

Delicate.

Stand From Under.—The following terrific declaration has had the effect of overwhelming the Vigilance Committee. It is to be regretted that the renowned and heroic author has just developed his invincible courage. The Vigilance Committee will, no doubt, feel very much afraid of him. Just hear how he talks,—scissors!

To "the Vigilance Committee."

San Francisco, July 7th, 1851.

Sundry fools or knaves, (perhaps both,) styling themselves "The Vigilance Committee," having caused to be transmitted to the firm of Lockwood, Tilford & Randolph, a silly but impudent resolution, "That a committee be appointed to wait on Messrs. Lockwood, Tilford & Randolph, acting as counsel in the case of Metcalf v. Argenti, Atkins, and others, and they are hereby directed to request those gentlemen to withdraw the suit, and decline further proceedings in the matter touching the case." As a member of that firm, my only answer to the aforesaid fools or knaves, (in addition to my "verbal" response to the bearers of the resolution,) is, "I do defy, deny, spurn, and scorn you."

R. A. Lockwood.

The money they will get from Argenti and others, will no doubt make these parties rich! We should like to see the attempt made to enforce it. We have no objection to lawyers following their profession and doing a legitimate business, but we tell them, and all others, that all criminals have got to heel it from San Francisco or suffer the consequences.

The Virginia Convention.—The constitutional Reform Convention have adopted a compromise between the eastern and western part of the State. The House is to have one hundred and fifty members, with a majority of fourteen in favor of the west. The Senate is to have fifty members with a majority of ten in favor of the east.

Virginia Distanced.—We are obliged to knock under to Indiana, says the Richmond *Republican*, in the plea of ignorance. While we can only boast a standing army of 83,000 adults in Virginia, who cannot read nor write, the young State of Indiana has 175,017 persons over 21 years of age in the same interesting situation. Some hope for old Virginia yet.

The Stuart of San Francisco and the Stuart of Marysville.—We received a call yesterday from our friend Francis L. Aud Esq., of Marysville, the counsel of Berdue or Stuart on his late trial in that city. He came down to make an inspection of the Stuart here, and he tells us that when he saw him that he would have sworn if he had not known that their Stuart was in Marysville, that our Stuart was no other than the one on trial. He says that they have the same marks about them, the same appearance, and the same dress. According to the testimony given on the trial, he believes that we have the real Stuart who murdered Moore. This is a very strange and remarkable coincidence.

South Carolina.—The really prominent men in South Carolina are backing out from the position of separate State action. Such men as Cheves, Hamilton, Pinckney, Butler, Barnwell, Hayne, and Colcock are now disposed to wait until other States make fools of themselves. This, however, it is impossible for them to do. Such men as Petigru, Poinsett, Hammond, Hunt, and others have always opposed nullification and disunion. We never had any expectation that South Carolina would do anything. We lived there four years, and know her politicians well enough not to be deceived.

Cal Courier July 9.

There is in this city, to use the language of the above card, a certain association not only styling itself, but styled by the citizens generally, not only of San Francisco but of the State, "the Vigilance Committee,"—and not alone so styled by themselves and the citizens, but acting in such a manner as to deserve the appellation. This association keeps watch and ward over the lives and property of our citizens. While others enjoy repose they are wakeful. Day and night they are on duty, and that duty is fatiguing, arduous and even distasteful; for it not only deprives them of relaxation and rest and enjoyment, but it brings them in contact with the vilest and most degraded portion of a motley population. This duty has its dangers likewise, for it brings them in collision with the most desperate class of felons, who would not hesitate to take life if they could do it with impunity. It imposes on them unpleasant and better tasks besides—for they are gentlemen mostly unused to an attitude of strife or antagonism, and all bred to other pursuits than to act the part of public executioners,—and even that stern and frightful part they have not shrunk from when it became necessary to perform it. For all this labor and unrest and self-denial—for the unremitting discharge of this severe and bitter duty, they receive neither pay nor emolument;—nay, to maintain their organization they are even at some expense, and it is but two days since they have undertaken to raise the sum of fifteen thousand dollars for the completion of the County Prison.

Undergoing all this labor—asking no reward—battling with an organized band of the most desperate thieves, cut-throats and incendiaries a city was ever infested with—is it unreasonable that they should expect to be protected from annoying and harrassing suits, got up by those against whom they proceed in good faith for the public service?

We have already stated the case of Metcalf. The Committee having had valid reason for suspicion, searched his house, and their suspicions were not by any means dissipated by the investigation. In revenge, as they believe, the man lays his grievance before a respectable law firm and engages them to bring suit. Whether he was wrongly suspected or not does not matter: the Committee knowing much of the case they were persuaded Messrs. Lockwood, Tilford & Randolph did not know, and, from friendly motives and none others, desirous that these gentlemen should not engage in the suit, passed a resolution requesting them to have nothing to do with it. Had it been undertaken by any of the Quirk, Gammon & Snap firms about town, the Committee would not have put themselves to the trouble to pass this resolution and to appoint a committee to make a friendly suggestion in accordance with it. We are persuaded the step was taken with the kindest intention, and surely there was no word of dictation in the note or any of its accompaniments.

This being the case we can see no reason for the use of the harsh epithets applied to the Committee, or for the little dash of grandiloquent indignation the card contains.—We would not suspect either of the gentlemen of an attempt to make professional capital out of the occasion, and we are quite satisfied they feel all the wrath they have hurled at the heads of the Committee;—but what gave rise to it we cannot understand. The firm is a wise, modest and enlightened firm no doubt, but why they should therefore accuse the Committee of the antagonistic defects of "folly, presumption and ignorance," we cannot make out. Quite as much in the dark are we as to the manner in which the resolution, which we regard as a very innocent resolution, "betokens an entire disregard of the constitution and laws and the rights of their fellow citizens." We must then attribute the resentment exhibited by Messrs. Lockwood, Tilford & Randolph to a misunderstanding of the object of the Committee. They doubtless imagined an attempt at dictation, where there was simply a courteous request.

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If the facts be as stated to us, and we have no reason to doubt them, the Committee will triumph over the attempt of Mr. Metcalf to make them amenable for the discharge of a duty. Still if Messrs. Lockwood, Tilford & Randolph think they have a good case, let them, in God's name, proceed with it;—but even if Mr. Metcalf be proved as pure as snow, we believe no jury will mulct the Committee for the exercise of a right inseparable from their organization, and therefore necessary.

S.F. Herald July 9/51

Pacific Star
July 9

July 9

Habeas Corpus Case.

The Supreme Court at the instance of the City Attorney, have directed a writ of Habeas Corpus to be issued, directed to the Sheriff of this county, commanding him to bring before them the body of James Stewart, who it is now alleged is in charge of the Vigilant Committee.

One of the provisions of our Constition secures to every citizen in the State the right to be brought before the Courts, that the cause of his imprisonment may be inquired into, and the privileges of this writ, when the application is made cannot be suspended.

It is said that it has been doubted in the street whether or not this writ of right will be recognized by the committee, but we see no reason for any such reflection being cast upon them. As we understand the organization of the Vigilance Committee, their desire is to assist in a proper maintenance of the law, rather than work its overthrow. Their published declarations upon this head, is enough to satisfy us that they will not transcend the line of duty distinctly established by themselves.

All good citizens desire to sustain the law when properly administered. To refuse to obey its proper precepts, is to throw off all the restraints of government, and subject ourselves to all the evils of anarchy and confusion. The Vigilance Committee, (and we are happy to include among them many of our best friends,) are men of worth, intelligence and character. They are not the revolutionists some would have us believe, but rather conservators of the peace. They know too well that all their safety rests in the law, that all their privileges, whether of a personal or social nature, are thus secured them. That the right of trial by jury, the privilege of the ballot box, the titles and tenure by which we hold our estate, the right to defend our character, our persons and our property, are each, all, and only properly guaranteed to us in and by the law. The very legitimacy of our blood depends upon the technicality of 'our parents' marriage. The law consecrates our wives, it preserves us our children. Men, reasonable men, cannot desire the destruction of their personal interests in every particular, and we cannot believe that any step will be thoughtlessly taken by any of our citizens which might result in so unlimited an evil.

COMPLETION OF THE JAIL.—The Committee of Vigilance, it is generally understood, have subscribed largely for the purpose of completing the County Jail. This building was commenced last year, and for want of the proper creditor funds the work was entirely abandoned. At length our worthy Sheriff, and several other individuals who had the welfare and prosperity of our community at heart, undertook to push on the work, which they did with great success. The building is not yet half finished, and is only at present arranged for the confinement of a few criminals. The plan upon which it is built is an excellent and economical one, and well designed for the purpose for which it was originally designed. In view of the amount of crim committed in our midst, and the insecurity even if under arrest, the Committee of Vigilance have been making strong efforts to secure its immediate completion. A large amount has been subscribed by some of our most worthy and respectable citizens, and the work goes bravely on. It is to be hoped that those who have the interest of the community at heart, will liberally lend their aid to the accomplishment of this desirable object.

"SECURE THE SHADOW."—Although burned out

Star

SACRAMENTO INTELLIGENCE.

By Last Night's Boat.

Through Gregory's Express, we received last evening Sacramento and Marysville papers of yesterday.

Francis Land, Esq., counsel for Berdue, convicted of the murder of Mr. Moore, left Marysville for this place, to solicit the facts concerning the identity of Jim Stuart. The deportment of Berdue, after his conviction, is said to have been in the highest degree indicative of innocence.

☞ **Vigilance Committee Room.**—It having become necessary to the peace and quiet of this community that all criminals and abettors in crime should be driven from among us, no good citizen, having the welfare of San Francisco at heart, will deny the Committee of Vigilance such information as will enable them to carry out the above object. Nor will they interfere with said Committee when they deem it best to search any premises for suspicious characters or stolen property. Therefore

Resolved. That we the Vigilance Committee do claim to ourselves the right to enter any person's or persons' premises where we have good reason to believe that we shall find evidence to substantiate and carry out the object of this body; and further, deeming ourselves engaged in a good and just cause—*we intend to maintain it.*

By order of THE COMMITTEE OF VIGILANCE.
No. 67, Secretary.

San Francisco, July 5, 1851. jy8

☞ **Notice to Auctioneers.**—Auctioneers are hereby notified that the Auction Tax for the quarter ending [illegible] is now due, and [illegible] payment is required.—Blank forms can be obtained at the Treasurer's office. C. BUCKINGHAM,
jy8c County Treasurer.

July 9

☞ **Notice to Auctioneers.**—All Auction[illegible]

The People v. C. Micale, &c.

RECORDER'S COURT.—Before Hon R. H. Waller.

The case of Robert Percy, who was arrested on complaint of Peter Cassidy, for larceny and forgery, was continued.

The proprietors of the New World and Bella Union Saloons were find $50 each, for allowing gambling in their houses on Sunday.

The proprietors of the El Dorado and Cafe de Paris Saloons were fined $50 each, for keeping open house after 12 o'clock.

The proprietors of the Union Hotel were also cited for the same offence, and the complaint dismissed.

Nick Ward, who was brought up on suspicion of having robbed a sailor at a grocery store on the corner of Pacific and Stockton streets, on Sunday last, was discharged, there being no evidence against him to warrant his detention.

A Mexican, named Jose Maria, was fined $5 for assaulting another named Jose Manuel.

Henry Levi was fined $50 for violating the ordinance in relation to peddling.

Wm. Geddy was fined $5 for being drunk and disorderly.

H. H. Weeks, Lea Wilmer and Henry Wilmer, brought up on the account, were discharged.

[illegible] & Co.—It will be seen by the advertisement of Buffum & Co. that the firm of [illegible] & Co. has been dissolved. George R. Buffum, the senior in the [illegible] is a trump. All business entrusted to [illegible] will be attended to faithfully [illegible]

July 9

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Quint

Cal 1851 Vig. Com

A man named Metcalf who was in the hands of the Vigilance Committee of 1851 a while but discharged brought suit against them for damages for false imprisonment. Lockwood, Tilford and Randolph were engaged to prosecute it. Alla California July 10, 1851

see Sac

THE DAILY PACIFIC STAR.

THURSDAY MORNING, JULY 10 1851.

The Trial of Thomas Burdue alias Jim Stuart.

The annexed report of the trial of Thomas Burdue in Marysville, which we extract from the Marysville *Herald*, shows the necessity that criminal prosecutions should be conducted with due propriety as regards time. Had this man been seized, examined and executed without an opportunity to furnish evidence of his innocence, as supplied by the Vigilance Committee in this city, all would have regretted their haste, and their participancy in shedding an innocent man's blood. Circumstances are oftentimes deceptive. It has been falsely said that "circumstances cannot lie," but how often have they lied, cruelly, wickedly lied. Appearances are made to supply the place of evidence, and men have been executed, because circumstances presented against them were in the very nature of things inexplicable. In all cases of this character every circumstance should be distinctly proved by itself, and not made dependent for its force upon another. The apparent stains of blood upon a man's clothes should not be presumed as an evidence of his guilt. The fact that the stains were occasioned by blood, should be first distinctly made to appear. We should not presume the stains to be from blood, because we believe the man to be the murderer, nor presume the man to be the murderer, because the stains are believed to be from blood. This is but reasoning in a circle, and it brings the mind back to the same starting point and conclusion every time.

Weak men are liable to be governed by first impressions, while men of more reflection stop to analyze the proof. The first endeavor to reconcile little difficulties against the accused, where a fairer examination of the circumstances by the latter show his complete innocence. When all the circumstances proved, taken together, form a perfect chain, then only is this kind of testimony conclusive, but there should be no link wanting, no failure in the connection that must be hypothetically supplied to arrive at the conclusion of guilt. Doubtless many villians have been properly convicted upon this kind of proof, but it should be carefully received when life is staked upon its exercise.

DISTRICT COURT.

The People vs. *James Stuart alias, Thomas Berdue.*—This very interesting and very novel case was brought to a close on Thursday evening last, by the rendition of a verdict of the jury of "Guilty." The matter was committed fully to the jury on Wednesday afternoon about 3 o'clock, and the jury were deliberating about twenty-four hours, remaining in the Court House all night. The jury stood, as we are informed, when they first went out, eight for the people to four for defendant, but before Wednesday night all except one had turned over to the side of the people. The jury came in two or three times for instructions, and "hung fire" on the reasonable doubt" which they were informed, if they entertained it, they were to find for defendant, according to the common law and the statute law of California. When the jury came in at last to deliver their verdict, it was asked by Mr. Aud, counsel for defendant, that the jury should be "polled." The Clerk then went over the list of the jurors, calling each name and asking each juror if guilty was his verdict, all answering in the affirmative till the name of Mr. Arthur was called, when he arose and remarked that he had a doubt still lingering with him as to whether the defendant was "Jim Stuart" or not, and stated that all the jury doubted, but he did not believe he had a "reasonable doubt," and therefore he would agree to the verdict. The balance of the names being then called, and they all answering "guilty," the verdict was ordered by the Court, in accordance with law, to be immediately recorded, which was done. All this time, while this solemn ceremony was going on, the defendant sat perfectly still, manifesting not the slightest trepidation or excitement. We could not notice the least charge of a muscle in his face, and we must say that the appearance of his face was far from being that of a hardened villain listening to the fiat deciding his fate, for his countenance was mild, calm and serene. Not a word was spoken by the defendant or his counsel, save to make the request that the jury be polled. The defendant being ordered to be remanded to jail, came forward with his usual firm step to receive his handcuffs, when he was immediately conducted to prison to await his sentence.

Mr. Aud informs us that he called at the jail about two hours after he had been put in, and when he came to the door, the defendant extended his hand to him, and then to Mr. Mesick, and with tears in his eyes, he thanked them kindly for having defended him in the manner in which they did; then with his hands clenched and upturned towards heaven, he protested his innocence in the most solemn manner; remarked that if he were to be given one million of dollars and sent out of the country free, he could not say where Mr. Janson's store was in San Francisco; and that he was innocent of the murder charged against him. He remarked that death had no terrors for him any longer. that he was ready, perfectly ready to die, and wished to be executed right there and then. He said he had been seized in San Francisco as Jim Stuart, and came near being hung there for a thing he knew nothing of, that he had been cursed, hated, and badly abused, till all friends had abandoned him, because they were actually afraid to ask to render him any little assistance or comfort, for fear of being insulted, mistreated, and suspected of being Sydneyites, &c. He said all he wanted done for him, was a letter written to his poor wife in Sydney, informing her of his ill fate, and that she would inform his father in England. We understand that sentence would have been pronounced this day (Tuesday,) but for the fact that information has come to town through an authentic source that the genuine Jim Stuart has been arrested at San Francisco, and is now in the hands of the Vigilance Committee. Mr. Aud has taken a Deputy Sheriff with him and has gone to San Francisco, and if it shall prove true that the veritable Jim Stuart is taken, and that this is not him in our jail, now found guilty, we will have another trial of another man for the murder of Chas. E. Moore. The counsel on the part of the State were Mr. Bryan and Mr. Goodwin, the latter acting District Attorney; and on side of the defence were Mr. Mesick and Mr. Francis L. Aud. By Wednesday evening Mr. Aud will return from below, and we shall learn from him the facts as to the "genuine Jim Stuart.

Star July 10

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THE HABEAS CORPUS CASE.—The writ of habeas corpus which had been granted by the Supreme Court to bring certain persons belonging to the Committee of Vigilance, to show cause why they illegally detained the body of James Stewart, was returned by the Sheriff yesterday at 2 P. M. Mr. J. L. Van Bokkelin, W. H. Jones, A. J. McDuffie, and other members of the Committee, appeared in answer to the writ, and filed affidavits that the body of James Stewart is not in their possession, and was not at the time of serving the writ. Upon these affidavits being read, Mr. Frank M. Pixley made a motion to discontinue the proceedings, which was readily granted. The parties were then ordered to be discharged. Another affidavit was then filed by Mr. Pixley, in which he stated that to the best of his knowledge and belief, that the person of James Stewart was in the custody of the Committee of Vigilance, in the buildings owned by Samuel Brannan on the corner of Bush and Sansome streets,—and that a warrant be issued to the Sheriff to bring the body of Stewart before the Supreme Court. The warrant was issued to the Sheriff immediately. We heard the owner of the buildings which are alleged in the affidavit, offer to the Sheriff to go down with him and institute a search of the entire premises.—From the coolness, cheerfulness and indifference with which the Committee of Vigilance received the order of the Court, it is fair to presume that the prisoner is confined in some place where the most diligent researches of the Sheriff and his officers would prove unavailing in finding him.

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THE HERALD.

Thursday Morning, July 10, 1851.

Levi Parsons, Judge.

We find in the law proceedings of Monday, reported in one of the morning papers, the following paragraph:

DISTRICT COURT.—J. C. Hays, Sheriff, for non-attendance upon the court, either in person or by deputy, and for failing to summon a jury, was fined the sum of $100.

Those who know Col. Hays, and who are acquainted with the character of the Judge of the District Court, will not be surprised to learn that the order imposing the above fine is not only illegal, but that it involves a gross and malicious calumny on the official character of Sheriff Hays. It charges upon that officer remissness in the discharge of his duty, and this charge is utterly false and groundless. The District Court is within nine paces of the Sheriff's office, and that officer or one of his deputies is passing continually from one to the other. As a matter of course he is always presumed to be on business connected with his office when not in Court. On the day this fine was imposed, the Sheriff with a deputy and two bailiffs, were in active attendance on the Grand Jury, and the other deputies were earnestly engaged in the business of the office. The moment the venire was handed in, one of the deputies immediately started to procure a jury, and while this gentleman was out absolutely summoning a jury, the fine was imposed.—Not only was due diligence used, but far greater diligence than is exhibited in any sheriff's office that we have ever seen.—Now let us see in what manner its own duty is discharged by this burlesque court, which by falsehood and illegality, attempts to brand the Sheriff as neglectful of his duty.

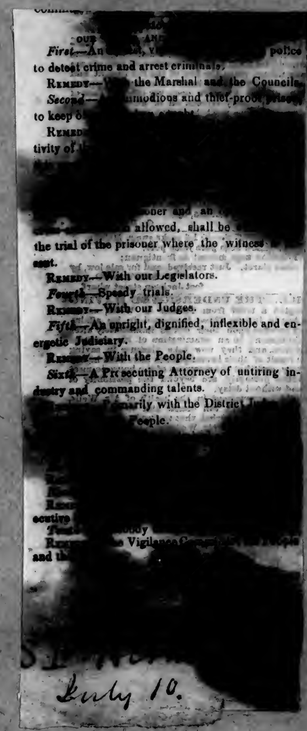
From the 23d of June till the 29th of July, sixteen days, the Court has been in session exactly five days and no more. During these sixteen days the docket has groaned with the number of cases awaiting trial, and the bar have been uttering curses not loud but deep against this Levi Parsons, who now stigmatises the Sheriff for neglect of duty. If we had time to search the records further back, we should doubtless find that the last fortnight bears a pretty accurate proportion to the remainder of the time this Judge has been on the bench. These records we shall now search, and we shall present in another article the exact number of days Mr. Levi Parsons has held Court since his appointment.

While this man fritters away the time which should be spent in the discharge of his duties, and while the bar and the public are suffering by his notorious and shameless neglect,—he presumes to come into court and cast the stigma of a fine on an officer who has never failed in the zealous performance of his duty,—against whom there is no complaint,—and from whom he can collect no fine, because he has no right to impose it. How long will the bar tolerate this man?

CITY NEWS.

ROBBERY.—A man named James Ross, from Sydney of course, was arrested yesterday afternoon by officer Redmond, in a house near the corner of Stockton and Broadway, on a charge of robbing Mr. A. McIntosh of eight ounces and five dollars in gold.

ADAMS THE BURGLAR.—This notorious character, the hero of three or four escapes, has been closely pursued ever since his last successful attempt to break jail. The officers have been unremitting in their exertions to recapture him, and have several times been upon his track, but he has always managed by his cunning and watchfulness to evade them. The Vigilance Committee got a clue to his whereabouts on Tuesday night, and were hot foot on his scent. It was rumored last night that they had succeeded in capturing him, and now have him in custody.



July 10.

Supreme Court.

Present—Chief Justice Hastings; Associate Justice Bennett.

Upon the calling of motions—

Mr. Pixley arose and stated to the Court that the Sheriff had made no return of the writ of habeas corpus issued yesterday for the body of James Stuart, and unless the parties to whom it was directed, and who were now in Court, would acknowledge service and make answer, he would ask for an order on the Sheriff to make his return. The Court replied that a rule on the Sheriff was the proper proceeding, and directed such a rule to be issued, returnable at 2 o'clock, until which time the Court took a recess.

At 2 o'clock, the Court being re-assembled, deputy sheriff Harley filed the return, endorsed as served, by leaving copies with W. H. Jones, A. J. McDuffie and J. L. Van Bokkelin—Stephen Payran not found after diligent search.

E. G. Austin, Esq., arose and stated that he appeared as counsel for Messrs. McDuffie and Van Bokkelin, and proceeded to read the answers of those gentlemen, sworn to—that of the former alleged that he did not have in his possession or under his control the body of James Stuart, and never had any such possession or control as to enable him to comply with the requisition of the writ. Thereupon Counsellor Austin moved for his discharge.

Mr. Pixley replied that Mr. McDuffie was not named in the writ, and that he could not oppose the motion, unless that gentleman answered as one of the Committee of Vigilance. The Court replied that they had nothing to do here with the Vigilance Committee, they not being an incorporated body, but only with those parties mentioned in the writ. Whereupon Mr. McDuffie was discharged.

The answer of Mr. Van Bokkelin was as follows:

"That he has not now nor did he have when the writ of the honorable Court was served on him, the custody or control of the body of said Stuart, nor the person described in the writ served on him, nor has he transferred the custody of the person named to any other person, nor has he ever had such a custody of the body of said James Stuart or the person described in the citation as would enable him to comply with the order of the Court."

Mr. Jones stated that he had not employed counsel, as he did not think it of sufficient importance; but being instructed by the Court that it was necessary to file a written answer, he proceeded to do so.

Mr. Pixley asked to be sworn to controvert the allegations of Mr. Van Bokkelin's answer, and commenced to prepare an affidavit as to the points which he intended to controvert, as directed by the Court; but before completing it, he arose and stated that as it would be unjust towards Mr. Van Bokkelin to proceed against him alone for an act in which all the members of the Committee were equally liable, he would withdraw the present proceedings, and, under the provisions of the *habeas corpus* act, he would file another affidavit, and move for the issuance to the Sheriff of a warrant to obtain possession of and bring into Court, the body of James Stuart. He filed an affidavit accordingly, to the effect that the prisoner was held in custody by no legal process and without any legal authority whatever; and that affiant believed it to be their intention to try secretly said Stuart and punish him by death or otherwise, without the forms or sanction of law.

Thereupon, the Court ordered that the warrant prayed for be issued, returnable to-morrow morning (Thursday) at 10 o'clock.

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July 10

EVENING PICAYUNE.

CITY OFFICIAL PRESS.

A. C. RUSSELL | C. S. BIDEN, EDITORS.

THURSDAY, July 10, 1851.

WHIG STATE TICKET.

For Governor,
PEARSON B. READING, of Shasta.
For Lieut. Governor,
DRURY P. BALDWIN, of Tuolumne.
For Justice of Supreme Court,
TOD ROBINSON, of Sacramento.
For Attorney General,
WM. D. FAIR, of San Joaquin.
For State Treasurer,
J. M. BURT, of Butte.
For State Comptroller,
ALEX. G. ABELL, of San Franciso.
For Surveyor General,
WALTER HERRON, of San Joaquin.
For Congress
E. J. C. KEWEN, of Sacramento.
B. F. MOORE, of Tuolumne.

THE VIGILANCE COMMITTEE.

From the first organization of this body to the present time, we have canvassed their actions, and commented as well upon the effect that might be produced upon our future moral and social condition, as upon the direct agency of the committee in suppressing and preventing crime. We have always recognised it as a question of high moment; one involving not only the best interests, but the very existence of society. In the infancy of the movement, when the whole community were startled by the summary, though righteous execution of Jenkins, we yielded to the dictates of deliberate judgment, and, at the hazard of being crushed by the force of public opinion, which had never before been tested here on so delicate a point, we fearlessly and unhesitatingly sanctioned the conduct of the committee, and argued to the world that the exigency under which they acted, fully justified them in taking the life of a criminal without the intervention of law. We were the first to defend them when we believed them right, and we will not be the last to censure when they are wrong, if they ever do a seriously wrong thing.

It is quite certain that no similar body of men ever existed whose councils were so uniformly governed by wisdom, judgment, and scrupulous justice as has marked the proceedings of the Vigilance Committee.—They commenced the exercise of their self imposed functions without precedent in the history of civilization; and though at variance with established usage, and opposed in the abstract by many intelligent and honest men, they have maintained their delicate and dangerous position thus for with firmness and dignity.

They have most successfully guarded the the lives and property of the community.—While our people have slept in conscious security, the members of the Vigilance Committee have kept their watch—they have prevented the perpetration of crime, and driven criminals from our midst—they have wrought a great and striking moral reform, which is not confined to this city, but is felt more or less in every town and hamlet in the State. These are a few of the immediate, direct results of the organization, that are seen and felt by every one. These results have been produced without contravening in any important particular the authority of legal forms, and without doing any violence to the most perfect justice.—Except in the case of Metcalf, no man has ever complained of oppression or injury at the hands of the Committee—and in that instance they proceeded upon the most satisfactory evidence of the man's guilt, and there is no doubt whatever of his suit for damages being brought in malice, and not with hope of gaining merited redress. Even his own attorney's, violent as they are against the Committee, will admit that their client justly incurred the suspicions that were aroused against him, and can hardly expect any jury in San Francisco to award him damages. Nevertheless, he has a constitutional and natural right, that should not be denied to any man, of being heard in his complaint.

The first and only error that the committee can be charged with, was in requesting Metcalf's attorneys to refrain from further prosecution of the suit. That error, trifling as it was, we have ascertained since first commenting upon it, was singularly misunderstood or misrepresented by the attorneys of Metcalf. Those gentlemen chose to understand and treat the *request* of the committee as a *command*, whereas the committee, we know, were not actuated by any disposition to dictate to the attorneys, and we cannot but censure the vindictive spirit in which the latter gentlemen treated the matter. Nevertheless, the committee did wrong in even requesting an abandonment of the suit—not that the suit was based upon justice, but because by preferring the request they placed themselves in a false position and gave their enemies an opportunity to cavil, that would not have occurred otherwise.

So much for the present—let us examine what may be the future effects of the jurisdiction exercised by the committee. We have, time and again, spoken of the extreme danger to which property, life and liberty, every principle of morality, law and justice, will be subjected by admitting the present movement as a precedent by which society may be governed in the future. While the extraordinary and informal powers, with which the committee have been invested by the almost unanimous sentiment of this community, are exercised for the good of the public by men of honor and discretion, there could be no serious apprehension of the result. By such men the laws, however weak, will always be obeyed when they do not conflict with justice and the public safety, and the administrators of the law, however inefficient, will always be respected and aided in the performance of their duties. But once establish the precedent, and give bad men an opportunity of pleading the example of good ones by placing themselves *above* the constituted authorities—which the Vigilance committee have never done yet, and, we think, will not do—and the total subversion of law and all the institutions of civilized society must inevitably follow. If a conflict should unhappily arise between the Courts and the Committee—which God forbid!—the triumph of either would be a death-blow to the best interests of our city and state. There are men in this community who, to gratify their personal feelings, would overleap all the restraints that have been placed by God, nature, and morality upon human passions; and, for the sake of what they could snatch from the wreck, would shake society to its foundations, and, if they could, bring upon us all the horrors of civil war and anarchy. Such men desire no greater boon than to see the Vigilance Committee and the Courts placed in hostility towards each other. But it is a boon they will not live to enjoy.

The Committee started with a high and noble object in view, and they have well nigh attained it. They sought to bring about a moral reformation in the city, and they have done it. They aimed to administer justice where the law could not do it, and to aid and strengthen the law itself—in this they have succeeded. Their mission is nearly completed; and, if they are, for the future, governed by the same wisdom and discrimination that have characterized their proceedings heretofore, they will end as they commenced, with the confidence and gratitude of their fellow citizens, and will live in the history of their country as public benefactors.

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July 10

Picayune July 10/51

ARREST OF A ROBBER BY THE VIGILANCE COMMITTEE.—About a week ago, a tent on the Middle Fork of the American River was broken into, and some $2300 stolen from a trunk in it. Suspicion fell upon one man whose name we have not learned, and a sort of informal investigation took place. Nothing, however, could be proved, although the suspicions were not allayed, as on a careful search nothing could be found on him or about his premises. After remaining in the neighborhood some day or two after the examination, on last Saturday he disappeared, having decamped in the night. Of course, this did not tend to prove his innocence, and some one or two other suspicious circumstances having come to light, the person who lost the money dispatched messengers with descriptions of the stolen dust to different sections. One of them arrived in this city last evening, and on entering the Branch Hotel this morning, at about seven o'clock, discovered the runaway at breakfast. He immediately spoke to Mr. Beatty, asking him what was the best thing to be done to secure his arrest. That gentleman consulted two of the Vigilance Committee who were in the room, one of whom went for assistance to the Committee room, and soon returned with two other members. In the meantime, the man had been stopped, and being asked if he had any objection to being searched, replied that he had not; that he had left the mines in consequence of the disagreeable position in which he had been placed, and that he was innocent. He expressed a wish to retire to the yard, but was closely watched. On the arrival of the reinforcement he was taken to an upper room and searched. Before the search was made, the written description of the dust was read, which specified several lumps, and one fifty dollar and two ten dollar Baldwin pieces. A bag of dust was found on him, containing the specimens described, and stuck in the tail of his coat, which was under the bed, a fifty and two ten dollar Baldwin pieces, wrapped in a piece of paper. The man was immediately conveyed to the Committee room and placed in custody.

Since the above was written, we learn that the man has confessed the whole matter. His name is Hamilton Taft, last from Wisconsin. On examination, it was found that he had thrown two bags of dust into the sink.

It is also said that the Committee have succeeded in laying hands upon that innocent young man, Mr. Adams, who, in conjunction with Watkins and Stewart, attempted to rob the safe of Col. Stevenson. It is said that he was found on the Farrallones rusticating and awaiting a chance to escape from the country.

H. H. Bancroft Collection
Bancroft Library

July 10

Cal. Courier 7/10

Reported Arrest of Adams.—It was currently reported about town yesterday, that Adams, the notorious burglar, was arrested by the Vigilance Committee, and that they now have him in their custody. We understand that the Committee intend to make some important disclosures, in the course of a few days.

Since writing the above, we learn that the man arrested on Long wharf, and supposed to be Adams, was a cooper, named McAdams. He was released.

New Plea.—The counsel employed to defend Robert Percy, who had forged Peter Cassidy's name to a check on Burgoyne & Co's bank, labored to show that it was only a case of "breach of trust." But His Honor the Recorder couldn't see the force of the reasoning, and ordered him to be locked up. It appears that Percy had hitherto borne a good character. He confessed the forgery.

Put Ashore.—We were informed by a gentleman who came down in the Senator last evening, that a fellow who came on board at Benicia, was put ashore midway between that place and this. He refused to pay his passage, though he had money, and insolently boasted that he should travel "scot free." When the boat was hauled alongside to convey him ashore, he piteously begged to be allowed to remain, but the officers were inexorable, and he was forced to take the "overland route" to this berg. Served him right.

☞ To the Public.—I was recently ordered to appear before the Committee of Vigilance on the charge of being a "notorious thief and swindler." Said charge has been inquired into, and I have been honorably released. I merely wish thus *voluntarily* to say, that I admit to the fullest extent the propriety of their action in my case, and that their course towards me has been marked by perfect courtesy, impartiality, and even kind feeling, and that although the fact of my having come within the cognizance of the "Committee of Vigilance" might probably injure me, yet I freely admit their right to act as they have done, and consider that all good citizens should aid them in their endeavors to insure security of life and property. This is *specially* intended to reply to an inquiry made to me to know if I was desirous of *prosecuting them for their course towards me.* I thus reply. jy10 Th. Dahlgren.

☞ Central Wharf—The connection between Central Wharf and Montgomery street, through Wharf street, is now completed. Wharfage and tolls are reduced to the rates established by the Public wharves.

By order, jy9 David Gillespie, Wharfinger.

☞ Notice.—Masters and consignees of vessels arriving from ports without the United States, are hereby notified, that by an act of the Legislature, approved May 1, 1851, the commanders are required to report within 48 hours to the Treasurer of the State Marine Hospital, at San Francisco, the country, age, height, and occupation of each passenger. John H. Baird, Treasurer.

jy9 Office cor. Jackson and Battery sts.

☞ Vigilance Committee Room—It having become necessary to the peace and quiet of this community that all criminals and abettors in crime should be driven from among us, no good citizen, having the welfare of San Francisco at heart, will deny the Committee of Vigilance such information as will enable them to carry out the above object. Nor will they interfere with said Committee when they deem it best to search any premises for suspicious characters or stolen property. Therefore

Resolved, That we the Vigilance Committee do claim to ourselves the right to enter any person's or persons' premises where we have good reason to believe that we shall find evidence to substantiate and carry out the object of this body; and further, deeming ourselves engaged in a good and just cause—*we intend to maintain it.*

By order of The Committee of Vigilance.
No. 67, Secretary.

San Francisco, July 5, 1851. jy8

☞ Notice to Auctioneers.—Auctioneers are hereby notified that the Auction Tax for the quarter ending July 7th, is now due, and an immediate settlement is required. Blank forms can be obtained at the Treasurer's office.

July 7

C. P. Buckingham,
jy8r County Treasurer.

☞ Notice to Auctioneers.—All Auctioneers

Recorder's Court.—Before Hon R. H. Waller.

Robert Percy, who was arrested on Sunday last, for forging a check on Burgoyne & Co. in the name of Peter Cassidy, and stealing $40 in gold from the same, in default of bail in the sum of $500 to appear for trial before the Court of Sessions, was locked up.

Three individuals, recently from "Dutchland," who gave their names as Caroline Mines, Henrietta Deshart, and Peter Rockbin, were brought up for kicking up a general muss in their own house. The two females were discharged, but Peter was fined $15.

A sailor, named Jas. Kelley, was brought up for refusing to go on board a vessel in which he had shipped and received his advance. The case was continued.

Samuel Wallace was arraigned for getting drunk, but, on promising to reform, he was discharged.

Sacramento and Vicinity.
BY FREEMAN & CO.

On board the Senator, on her trip up to Sacramento on Tuesday night, says the "Transcript," a man whose name could not be obtained, was detected in the act of stealing from the passengers, two separate times; first, a pair of shoes from a Chinaman, but was let off on his giving up the property, receiving a warning not to be caught in another such scrape; but not content with that, in a short time after he was again caught stealing a five-dollar piece that a gentleman had just laid upon the bar, and slipping it into the leg of his boot. The attention of the captain was called to him again, and the gentleman was taken forward and stretched over the windlass, and three dozen lashes administered to him, with all the unction of two powerful arms, and the way the fellow screamed under the operation was convincing proof that he fully appreciated the favors shown him. The boat was then lowered and the fellow set ashore to make the acquaintance of the musquitoes in the tules; and by way of cooling his back, had the pleasure of wading, immersed in the water to his chin, some little distance. This will probably be a warning to such birds to be cautious how they play their pranks on the Senator.

A Woman Hung.—A Spanish woman, name unknown, was hung at Downieville on Saturday last. It seems that a man by the name of Cannon, with some others, had entered the house of the woman on Friday night, and had created a disturbance which so incensed her, that when he attempted to apologise the next day, she stabbed him with a large bowie knife.

She was arrested, tried, and hung the same day. The Marysville Herald states that at the time of her execution she did not exhibit the least fear, walking up a small ladder to the scaffold, and placing the rope round her neck with her own hands, first gracefully removing two plaits of raven black hair from her shoulders, to make room for the fatal cord. Some five or six hundred persons witnessed the execution. On being asked if she had anything to say, she replied, "Nothing; but I would do the same if I were again provoked," and that she wished her remains to be decently taken care of.

Horrible Murder.—On Monday morning, says the Sacramento Union, about ten o'clock, Col. O. P. Blackmar and O. V. Healy, his partner, left Illinoistown for Kelley's Bar, on the North Fork. After proceeding some distance, a teamster of their acquaintance overtook them, and as Blackmar and Healy had but one mule, the latter jumped into the wagon, and rode on to Phelps', twelve miles this side of Illinoistown. Col. B. not arriving as soon as they expected, Healey came to the conclusion that he had stopped by the way to graze his mule and rest. After waiting about two hours, a horseman rode up, and informed them that he had found on the road a man who had been murdered. On proceeding to the spot, they found that the body was that of Col. Blackmar. He had been shot through the head while on horseback, as there was blood on the saddle.—He had also been dragged two or three rods, and fifty dollars which he had in his pocket taken from him.

The murdered man was from Michigan, where he has a family, and also property to the amount of $30,000.

He was regarded by all who knew him, as a gentleman of the highest character and respectability, and his loss is deeply deplored by a large circle of friends and acquaintance.

The Editors of the "Times and Transcript" have seen a piece of virgin gold weighing 4lbs. 2 1-2 oz. It was taken from the north fork of the American river, near Auburn.

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Bancroft Library

July 11

Herald 7/11

Arrest by the Vigilance Committee.—A person who gave his name as Hamilton Taft, was arrested yesterday morning at the Branch Hotel upon a charge of robbery, and was taken in charge by the Committee of Vigilance. The circumstances of the case are about as follows: about ten days ago a tent on the Middle Fork of the American river was entered and a trunk robbed of over $2000 in gold. Suspicion fell upon this person as the perpetrator of the act, but after diligent search, nothing was brought to light that tended to a confirmation of this opinion. On last Saturday night he suddenly disappeared from his camp, when suspicion was doubly aroused as to his guilt of the transaction. Several persons were immediately sent out in different directions with a minute description of the runaway, and of the money stolen. Yesterday morning one of the persons who was sent out, found the object of his search quietly discussing the merits of a good breakfast at the Branch Hotel. The proprietor was duly informed of the discovery, and a consultation was held as to the best manner to secure his arrest. Some members of the Vigilance Committee happening to be present, the delinquent was promptly arrested by them. He expressed himself perfectly innocent of the charge, and was quite willing that he should be searched. A thorough description of the money had been given by the party in pursuit, previous to the search being made. Upon the search being instituted, a bag of specimens was found on his person, and a fifty and two ten dollar pieces in his coat-tail. The money found upon his person corresponding exactly with that which it was alleged was stolen, the person was taken in charge by the Committee. It is said that he afterwards confessed the whole matter, and stated that a part of the money was thrown into a sink, which was found to be true.

subscription ... thousand five hundred dollars, each subscription accompanied with an affidavit certifying his ability to pay the amount set opposite his name. The institution is begun under the most favorable auspices and with every prospect of great success. We hope that we shall soon see this College in the full tide of successful operation.

To the Lovers of the Dance.—There is to be a ball at the Lagoon Pavilion, to-morrow night, and all lovers of the dance cannot fail to enjoy themselves. Nelson Gow & Young will endeavor to make all comfortable and at home who will favor them with a call.

Not yet Arrested.—It was currently reported yesterday, that Adams, who was concerned in the burglary of Col. Stevenson's premises, had been arrested by the Vigilance Committee at the Farrolones. We were in hope that such was the fact, as this noted person has long baffled the vigilance of our officers; but we were informed by a policeman that the person arrested is named McAdams, and is an escaped convict from the chain-gang. If Adams could be arrested, he could be secured in a place where his escape would not be so frequent.

Pacific Star
July 11

Herald 7/11

The Case of Stewart.—The warrant which was issued by the Supreme Court, commanding that the body of James Stewart be brought before them, was yesterday returned by the Sheriff. The endorsement informs us that the officer, after having used diligent search, was unable to find him. There are vague and conflicting opinions as to what has become of this person who was lately in charge of the Vigilance Committee. Some assert that he has been sent to Marysville, others that he has been hung, and a few that he has been sent out of the country, after having made some startling revelations. There is no use speculating as to his whereabouts, the Committee, no doubt, have him yet in charge, and will evade all attempts to place him in the hands of the law, until they have agreed to make some disposition of his case.

The Wesleyan College.—It will be seen by reference to our law reports that the Supreme Court have incorporated the "California Wesleyan College," at Santa Clara. The petition that accompanied the application for the incorporation, showed a cash ... list to the amount of twenty-seven

Herald 7/11

Capture of a Robber by the Vigilant Committee.—A man named Hamilton Taft, of Wisconsin, was arrested yesterday morning, by some members of the Vigilance Committee, in the Branch Hotel, where he was breakfasting. He had, it appears, robbed a tent on the Middle Fork of the American River of $2300. He was suspected and examined, but nothing could be found to inculpate him. After remaining in the neighborhood a day or two he decamped last Saturday night. This excited suspicion, and an individual came down to this city with a minute description of the stolen property. He happened yesterday morning to enter the Branch Hotel where Taft was seated at breakfast. The Vigilance Committee took him up stairs, and on examining him found the identical pieces of money that were described, among them a fifty dollar piece and two ten dollar Baldwin coins. He was at once conveyed to the Committee room where he afterwards confessed his crime.

Herald 7/11

Right.—The following card was published in a morning paper yesterday. It exhibits a just and proper feeling:

"To the Public.—I was recently ordered to appear before the Committee of Vigilance on the charge of being a "notorious thief and swindler." Said charge has been inquired into and I have been honorably released. I merely wish thus *voluntarily* to say that I admit to the fullest extent the propriety of their action in my case, and that their course towards me has been marked by perfect courtesy, impartiality, and kind feeling, and that although the fact of my having come within the cognizance of the "Committee of Vigilance" might probably injure me, yet I freely admit their right to act as they have done, and consider that all good citizens should aid them in their endeavors to ensure security of life and property. This is specially intended to reply to an inquiry made of me to know if I was desirous of *prosecuting them for their course towards me.* I thus reply.

Th. Dahlgren.

July 11

Law and Order.—A meeting assembled last evening at the house of the St. Francis Hook & Ladder Co., for the purpose of organizing a company to sustain the civil authorities in executing the laws. The speakers were Messrs. Broderick, McHenry, Rice, Randolph and Duane. There was some diversity of opinion among the speakers as to the best mode of accomplishing their purpose. A series of resolutions were submitted pledging the signers to prevent, as far as in their power, the infliction of punishment upon any citizen without due process of law. A committee of three was appointed to present the resolutions to the Judges of the Courts and the principal city officers and ask their signatures, and to designate a time and place for a future meeting. Committee —Messrs. M'Henry, Randolph and Broderick. We would advise these friends of law and order to have some communication with General Jackson, and get his opinion. The General hung Arbuthnot and Ambrister in Florida without trial by jury, and imprisoned a judge in New Orleans, and these gentlemen say that he was right. The Committee of Vigilance are Jackson men. We think some of these law and order gentlemen have not always practiced upon their present opinions. Bellemere is expected to address the next meeting, and has chosen for his subject "*victoire ou la mort!*"

to all the petitions of himself [illegible] his admission a deaf ear was turned. He was finally permitted to lay in the attic for the night, but the physician in attendance peremptorily refused to render him any professional assistance, saying to him, that he should go to the city Hospital, which is some mile and a half distant. He was informed that the man was a sailor and had paid hospital money, but replied that he must get a permit or produce a seaman's protection, and he was left to suffer until morning. Common decency might have prompted a different course from this. If our firemen are to be treated in this way, they had better stay in their beds when the alarm bell sounds.

Much Needed.—A large number of men and boys are almost daily brought before the Recorder, for fighting, drunkenness, and other disorderly conduct. Generally, these offenders are perfectly penniless, and of course unable to make an atonement for their violations of the peace in the shape of a fine. They cannot be imprisoned, without subjecting the city to an expense of some ten dollars per diem for each individual. In this dilemma, the Recorder has felt it incumbent upon him to order their discharge, though confident that the following morning will again find them in the prisoner's dock. Here is an evil which demands a speedy reform. These offenders should be made to work. Nothing tends more powerfully to do away with this species of loaferism than compulsory labor,—and of this fact no one is more fully aware than our worthy Recorder. We hope, therefore, that our municipal authorities will take this subject into consideration, and provide some mode by which these vagabonds may be restrained and punished. We need houses of correction and reformation—however humble—for this class, where they may be made, by labor, to pay the expense of their imprisonment.

Cal Courier July 11

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July 12

Reprint of Extra of July 11

SUPPLEMENT
TO
THE HERALD.

Saturday Morning, July 12, 1851.

EXECUTION OF STUART.

The tapping of the alarm bell on the Monumental Engine House, about 9 o'clock this morning, startled the citizens, for it was the well known signal for the assembling of the Committee of Vigilance, and is never heard except when a case of life and death is pending. The members of the Committee repaired in great numbers to their Room, where they remained in session until 2 o'clock, engaged in the trial of "Jim Stuart," who confesses to six *aliases*—a native of England, and former convict. The evidence and his confession will be found in full below. He was convicted and sentenced to death. About 2 o'clock P. M., the Committee emerged from their Room, to the number of two or three hundred, having the prisoner with his arms bound and himself supported along by two of the members.

They marched two abreast, arm in arm, along Battery street to Market street wharf, down which they took their way to its extremity, where a derrick stood with every thing ready for the execution. The prisoner was nearly overcome with fear, so that his guards had almost to support him. Arrived at the derrick, the noose was quickly adjusted around his neck and in an instant he was hauled up into the air with a jerk and the rope made fast. He did not struggle perceptibly. Twice only he drew up his body and shoulders, and then swung dangling in the breeze.

After remaining suspended for about twenty-five minutes, life being entirely extinct, he was slowly let down, and the Committee having satisfied themselves that he was in reality dead, his body was lowered from the wharf into a boat and carried off into the harbor.

The most profound order was preserved throughout by the crowd, which was not very great. Not the slightest resistance was offered by any one to the proceedings of the Committee. All was quiet and orderly, and becoming gravity sat upon the faces of all.

Editor San Francisco Herald:

The accompanying documents in the case of Stephens *alias* Stuart, *alias* Campbell, *alias* English Jim, *alias* Carlisle, *alias* Mason, are handed you by order of the Committee of Vigilance for publication, your doing so will much oblige them and disabuse the public mind touching the affair.

Respectfully,

The Executive Committee,
Per order of Committee of Vigilance.

H. H. Bancroft Collection
Bancroft Library

Continued Excitement in Sacramento.

The Highway Robbery.

We are indebted to Freeman & Co. for the following information, by last night's Boat:

The Court of Sessions for Sacramento county convened yesterday morning and empannelled a jury to try the prisoners indicted for highway robbery. The counsel for the prisoners insisted upon the time allowed by law to prepare their defence; the Court was consequently obliged to put off the trial till Tuesday next. This delay caused a great deal of dissatisfaction among the people, and a large crowd, some seven or eight hundred, collected immediately in front of the station house, and were clamorous for having the prisoners hung at once. Some, however, were for their having a trial. A vote was taken, which was almost unanimous for Lynching. Before proceeding further, a committee was appointed to wait on the counsel for the prisoners, requesting them to waive the legal privilege of forty-eight hours delay, and also request the Judge to convene the Court immediately and proceed to try the prisoners. The Court could not act in the matter without the consent of the prisoners' counsel, and when the boat left, they were waiting for the report of the committee.

It is the general opinion that the law's delay will not be tolerated, and that the trial must go on without an adjournment, and the punishment will be equally summary. The guilty parties will probably be hung before another day goes over their heads.

Fatal Accident in Marysville.—A fatal accident occurred in Marysville on Thursday afternoon. A man who had just come down from the mines was riding down to the water, when his horse's feet slipped off the bank into deep water, and the rider lost his seat and sank immediately. He had about a thousand dollars in dust on his person. A drayman was standing within a short distance of Him when he sank, but was unable to save him. He had cautioned him against riding too near the water before he fell in. The name of the unfortunate individual could not be ascertained.

James Adeir,—I have a small house on the top of the hill near Col. Stevenson's, at the head of California street; a man at a wood-pile came and told me that my house was broken open—that he would get in the bushes and look out for the burglar, as he had not finished his work, and requested me to get others and come also—I did so; while looking through the bushes we met a man on no road, that said that he was coming a direct way from the Mission; the road he chose being sandy and hilly, I thought the reason was a bad one; I thought it would be well enough to follow him and watch his movements; after passing a little over the summit of the hill, he stood and looked for a few moments down on the city, and then hurried in another direction; I called to a few carpenters who were at work on the hill, and we followed and called to him, he turned and came towards us; I mentioned the suspicious circumstances to him, and requested that he should come down and give an account of himself to the Vigilance Committee—to this he assented and came; a trunk with clothes worth $40, and $40 in money, had been taken from my house, which has not been found as yet; this man was taken about half of a mile from the house; the house the trunk was stolen from was locked; I don't know the precise time the trunk was taken.

Cross-examination by *Wm. Stevens*.—Prisoner was from a quarter to half of a mile from the house when taken; a gentleman stated that the man had a beard and hat on like Stevens, but had on light pants and boots over, and a light coat or shirt sleeves; my impression was that this man Stevens had changed his clothes; my reason for thinking that the man Stevens had changed his clothes, was, that the coat and pants looked as if they had not been out of some trunk or bag but a few moments, as they were much wrinkled and the shoes were not dusted; Stevens stated that he had worn the clothes since he left Sonora.

Wesley Diggins Sworn.—I left the house on the hill at the head of California street, about 9 o'clock this morning; I locked the door and left my trunk with very little money in it, and about 11 or 12 I went back and found the door broken open; door was opened with a piece of iron; I saw my trunk was taken away and a chest in good to the door; the trunk had about $40 in it and two hundred cloth coats; it was a China trunk bound with brass, painted blue; a pocket book with notes and other papers, also duplicate bills of exchange drawn by Bangeyre & Co., in favor of Eliza Diggins, one for $600, one for $600, also a small carpet bag, contents removed; I placed my trunk key in a vest hanging in the house; the key I found was taken, but the vest was still hanging where I left it; I then ran down to my wood yard and called to the men there to go with him and look through the bushes for the burglar; I immediately started for the places where I thought most likely for the things to be concealed; after going through the valleys and hills, I met Stevens and thought that he looked suspicious and asked him where he came from; he replied, from the Mission; what excited my suspicion was that his breath was rather short; I asked him if he had seen any one in his travels; he replied that he had seen two or three; I asked him if they had any thing with them; he answered that one had a handkerchief with something in it; we had several men out, and I stated to Mr. Adair that he had better see where Stevens went and I would go on, which I did, for one mile or more; saw no one and hunted thoroughly; found no trunk; I don't think he has any of my clothes on.

John B. Brady.—I think I saw Stevens this morning on Powell street, near California, about 11, or half past. I would swear to it, if he had on white pants and light coat or shirt sleeves; my reason for looking at him so particularly was, he looked so much like Stuart; I feel satisfied and will swear that this is the man I saw on the hill. When I saw him he was within two feet of the house that was broken open; I knew the house that was opened; some thought he was coming from the plank road on Mission street; when I first saw him it was about one hour before I heard the house was broken open.

Cross-examined by Stevens.—My house was about one hundred feet from the house broken open; I first stated that is not the man; I said he had on light pants and boots, outside and light coat or white shirt.

Direct examination resumed.—I said that is not the man, because I thought he might go more quietly if I should say so. I will swear this is the man, no matter how he is dressed; I never saw this man before to-day; I should say he was skulking along.

Tappan C. Kilbern.—I am repairing a house a short distance from the house broken open, about 150 feet; I was going up to the house with some cooking utensils for Mr. Perry, and I met the man who lost the trunk; he told me he had been robbed, and I went in the bushes to search for the men or clothing; there was another man with me, who first saw this man, and he called me to him and told me to go and speak to Stephens, the prisoner. I called to him to stop, and he turned and stood still until I came to him, when I came up to him and asked what he was doing here; he looked frightened and confused, but said he was coming from the Mission. I remarked to him that this was a d—d pretty way to come from the Mission. He told me several different stories, and I thought it suspicious. He stated he lived on North Beach, but would not tell where, or who with, but said they were friends of his. I found some stockings similar in color to those he has now on in the bushes near where Stevens was taken. I heard some shrill [illegible] in the afternoon, about 3 o'clock, [illegible] before.

John B. Brady.—The trunk resembled mine, bound with brass; I found about half past 2 o'clock this morning in the street about [illegible] in the place where it was described by Stephens; the [illegible] and [illegible] were in it; the trunk is worth $25, and cannot be replaced for less than $40.

George Bestrick, negro.—I know Wm. Stephens; he came down with me on the steamboat Star, from San Jose, about three or four months since. I know he was arrested for stealing money on board; the money was afterwards found in a water-cask in gold dust; don't know the amount; will not swear that this was the one who stole the money, but he was arrested for it. I am at work for *W. J.* Sloane at the head of Washington st.

Thomas Cunningham called.—I know the prisoner by sight; saw him on the steamer Sea Star in San Francisco; and considerd this is the same man; was on board Sunday morning when the prisoner came for his money; have had some conversation with Capt. Sampson in regard to him. He demanded his money. Capt. Sampson asked me what he had better do; I advised him to see some of the committee. The prisoner asked me what the hell I had to do with it, and should hold me accountable for anything I said in regard to him. Capt Sampson stated that he was afraid if he detained the money this man or his associates would injure his vessel. This was said during the previous conversation. Capt. S. cautioned me against irritating the man as he had his hand on his pistol. The prisoner said he could establish a good name at San Jose and Santa Clara; he again demanded his money of the captain. At this moment passed Capt. Baker passing; said I'll step out and speak to him. Stephens said before this if you do not give me I'll attach your boat; Stephens said I am very [illegible] he go to Monterey on horseback and want my [illegible] I have got to be home Monday night. I think I [illegible] Baker; left Capt. Sampson and [illegible] Monterey. [illegible] saw Mr. Baker; left Capt. Sampson and went out. He said "I'll be damned if I'll be troubled more about this business; I'll have the money and prosecute the best first thing in the morning." After walking up and down the cabin several times he stepped out and went on the wharf, when Sampson called him back and said, as the man has gone to the bushes we have concluded to give you the money. He said 'the best for you to do so before the Committee men come along;' I told Capt. Sampson that he did not seem like an innocent man, and that I should publish it if I were in the matter and bring the man before the Recorder; this man in a seemed anxious to get off. Mr. Wadsworth, engineer, and all the crew of the boat I know. When the man and Captain came back they went into the office and the Captain took the bag; the bag was sealed; said to contain about $300; the man had in his pocket a specimen. Capt. S. wrote a receipt for this money, stating how he had received the money from the Committee. This man signed the receipt, I witnessed it; thinks a's name is not Stevens; I can swear he did not sign that name. The boat was robbed the next trip, Tuesday night, after she arrived, of money between $200 and $600; the little window was cut open and the desk broken into.

Cross-examined, by Stevens.—You told the Captain you wanted your money; you did not tell him you were ready to go with him that morning, to my knowledge; I don't recollect that the Captain said that the man was to go back with him to Santa Clara to show where he got the money. I am shipmaster in command of the American brig Lion.

Thos Wordsworth, sworn.—I came down on the steamer Star about the first of February; as we were coming down we ran aground on the bar and remained there over night; after midnight, I turned in and went to sleep; the captain remained on deck until 3 o'clock, A. M., and between 3 a. m. and daylight, the dust was taken from the valise; Stephens was suspected because he had on a coat unlike all the other passengers of India rubber; another reason was, that one of the passengers thought he felt some person feeling in his pocket, and reached out his hand and felt the India rubber coat. The fine dust of Stephens', about $400, compared favorably with the dust lost, and the amount found made up the amount lost; the value of the specimen found on prisoner was about $200; a committee was chosen to search for the dust; the owner of the dust went directly to the steamer for Panama, without coming on shore; Capt. Sampson was master of the Star at the time; is now on his way home; there were 15 or 16 passengers on board; all on board thought this was the man who stole the money.

Cross-examined, by Stephens.—All on board, from captain down, including passengers, were searched; one passenger besides the prisoner had gold dust with him; the engineer also had dust; I think Stephens had about $220 besides the specimen; don't recollect that the prisoner Stephens promised to go back on the return of boat; the gentleman who lost the $1,000 said that Stephens informed him that he had bet $12, of which he intended to give the stage driver $2 for bringing him down and the balance ($10), he intended to give the captain for bringing him to San Francisco; Stephens was showing a Spaniard sitting next to him, a quantity of coin (several pieces), which called forth the foregoing remarks. One other bag of dust was given with Stephen's bag to the captain; I did not see either bag given up by the captain.

Direct examination resumed.—The amount of dust found in the bag of the other passenger was about $600, about $200 more than was taken from the $1000 bag; I saw the bag of dust taken from the water-cask; the owner recognized the [illegible] immediately, and remarked that some had been [illegible] the owner said that he had lost $1000, and that [illegible] found in the cask and on the prisoner made up the [illegible] never saw prisoner before I saw him about [illegible]

Robert Rollock, negro.—I have seen Wm. Stephens before; he was a passenger on the steamer Star with me from the Embarcadero of Alviso, about the last of January or first of February, 1851; on coming down, we ran ashore on a sand bank and were detained over night; after breakfast, I was walking the deck with him; we seated ourselves in front of the captain's office, and while there the bell was rung for the passengers to go into the cabin; I did not know what for; we were then informed that a valise had been robbed of one thousand dollars in gold dust; a motion was made by one of the passengers to institute a search; a committee of three were appointed to conduct the search; in searching the passengers, the amount of money was not found on any persons; the prisoner Stephens had gold dust in a leather bag, and a large lump of quartz rock and gold; can't state positively as to the quantity of quartz or gold, it is so long since; the committee took in charge the dust found on Stephens; the committee then searched the steamer; I gave them the key of my trunk; afterwards, the committee called me and told me my trunk was open; after they had searched the boat, the passengers all commenced a search; one of the men belonging to the steamer fell in a water cask and found a bag of dust; it was given to the committee; the dust was then compared with the dust taken from Stephens; $900 were taken from the water-cask and about $400 from Stephens; the committee kept the dust taken from Stephens, believing it to have been stolen; the committee advised a recovery at law to be instituted against Stephens; the man who lost the money came here on his way to go home in a steamer, and did not wish to be detained; the gentleman left the $400 in the hands of the captain of the steamboat, to give the prisoner an opportunity to prove where he got the money; the prisoner promised to return by the boat next trip to show where he got the money.

Direct examination resumed.—I never looked into the bag to weigh the dust, but was told that it was about $1000; don't think any other persons had their money taken from them; I think the engineer had some dust taken from him also, but I saw it handed back to him.

Direct examination resumed.—I don't know that the prisoner returned by the steamer.

Mr. Pollock lives on Stockton street, above Sacramento street, on Mr. Winner's property.

Statement of William Stephens.—I do not recollect the date, but think it was about the 1st of December; we started about 9 A. M. from the Embarcadero. The next morning it was reported that a man had lost $1000; all the passengers were called below for the purpose of being searched; a bag of dust was taken from me, another bag from one of the other passengers; the contents of both bags were turned upon the table, and the owner of the lost money could not tell which belonged to him. I told them I had about $650 in my bag; the other person had lost $900. I requested the captain to take possession of both bags, and seal them, which he did. A search was then made about the vessel; one of the sailors found a bag of dust in the cabin; our bags were then returned to us. The person who lost the money stated that it was not all there, that some had been taken out; it was then put upon the stand and laid out and weighed. The amount was $625. Mine was then weighed, $618—the other passenger's weighed $600. It was agreed then that both bags were to be detained by the captain until I could return with him to San Jose, to prove that it belonged to me. The next morning I went down to the boat to return with the captain to San Jose. The captain was not ready to go. I told him he could do either of these things—give me my money or put me in the hands of the marshal; else I should stop the boat. The captain returned me the money. I then went to Mr. Miles, and exchanged my dust for coin; I hired a horse to go to San Jose to meet Smith the gambler, to accompany him to Monterey. Smith had left town. I have not seen him since. We have kept a moute bank together. I worked for Gilroy about two months; received of him from three to four dollars per day; spent this as fast as I earned it; had $1,800 when I commenced with Gilroy; had about this sum when I left; won about $100 the same night at San Jose; left for San Francisco the next morning. Smith I believe to be an Englishman. I was told by Mr. Mathews that he had left the country. Smith left San Jose for Monterey Sunday morning; don't know by what conveyance; followed him by stage next morning. The gamblers at San Jose told me that Smith had left for Monterey; thinks that he might have known something to cause an immediate departure. Smith stands about five feet seven inches; dark complexion, dark hair, no whiskers. Have known him 8 or 9 months; first I saw him in Stockton, 16 months ago. I knew Snow and Bronz at Sonora, two convict men, miners. Went from San Jose to Sonora for the purpose of mining. Worked with two sailors at the mines, one called Frelo; can't think of the other's name. I believe the late troubles at Sonora commenced the day I left for San Jose; have been into the French hotel at Sonora three or four times and gambled there.

[Statements in relation to Stuart, alias Stevens]

[From the Supplement of the S.F. Herald, July 12, 1851]

[Sworn 3.2.1852 to before Gal. 6]

Roman 10 pt

Stat

Republished.

George Mason, sworn.—Comes from North Fork of Feather river; formerly on Foster's Bar, Yuba river. I know the prisoner, (Stevens;) have worked beside him at Foster's Bar. He hired men to work; was absent from Bar great part of the time. He went by the name of Jim Stuart; I was witness in Marysville in case against J. Stuart; that man at Marysville is not the James Stuart; the man they have there was arrested for murder. This man (Stevens) left Foster's Bar last October, having committed a robbery there; he escaped. He was taken up by a Frenchman for stealing clothing; he was required to give security therefor, and took out gold which was recognised as having been stolen from under a man's bed there. He escaped from there, came down to Marysville, and from thence to Sacramento City. Shortly after I went to Sacramento City, and met the prisoner in the street; I spoke to him; I asked him what he was doing there; he pretended he did'nt know me; asked me are you staying here; nothing further passed. I heard nothing of him but through the papers and hearsay; it was in November I heard he was taken up in Sacramento City under the name of Campbell, for robbery. The constable, Mr. Burr, who arrested him at Foster's Bar told me this; said he was the same man he had taken at Foster Bar in October; I was called upon to identify him. This man was put on board prison brig and cut his way out; he did not bear a good character at Foster's Bar; was a good deal away; had money and gambled a good deal; he robbed a trunk of $6000, and gave it up when discovered, excepting a small amount.

Cross-examined by prisoner.—I knew you at Foster's Bar; don't remember how long, but while digging race.

Direct examination.—I am positive this is the man; he knows me well.

John Sullivan, sworn.—I know Wm. Stephens, prisoner; I first knew him at Slate Range; I met with Stephens half way between Slate Range and Foster's Bar, about the 20th of May, 1850; he carried part of my baggage down to Foster's Bar; he asked me if I did not wish to go to work for him next morning, I told him I would, and would work for him for $100 per month; he agreed to give it, and I went to work for him; I worked for him two weeks at Foster's Bar, I worked for him also at Winslow's Bar two weeks; I was one week sick; afterward I worked for him at Slate Range one week; Stephens worked well when I saw him; I saw him the last three weeks of the fire; I knew the prisioner to have lots of money; I don't know where he got it; he did nothing at Foster's Bar, but did well at Winslow's Bar; Stephens was not charged with any crime during the time while I was with him; I knew this man by the name of English Jim and Jim Stuart; on the third of July he came to Slate Range to redeem his watch; he paid the money for it over the counter, and bought a claim with me on the day he redeemed the watch for $100; worked in it on the 5th until 2 o'clock, and on the morning of the 6th he left; did not see him again until he was arrested for the robbery of about $4000 of Dodge & Co., about the month of October, am not positive as to date; I was on the Bar when one or two lumps were dug up and proved to be Dodge & Co.'s; I left the Bar on that day, and have not seen him since until now.

Cross-Examined.—I did not see the lumps dug up, but the men who brought them in at Dodge & Co.'s, and said that they dug them from under the bed of prisoner; I have been in Callao; I never saw prisoner in Callao; I left Callao in Dec. 1849; I did not see him in Callao, to my knowledge; the bark J. W. Coffin was at Callao at the time I was there; I don't think I ever saw him until I saw him between Slate Range and Foster's Bar.

Direct resumed.—The prisoner told me that he came from Adelaide to Callao; to the best of my recollection he there shipped on board the bark J. W. Coffin; the Capt. discharged him; he secreted himself on board the Coffin; the Capt. discovered him and put him on shore at Payta; from there he went to Panama, and shipped on board the steamer Tennessee as a deck hand, and came to San Francisco; he told me he came to Panama in a launch; about the 8th or 10th of April 1850, the steamer Tennessee arrived, and the Coffin arrived about the last of April or the 1st day of May; I got to Foster's Bar on or about the 6th of May; prisoner was there and seemed to have been there some time; I do not think I could be mistaken in the man; he is the man I worked for and with; he is the man I saw on examination for a robbery committed on Dodge & Co.; I now recollect that prisoner told me once in the tent, that he had seen me in Callao; prisoner had three watches besides a gold watch which he went to redeem; one night he dressed himself with a large coat, fur cap, large bowie knife, a brace or one double-barrelled pistol, and went out; does not recognise the pistol and knife.

E. Quarg, sworn.—I the year of the year prisoner escaped from the [illegible] in Stockton in June, July, August, September and October last. The prisoner was delivered to me by Dr. Ash, sheriff of the county. I took charge of him, and being obliged to leave for Sacramento, I escaped from my vessel, the Panama, on board which he was confined. Was arrested [illegible] charge of murder; do not recollect the name he went under at the time; can swear to prisoner's identity; can produce my books if necessary. His name [illegible] was [illegible]

Cross-examined by prisoner.—Can any one else identify me?

Answer.—A man the name of Schmidt knows him; stood guard over him.

Prisoner.—At what time was it that you had me in charge?

Answer.—Will produce my books. It was about the same time as the Sacramento riot that prisoner escaped. I think it was in August. I do not recollect for what murder, but can produce my book which will state. Dr. Hunt placed prisoner in my charge; was in my charge about two weeks. I know positively that this is the man; he escaped during the time of the Squatter riot in Sacramento from Stockton.

Charles Hughes, sworn.—I know prisoner by the name of English Jim, also by the name of Jim Stuart; I have not the slightest doubt but what this is the man; I was present at Foster's bar when prisoner was examined before Justice Stidger; this was about the month of August, but will not state positively; prisoner was in my employ some days; I had engaged him for one week but he did not fulfil his time; Mr. Hunt was with me when I engaged Mr. Jim Stuart.

Mr. Hughes states that the examination of prisoner before Justice Stidger was on the 4th October, and not in the month of August.

George F. Hunt, sworn.—I know the prisoner by the name of English Jim, or Jim Stuart or James Stuart; I have no doubt this is the man; I was present at the time prisoner was tried before Justice Stidger, for the robbery of some $4000 or $6000 of gold dust, from Dodge & Co., at Foster's bar; I wish to state that I was not influenced by any previous statement, but I could identify him better by his speech.

[Statements in relation to Stuart, alias Stevens]

[From the Supplement of the S.F. Herald, July 12, 1851]

Roman 10 pt.

Stat.

W. A. Thorp, sworn.—I think I know him very well, the first time I saw him was in the Station House in this city for stealing a safe; I also saw him several times before this in and about town; he was also the Jansen affair, I never saw him since; he escaped out of the back door of the Station House the same time that Mathias escaped; he went by the name of Briggs and some other name; I do not think that I can be mistaken in the man, to the best of my knowledge and belief this is the man; he looks a little like Berdue; I think Stephens is an inch or so taller than Berdue, hair about same color; Stephens wears his hair and whiskers longer than when I first knew him; at the time I took persons into the prison to see Berdue, I saw prisoner, Stephens, there.

Cross-Examined.—I decline asking questions.

Sworn Gal 75

White line

Herald Supplement, July 12

July 12

Confession.

Left England about 16 years of age, committed forgery and went to New South Wales for life; intercession of friends procured emancipation; from there to South Australia, Adelaide; stayed some five years; then went to Callao; was about 2½ years knocking about the southern continent; finally reached Panama in the J. W. Coffin, or went to Payta in the Coffin, and from thence to Panama in a launch; shipped in the Tennessee and came to San Francisco; the day I arrived left for Sacramento in the Senator; next day went to Marysville; from Marysville to Foster's bar; joined the Rock Mining Company and went to work; 17 in one company, and 105 employed in cutting a race; worked in this company one month; [illegible] Hillman, the witness who appeared [illegible] in my place for one month; then went down the river about four miles, and worked for myself, mining; worked two weeks by myself; went up and hired a man to work in Sullivan's place, and took him with me; finished his mouth out down the river, and for two days extra work paid him $20; we then went to Foster's bar together; I then bought another claim of the next company and paid $300 for it; bought a life boat for $400; subsequently lent this boat to another company, and they worked it on half shares as a ferry boat; then went with Sullivan to Slate range about 8 miles higher up; we bought part of a claim and paid $50 each; we worked this claim for half of a day; did not pay well enough; left Sullivan there and returned to Foster's bar; thought I would return and work in the winter; went to work and finished the race, and turned the river; lent the Missouri Company $300 to finish their business; the day the race was turned, found the claim would not pay more than $12, and abandoned it; then went down the river to the old place and worked three weeks or one month longer; had a row with Col. Prentiss, left and went up to Foster's bar; two of us made a garden, and did very well; built myself a house; subsequently did no work at mining; received about $6 per day from my boat; I let the claim I paid $300 for to others, and they gave me a share for privilege of working it; received from $10 to $12 per day from this; I then took a partner, Bernard Feather, a German, and commenced store keeping in my house; was previously in the same company as myself, the Rock Mining Company; did nothing for a week and became tired of the life; concluded to stay all winter, and commenced building a house, the largest one there, for boarders; did not finish it; the company to whom I lent the $300 never paid me; they left; I bought of Daniel Casey, one of this company, all the things the company had left; searching their house I found a trunk; the trunk was open and full of clothes; I took them; I wore part of the clothes during the remainder of my stay; one night afterwards I went to Mr. Dodge's house and had a game of monte; lost I suppose that night $200; considered I was cheated and thought I would be even with them; so I stopt that night up a tent and saw him put his money in a chest; when they had got to sleep went in and took the chest; opening the chest found $4300; had one piece worth about $1800; another 75$; the rest in dust and about $600 in silver; I took all this and secreted most of it in my garden; I then went to work again as usual; worked about 10 days afterwards; I was then apprehended for stealing the trunk; having bought all in the house, considered the clothes belonging to me also; was admitted to bail in $600 to appear at Marysville for trial, and deposited the money; three days afterwards was taken up for stealing the $4300; for that I was committed again to Marysville, on charge of grand larceny; the mob that night wanted to hang me; the judge swore in about 60 men to protect me; the next morning Capt. Dodge, the largest loser, came to me and said if I would give him the money he would let me go and see that I was not hurt. Another party came to me and told me that his wife and family were sweltering at home, so I concluded to give it up, and all but about $160 was found; allowed I had lost this; remained with the sheriff this afternoon, and then asked the judge about selling my things; called an auction, sold my things, and gave my boat away to a friend; my things brought about $170. The sheriff kept this money in his possession (Edward Barr, sheriff); went out at night to collect some of this money, and while gone his cook came to me and said "if he was in my place he'd go;" told him I couldn't well go without money; he said I had better go without it; I consecutively went; went about three miles that night, and took a mare; next night about 10 o'clock arrived in Sacramento; sold the mare the next day; stole the mare; had no money to buy one; staid in Sacramento about a fortnight; got acquainted with two or three Americans and one Sydney man; they did nothing but steal horses and mules; I used to sell them for them; the cholera broke out in Sacramento; the names of the men are "Dab." James Peate, Johnny Griffith was getting away from prison brig with Irvine on, and was drowned, went down to ball him out; a boy told Griffiths there was a brig in the river with a good deal of money on board, about $20,000; we went aboard brig and got all there was-about $1200; went on board with Griffiths (dead), Edwards, Brown (dead); next day we agreed to come down to San Francisco; Edwards told us we could get some money out of a vessel in the harbor; a man came down with us called "Jimmy-from-town." (Burns); came down in the New World; "Jimmy-from-town" robbed a Spaniard on board of thirty ounces in coin; ("Jemmy-from-town") was stowed away by me on board the Tennessee; he gave me the money, and it was divided among four us; the same night we went aboard this vessel in San Francisco and robbed her; myself, Edwards, Brown, and Smith accomplished the deed; the vessel was the J. Cassett; had some hard fighting on board; the captain was desperate and we left him almost dead; in the fight his wife came out of the cabin with a sword in her hand; I took it away from her; I acted as captain in that mob; left the other in charge of the captain; we were all masked; I searched the cabin; his wife gave me up what money there was on board; I then asked her if there were any arms on board; she gave me one of Allen's six-shooters, large size; I gave the money and pistols to one of the party; do not remember which; the captain begged me not to take her husband's life; I said I did not want to do it if he would be quiet; I then looked in the cabin and saw that she had a splendid gold silver-mounted watch; she hoped I would not take it, as her mother had given it to her; I said "on these conditions I will not take the watch"; the others kicked up a row for not taking it; I told them I was master; they had made me so, and I would act as I liked; tied the captain's hands behind him and shut him in the cabin; told his wife not to speak for two hours, as I should not leave the ship; also tied some boys who were on board at the time, and then went ashore; supposed we should get $15,000 or $16,000, and only got $170; he advertised a loss of $900; when his wife gave me the money, she said she had sent it nearly all home in the previous packet, or we should have got it. no doubt. Staid in San Francisco five or six days; tried to rob Grayson & Guild's store; stopped in it all one night and found I could not do it; wanted nothing but the money, but could not get it; the safe was too heavy; three or four days afterwards I went to Sacramento along; stopped at Moore's house in L street; did nothing but play cards, and won a deal of money; sold mules and horses for others, as they were brought in, in the name of Campbell; Moore, who kept the house, died; bought his wife out for $150; paid $70 rent; all the things stolen in Sacramento were brought to this house; John Griffiths, John Jones (boy), Bill Nelson, and "Old Jack" were boarders of mine; a few days afterwards, Griffiths was arrested for picking a man's pocket of $800 in an auction store on J street; On Monday, he was committed to the prison brig; was bailed in the sum of $1500. They were kicking up a row in Sacramento at this time, and would not go straw bail—so I took a team, loaded it from my house with stolen goods, and started for Mormon Island; sold all at Mormon Island and Salmon Falls and returned to Sacramento county. Went to the sheriff of Sacramento, procured an order to go on board brig and see Griffiths; got on board and found that the night before, in trying to escape, he was drowned. While I had gone to the mines some one robbed my house of everything; did not think it worth while to open another house, and went to live in a small house near the burying-ground. Few days after was arrested for house-breaking, and employed Mr. Pixley; he got me out of it by one of my men swearing false; Old Jack swore false. I gave him $20, and Mr. Pixley agreed to get me out of the scrape if I would give him $50 more. I told Pixley I was guilty. About a week or ten days after was arrested again for breaking into a house in a lumber yard. I very near got shot there—through my hat at all events; got taken, and committed aboard the brig for trial. Previously robbed a house Sunday night, corner Front and K street, clothing store, with Mat Hopwood; goes by name of Big Brummy, (Sydney man;) got from $800 to $900 worth of property. About two days after I was on board brig; employed Mr. Pixley again and paid him $50; also paid him $50 for big Brummy, for robbing a woman. Two days after I had been on board prison brig a constable came down from Auburn and identified me as shooting the sheriff of Auburn. Two or three hours afterwards two more constables came on board—one from Foster's Bar and one from Marysville. The one from Foster's Bar identified me as the man having committed murder at Foster's Bar—one Chas. Moore; one has a warrant; they go on shore to Judge Sackett—he gave them an order to bring me ashore; take me to the Judge's office in J street. Mr. Pixley appeared for me, and would not allow the Judge to examine me. Was then sent on board brig again; the Judge then gave sheriff order to take me to Marysville; sheriff came for me the next morning, and Mr. Pixley told him that the warrant was not legal, and he could not take me; so he had to go to Marysville for another. I then gave Mr. Pixley my bag of gold dust to weigh out $600, and an order for $150, which he told me he had got and would pay me next day. The same night I made my escape from the brig; I walked that day to Dry Creek—half way to Stockton. Next day got into Stockton, disguised myself and came to San Francisco on a steamer—somewhere in the middle of December; then went and stopped in Edwards's house in Sydney Valley.

Never went out of the house during the day. During the night went to Port Phillip House, kept by McCormick and Whittaker.—(Edwards did not know of my escape.) Jansen, at that time lived next door to Whittaker's. Whittaker had got information of there being $000 or $9000 in a safe in a butcher's shop in Broadway, myself, J. Edwards, Whittaker and Geo Adams, went took the window out, got the safe into the street, and could get it no further. The next was Minturn's; there were a great many in this mess. We get this information from ——. Had gone several times during the three days previous, to inquire about the money—he was acquainted there. Myself, Edwards, Edward McCormick, (Teddy) Whittaker, Geo. Adams, ——, Bob. McKenzie—we took a boat with us, fall and tackle, made shears to take with us, put a feather bed in the boat, augurs, saws, &c, to cut away with, and all went, pretty well armed. We managed to get inside three or four of us, and moved the safe somewhat, made a few augur holes in the floor, and intended cutting the floor away—some one came to the door—a false alarm—we had to run—Makenzie spoilt it by not knowing his instructions. We should not have stirred for one man or two, with so big a haul. Mackenzie gave wrong signals, and we jumped into the water and swam away. ——— outside. The next thing was a jeweller's shop ——— had examined—he allowed that there was $20,000 or $30,000 in diamonds, &c.—We went to look at it at night—myself and Edwards; gave my opinion that we could not do it; too much risk; some four or five people in shop below; gave it up as a bad job. The next thing ——— got for us was Macondray's store; he had been watching it for a month; he told us there were three safes, and a vault with lots of money; as much as we could take away in a boat; come up to the night to do it; and some backed out, considering there were some eleven men in the building, gave it up. The night after, Whittaker informed me of Jansen's place; said that when Jansen moved he had a safe which he supposed contained 10 or $15,000; we agreed to go and get it. Myself, Jim Briggs, (from Monterey,) J. Morgan, S. Whittaker, Rev. McCormick, (Teddy,) Billy Kewas, ———, Edwards—all of us had been together for ten days, except Briggs and Morgan, who had just come up from Monterey. Briggs and Morgan were at Macondray's; had a falling out with Mackenzie, and he had to go. Morgan went into Jansen's store first, the rest stopped in the road; Whittaker and myself stood at window during this time. I thought he was too long, and would get no money, so I went in to help him; I got half way up the shop behind the counter; heard Jansen ask Morgan, what he wanted there; Morgan told him that he wanted to look at some blankets; he turns round, and sees me behind the counter; also told him I wanted blankets. He stepped about two yards to show me some blankets, (we had cloaks on for a disguise.) I hit him on the head with a slung shot and knocked him down; I then left Morgan to take charge of him, whilst I looked after the money. I only hit him once; opened a desk, and took out a shot bag containing money.

We then carried the money home to Sydney Valley. I carried the money; I counted the money; there was $1500 in gold coin. We divided it in eight parts, making $190 each. We then came down town again; went into Mrs. Hogan's; stopped there two or three hours and then went home again. Mrs. Hogan lived on Sansome street. Next day there was quite a fuss about town about it. We did not commit more robberies while the men arrested for striking Jansen were under trial, as we did not wish them hung as they were innocent. We would have shot fifty men rather than they should have been hung. We agreed that if the above men were hung, which we expected they would on Sunday night, to burn down the town.

A few nights after we agreed to rob a bank kept by Beebee, Ludlow & Co., on Montgomery street. In this we were to be assisted by ——— and ———. We tried two nights; opened the outside door by false keys. Watched it two days and concluded there was not money enough to attempt the robbery, as we observed the porter of the bank come each morning from Argenti's with bags of money deposited the evening previous.

The next night went to the bank next to El Dorado in Washington street. Morris Morgan helped build the money vault and gave us the information. Went down El Dorado steps, opened the door with false keys, entered and found two beds; discovered there were too many people sleeping about there; considered it too dangerous, and gave it up. ——— was an accomplice with us; there were eight in the gang; ——— was generally an outsider, did the watching.

Next night stole a small safe out of Emerson & Dunbar's auction store, Sunday night; there was but twenty-four dollars in this safe. Adams stepped out at the time of Minturn's robbery.

Next night stole a safe from Gladwin & Whitmore; took it up on the sand-hills; were discovered before we had broken it open. I brought the safe down stairs. Morris Morgan and James Briggs were arrested by the police in the scrape. Here we lost all our tools, which were worth $600 to us. Then went to Mrs. Hogan's house. Bill Hews went house that night. Not liking to see men go to the watch-house, I wanted the rest to come and take them from the watch-house by force, but they refused; they thought by employing Mr. Parburt and other lawyers they would be cleared. Next day Morgan was acquitted and Briggs committed to jail.

Next day I went to Gold Bluff in schr. B. L. Allen; had twenty-seven days passage to Trinidad Bay. I there saw Bob McKenzie, also saw Dabb, the horse-thief, with Jew Peet; they came from Oregon; they said that five horse-thieves had taken about sixty horses from Sacramento City to Oregon and there sold them. I found Trinidad to be a bad place for me. I played cards with Dab and won all his money; about three hundred dollars I then came back in the B. L. Allen and paid the passage of Dabb and Peet also to San Francisco. Arrived in San Francisco on a Sunday, Dab threatened to inform on me if I didn't give him some money, so I gave him $50.

I went to Jas. Kitchen's house, and sent him on board the schooner for my bed and blankets. The same day Deb and a policeman stopped me in the street; the policeman wanted me to go the Recorder's with him. I fireman wanted me to go the Recorder's with him. I drew my pistol to shoot him and he stood off. There were many people about, and I gave him (the policemen) two hundred dollars to quiet him. I then went to Kitchen's and stopped that night. I went and saw Kitchen's and stopped that night. I went and saw Mrs. Hogan; she told me that there was a warrant out for Whittaker and Long Charley for robbing a man in her house of fifteen hundred dollars; she advised me to leave the town; said the police were searching her house; said she had secreted Whittaker at the Mission.

Next morning I hired a horse at a stable and rode to Monterey. At this time I had just taken the name of Carlisle, previously was called Campbell. The day I arrived at Monterey the men were about to be tried for robbing Monterey Custom House. My things were left at Kitchen's and have been there ever since. I went to Monterey purposely to attend the trial. Went to the watch-house and saw the prisoners. The second night my horse was stolen from me. Dick Osman was first put on trial. Parhurt went down from San Francisco to defend him, and I appeared as a witness in his favor. Whittaker was also at Monterey. Kitchen arrived at Monterey in the steamer. Briggs was then in custody. We all knew the parties were guilty. Although they took thirteen thousand dollars down from San Francisco, all that was found was eight thousand dollars, though Randall said he had lost thirty thousand dollars. The fact is that Parhurt, McDonald and Judge Merritt were counsel for prisoners, and Col. Weller, Botts and Wallace for prosecution—there was a great deal of swearing falsely and bribery. All the money was taken from the prisoners; the Court charges, amounting to one thousand dollars, was first taken out, and the balance of thirteen thousand dollars, say twelve thousand dollars, was equally divided between the prisoners and prosecuting counsel. The prisoners then paid their own lawyers. Randall got one-half and the prisoners the other half of the twelve thousand dollars. Morgan, Tom Quirk and Ryan were in jail, but Osman was tried and consented to the division. Parhurt told me to let the prisoners out of jail, and I broke the door down and let them out.

I then started on foot from Monterey for the Southern mines; reached San Jose. In San Jose stole a horse, saddle and bridle, but was captured near San Joaquin; got in a row with eleven Mexicans, who took my gun from me, stating I had stolen their horse; they took me back to Livermore's Pass; I gave them my watch and chain to release me, and went on foot to Sonora; from there went to Sullivan's and worked about a week; did not like mining; then went to Stockton; there worked about five weeks; met there two Americans who knew me; did not think myself safe, and left for San Francisco on foot.

Arrived here last Tuesday night; saw Whitaker in the El Dorado; went to his house where he used to live; then went to ——— and slept that night. Wednesday morning arose and went to the Mission to see an acquaintance who lives at a bakery at the Mission; this same acquaintance previously wished me to rob a Spaniard's house at the Mission.

I went to see about robbing a Spaniard at the Mission. The acquaintance at the Mission is short and had on a black hat. [It is known to our Committee who this friend is.]

I went into the Mansion House and looked at the safe and told him I would see him again about it. I took the hills on the way back from the Mission to avoid being seen, and was arrested on the hills doing nothing. I was on the way to North Beach.

In coming from San Jose to San Francisco last January or February, I came in the steamer New Star with one Smith, who was afterwards shot in Sacramento City, robbing a house. We went from San Francisco to San Jose on purpose to rob the churches of the silver and gold images. We were told there was a gold image weighing ten pounds, but we could not find it.

Got stuck on a mud flat on the passage. In the morning all hands were called in the cabin and told that a passenger had been robbed of $1000 in gold dust; they took my gold dust and that of another man's, a passenger; but I did not rob it, and know nothing about it.

On arrival here I advised robbing the New Star. I met Teddy McCormack and John Edwards and went down to the steamboat. I went on board, opened the window and robbed the desk of about $250.

Cross-examination.—Knew Jenkins; knew Windred; thinks he is gone out of the country; knows Adams; does not know where he is; knows Jansen and Wilson, horse thieves in Sacramento City; when I landed from the J. Caskie, went to Edward's house; John Edwards has red whiskers; is an Englishman; broke into Smith's lumber yard about 8 o'clock at night; Jemmy-from-town stole a trunk from Mr. A. J. Ellis' house; Jemmy-from-town robbed Dow's safe, blowing it up with powder; gave Pixley order for my money in the name of James Campbell; arrived at Foster's bar about the middle of April; hired Sullivan, Hunt and Hews to work at Foster's bar; never committed more crimes at Foster's bar than I have stated; Dodge & Co. kept a gambling house at Foster's bar; names of three Americans and one Sydney man, horse thieves: Dabb, Peet and another name forgotten; think I knew of every robbery committed in Sacramento, when I was there; have worn a serape and rode on horseback in Sacramento; I generally board at Edwards' house; some of my friends have boarded at the Port Phillip House; John Morgan is knee-sprung; Jim Morris and lives with Briggs; is 50 years old, large, stout fellow, and weighs 15 stone. Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers ——— and ——— for a long time; they were concerned with us in the robbery of Young's Bank, next to the El Dorado. Don't know who makes burglar's tools; Briggs makes some. Knew Otis, a horse thief, saw him arrested and saw him on trial. Knew Pico; did not know Fisher nor Hill or Hall at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for $113 on Lowe, lives on Front street, Sacramento City; has a bow window in it; very pretty house. Money stolen from Jansen was divided in Edward's house, near Clark's Point. A quarrel between ——— and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Jansen been hung. The men who committed the jewelry robbery here, were George Adams and Teddy McCormick. I have been to Angel Island; generally stop at Daniel Wilder's house; think there are no robbers there. Mrs. Hogan's house is a resort for stolen property; she wears my daguerreotype; she knows all about our motions. Mr. Hogan is innocent.

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Herald 7/12

July 12

HETHERINGTON'S TESTIMONY.

We were obliged to omit in our extra yesterday evening the following very important testimony of Joseph Hetherington. The confession of Stuart and the evidence taken in the case will be found in the supplement in this morning's edition of the *Herald*.

Statement of Hetherington.

Boarded with Mr. and Mrs. Hogan. Hogan went to the mines; asked me to take charge of the house until he returned; saw the prisoner Stewart at the house for the first time a few days before the Janson affair, and several times after. Mrs. Hogan told me that his name was Jim Stuart, or English Jim.—His constant companions were ———, Jim Briggs, and Whitaker, all of whom used to hang round the house.—Whitaker remained there ever since until the30th June, or 1st July, when Mr. Hogan returned. Whitaker then left: I think Whitaker to be the smartest thief in the whole gang; he is five feet six or seven inches in height, round built, and when stripped is rather round shouldered, rather good looking—would say he is rather inclined to a fair complexion, hair the same color as that of Mr. Spencer to the best of my knowledge, but should recognize him—always dresses neatly. Since a row occurred at the house of Mr. Hogan three weeks after the Janson affair, I understand ——— and he had a falling out and since then I have not seen them together.

Have not seen Jim Briggs for six weeks. When Whitaker first came to the house my partner, Mr. Davis and myself, and a young man named Jackson, a printer, refused to eat at the same table with any of the company then in the house. Mrs. Hogan took me one day into the dining room and asked me why I was so shy with Whitaker. I replied that Mr. Hogan had pointed him out to me as one of the greatest thieves in town, and pointed out to me the house on Jackson street where Whitaker resided, along with a man named Teddy; the house was at the corner of an alley leading from Gold street into Jackson street above Sansome street. Mrs. Hogan told me that Whitaker had been a government man, a convict in the penal colonies; that he had been assigned to Mr Hogan; that he had served them faithfully seven years as a butcher, and that they had always found him an honest man. Since then she has told me another story; that he was never assigned to Mr. Hogan, and that Mr. Hogan never knew him until he met him here.

Whitaker went to live at the house of Mr. Hogan during his absence, and Mr. Hogan was very much enraged at finding him at his house on his return and ordered her immediately to send him off. He left her next morning; I think he went to Marysville; yet I saw the name of a person named A. M. Whitaker as a person who left here on the isthmus for Panama on the 1st inst. His name was Sam Whitaker.

Sam Whitaker told me in regard to the Janson case, that Berdue and Wildred were both innocent. I expressed my serious doubts; he said, "Hetherington, Long Jim, if ever he is taken, will tell the truth; the man Stevens is Long Jim, or to satisfy you, I will tell you all about it: Long Jim struck the blow; the man who was shot in the act of robbing a house at Sacramento City was the man who entered Janson's first; there were seven men concerned in the robbery of Janson; they divided the money in this parlor; after paying for drink, there was $246 to each of them." This information was given to me while the Hogans lived on Sansome street; there was a gold watch of which nothing was ever said about, which I threw into the bay from this back door.

Two men have recently endeavored to get Whitaker to join them in robbing the El Dorado and the present Custom House; the name of one of the men was ———; was often with Whitaker. Whitaker was afraid to trust them, otherwise would have joined them; ——— suggested the robbery of the El Dorado, and ——— that of the Custom House; ——— and ——— are very intimate; ——— is constantly going in and out of the prison.

When Hogan gets his business settled up, which was the only reason for my staying at his house until he resumed, I will give you much more serious information on some other points—involving pretty much the same parties.

Joseph Hetherington examined—I know Jim Briggs and Sam Whittaker and English Jim alias Stuart; I have seen Stuart, the prisoner, in your custody; I know him to be the same man that I saw at the house of Mrs. Hogan; these men did not all board there, except Whittaker, who was a constant boarder; these men frequented the house; some of them ate and slept there occasionally; I never saw them commit any acts to my own knowledge; I never knew Whittaker engaged in any ostensible business whereby to earn a living; from my knowledge of the parties, I suspected them of crime, from their general conduct and from subsequent information received from Sam Whitaker, which confirmed my opinion. I have also seen Edwards at Mrs. Hogan's house in company with these men. I have frequently seen Sam Whittaker and Mrs. Hogan in bed together; Whittaker was aware that I had seen him in bed with Mrs. Hogan; Mrs. Hogan had said she had done wrong (alluding to Whittaker,) and would not live with Mr. Hogan again.

[At the request of Mr. Hetherington, the Executive Committee, except Mr. Hogan was formally called upon, and retired, when he stated—]

Whittaker told me that English Jim, alias Stuart, was travelling up to Marysville from Nicholas, with two Americans, who were hunting their mules, which they had lost; the men were out of money, and concluded that they might as well be dead as without money; they agreed to go up to the mountains and rob every man they met till they each had $20,000; that the man Moore (whom they murdered) was the first man they met, and they murdered him; Long Jim shot him; he shot him with a shot-gun before any one else came along; they (Long Jim and his companions) were discovered; the names of the Americans I never learned; one of them escaped from the prison brig; Sam Whittaker said to me that there was a specimen in this city which Long Jim said he took off of the body of Moore, and that it had been shown to him (Whittaker), and that he was confident that Berdue was innocent of it. Sam Whittaker told me that he had a plan of Macondray & Co.'s building; that he could rob the safe; that he had a plan of Dewitt & Harrison's, which he could rob at any time; also, Young's, next to the El Dorado.

The foregoing, and what I have stated in my first examination, is all that I know.

H. H. Bancroft Collection
Bancroft Library

CORRECTION.—An announcement was made in a morning paper that the meeting of some citizens held on Wednesday evening to offer their services to the authorities, was convened at the rooms of the St. Francis Hook and Ladder Company.—The Secretary of the company has addressed a note to the editors stating "that if such a meeting was held it was without the knowledge of the St. Francis Hook & Ladder Co., who would never allow their room to be used by any such committee or for such a purpose."

LAUNCH.—We learn that the new steamer American Eagle will be launched at 11 o'clock this morning from Mission Point. There will doubtless be a large attendance on so interesting an occasion.

THE INDIANS AT READING'S RANCH.—Letters have been received it is said, from Major Reading, stating that the Indians in the vicinity of his ranch, have recently violated their treaties, and are becoming exceedingly troublesome.

Arrival of Steamers.

The steamship Independence, Capt. Tibbett, arrived yesterday from Panama.

The Independence is 230 feet long, 30 feet beam, 12 feet depth of hold, with a two hundred and twenty-five horse power engine. She is beautifully fitted up and will run on the Nicaragua line for the present in connection with the Pacific. She will probably be placed on the river as soon as the San Francisco arrives out.

The steamship Ohio, Capt. Haley, also arrived yesterday from San Diego. Her news will be found elsewhere.

Herald

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SPECIAL NOTICES.

☞ **Adams & Co.'s Express.**—Notice to MERCHANTS AND OTHERS.—We are now prepared to forward with or without insurance Gold Dust by the regular Mail Line of steamers, as low, (if not lower,) than parties shipping by transient steamers.

The advantage of this arrangement will be seen in the security it affords to parties shipping through us, that there will be no delay at Chagres, as one of the mail steamers will always be there in readiness to receive Treasure from the Pacific Mail Line.

Parties may rest assured that although we do not continually keep it before the public, we are never behind in the conveyance of News, Treasure, &c., to and from the Atlantic States.

Bills of Exchange drawn on any of our houses in the Atlantic States, and also on London, at the usual rates of premium.

Our next Express goes forward by the mail steamer of the 15th. [jy9 1st16] ADAMS & CO.

☞ **Land Titles in California.—The Act of** Congress in relation to Land Titles in California, in Spanish, for sale at the office of the *Herald*, in Clay st. two doors below Montgomery. je28tf

☞ **Titulos de Terrenos en California.**—En Espanol, por vender a la oficio de la *Herald*, en calle de Clay, cerca lo esquina de Montgomery. je28tf

☞ **Attention Patrol!—An adjourned meeting** of the Voluntary Patrol for the 5th and 7th Wards, will be held at the California Engine room, on FRIDAY EVENING, the 11th July, at 8 o'clock.

It is particularly requested that the attendances should be full and punctual, as business of importance will be laid before the members. By order of the Chief,

F. W. MACONDRAY.
W. BROWNE, Sec'y. jy11

☞ **Notice is hereby given that Wm. A.** Lightfoot and Joseph Buckbee have been appointed by the Hon. Ogden Hoffman, Jr., Judge of the District Court of the United States for the Northern District of California, Inspectors of Steamboats, and that all requisitions for inspection will meet with immediate attention, if left at the office of MESSRS. HAMILTON & MCLANE, counsellors at law, in Bolton & Barron's building, Merchant street, near Montgomery. je24 tf

☞ **Notice.—The steamer "Confidence,"** having been withdrawn for a short time from the Sacra[illegible] route for the purpose of repairs, all shipments will [illegible] transported by the

THE HERALD.

Saturday Morning, July 12, 1851.

NO REMOVAL.

The Publication Office of this paper is still in **Clay street, two doors below Montgomery.**

Double-sheet Steamer Edition.

We will publish on Monday morning, at an early hour, the DOUBLE-SHEET STEAMER EDITION OF THE HERALD for the Atlantic States, to go by the steamers Pacific, Sarah Sands and Northerner. It will contain in addition to the usual interesting variety of mining and local news, an account of the execution of Stuart, together with the confession and the evidence taken in the case; the testimony of Hetherington; an account of the attack by the Indians at Trinidad; interesting news from the Southern mines, etc., etc.

To be had at the counter and at the following agencies; Marrin & Hitchcock, Montgomery street; Bonestell & Williston, Burgess, Gilbert & Still, near the Post-office; Cooke & Lecount, Wells' Buildings, and at Kimball's, on Long Wharf. Single copies, done up in wrappers, ready for mailing, 25 cents.

The Trial and Execution of Stuart—Astounding Revelations.

On yesterday about the hour of three o'clock of the afternoon, justice was done on the body of the man James Stuart, who has been for many days in the hands of the Vigilance Committee, and who during the last year had perpetrated a greater number of bold, daring and atrocious crimes than any other man in California. He was executed after making a confession of his guilt—on evidences of the most convincing and positive character. This confession and evidence not only prove him to have been implicated in the murder of Mr. Moore, at Dobbins' Ranch, in the murderous assault on Mr. Jansen in this city—in the no less murderous assault on the Captain of the brig Kaskia in this harbor,—but in the robbery of Mr. Minturn's safe, in the attempt on Mr. Macondray's, in the robbery at Monterey, and in fine in every burglary and robbery of any magnitude that has taken place in this city or neighborhood for many months. No criminal more daring or successful—more reckless or cold-blooded—ever harrassed a community. Bred up in crime since childhood—conscienceless and callous, he approached as near the character of a fiend as any thing in the garb of humanity we have ever seen. we had not even the excuse of stupidity or dulness, for his talents and ingenuity well directed would have achieved success in any other calling.

The astounding revelations contained in the testimony and confession we publish elsewhere, will apprise our citizens how utterly helpless they have hitherto been in the toils spread around them by the organized band of desperadoes who have infested for so long a time this city and State. To further the ends of justice, we are obliged to suppress for the present the names of many individuals in the community who are implicated in the crimes developed, and who are even now being perseveringly tracked by the Committee. Their time will come presently, and the public will then cease to wonder that with such an organization crime of every dye has reigned so long triumphant in San Francisco.

It will be seen that the ramifications of this association of thieves, burglars, assassins and incendiaries extended throughout the entire State—that judges and public prosecutors in some portions of the country were in league with the organization—that subornation of perjury was one of the commonest expedients to achieve the impunity of the criminal and to baffle the working of the law—that the burning of this city was several times resolved upon in revenge—and that life was not regarded at a straw's value when money was to be gained by murder.—On the whole we doubt if in the history of the United States there has ever been a more monstrous criminal organization laid bare, than that which has now been brought to light by the untiring efforts of the Vigilance Committee. That crime will meet with condign punishment they gave ample evidence by yesterday's proceedings.

Justice is tardy—men's motives and conduct are subject at all times to misinterpretation;—to further the ends of justice the Committee have hitherto preserved as to their acts an unvarying and profound silence;—knowing they were right, they have persevered in their labors through evil report and good. We ask is there a man in the city who does not now justify them? Look to the evidence and exposition, and consider how many patient days and nights of toil and labor it has cost those men to unravel this stupendous guilt. Even if they had been unsuccessful, have they not dearly earned the gratitude and esteem of their fellow-citizens;—but, marked as their efforts have been with the most brilliant, triumphant and gratifying success, have they not a right to claim the reward of the cordial and thankful approbation of their fellow-citizens?

The Execution Yesterday.

Nothing could exceed the gravity and decorum manifested yesterday by the citizens during the execution. At the first tap on the bell of the Monumentals, the members of the Vigilance Committee repaired swiftly and silently to their quarters. This was about half past nine o'clock, and from that hour till half past twelve, the Committee were occupied in hearing the testimony.—From half past twelve till half past two, there was an earnest and solemn debate, and at that hour the prisoner was doomed. During all this time the utmost gravity prevailed inside the building, and the utmost silence and attention among the crowd without.—The prisoner was offered the consolations of religion but would not accept them. When, finally, the punishment of death was decided upon by the the Committee, preliminary to the decision of the people, Mr. Stevenson addressed the crowd, stating the facts of the case and presenting a summary of the evidence, called on the citizens to say whether they would sanction the decree of the Committee. The affirmative was answered with a loud shout, and in the negative there were three voices. The prisoner was doomed.

Shortly after he was led out hand-cuffed, walking steadily, without faltering—four hundred determined men surrounding him well armed, and the crowd of citizens bringing up the rear. When he was at length launched into eternity the crowd uncovered, and a solemn awe fell on the multitude. Not a word was uttered, and after being suspended thirty minutes, he was cut down and the Committee returned to their room—not the slightest attempt at disturbance having taken place.

We cannot too warmly commend the gravity and sobriety of demeanor—the steadiness of purpose, and the quiet determination of the Committee and of the citizens generally.

Herald 7/12

B. H. Bancroft Collection
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CORONER'S INQUEST.—On last Saturday morning, the Coroner held an inquest on the body of James Stuart, who was executed the day previous by the Committee of Vigilance, on Market street wharf.—When cut down by the Coroner, it is said that life was not extinct, and that he might have been resuscitated. An incision was made in his arm from which the blood flowed quite freely, but it was too late,—the vital spark had fled. Some three or four witnesses were examined, touching the facts of the case, and the Jury of seven persons rendered a verdict "that the deceased came to his death by strangulation, by hanging, at the hands of a body of men styling themselves the Committee of Vigilance of San Francisco."

LAUNCH OF A STEAMBOAT.—On Saturday morning, a steamboat bearing the patriotic name of the "American Eagle," was launched at Mission Point [illegible] last wedge was removed, and the beautiful craft slid off into the waters in a gallant style. A large party of ladies and gentlemen were present [illegible] ration. A splendid collation was prepared by her owners, iced champagne flowed freely. The boat is

[illegible] of iron, 125 feet long, 27½ beam, and 6½ hold. She has two engines of 75 [illegible] power, and will draw [illegible] feet when fully laden. She is owned by Capt Lubbuck [illegible] & Co., and is intended to ply between this city and Marysville.

COUNTY JAIL.—A subscription is going the rounds for the purpose of obtaining a sufficient amount to complete the county prison. The subscription required from each individual is only three dollars,—a sum which every man should willingly give for the accomplishment of so desirable an object. The Committee of Vigilance have subscribed largely, and are making every effort towards the completion of the building. The Sheriff and other of our public officers, have taken hold of the matter with a right spirit, and are using all endeavors for the furtherance of the project. We hope the time may soon come when we shall have a safe and secure place to confine the numerous convicts now in the hands of the law.

[illegible] CROPS—LOUISIANNA.

CALIFORNIA COURIER.

JAMES M. CRANE ..... EDITOR.

SATURDAY, JULY 12, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

OUR STEAMER EDITION.

The "Courier" for the Atlantic States will be issued on MONDAY MORNING, July 14, and will be ready for delivery at our counting-room, corner of Jackson and Sansome streets, at 9 o'clock. It will be an exceedingly interesting number, containing a large amount of mining news, local intelligence—a full account of the execution of Stuart, his confession, etc. etc.

☞ As our steamer edition is printed on a SINGLE SHEET the postage on it will be the same as it was before the new post office regulation, viz., FIVE CENTS *only*.

Price of the paper, 25 cents.

TREMENDOUS EXCITEMENT!

EXECUTION OF STUART!

Yesterday morning, at the tap of the bell on the Monumental Engine house, about half past nine, the whole community became startled, for it was the Vigilance Committee's well-known toll where life and death are pending. The members of the Committee repaired at once to their room, followed by an immense crowd, who expected to see the execution of some notorious criminal. The Committee remained in session up to 2 o'clock, when they emerged from their room with the prisoner Stuart, and marched with him along Battery street to Market, down Market to the end of Market street wharf, where the prisoner was hung.

He appeared much overcome, and was almost half dead when he was hauled up. He had hopes that he would be rescued, until he had reached the fatal spot where he was in a few moments to draw his last breath. The Committee as well as the vast throng present, appeared grave and serious. The most perfect order prevailed throughout the execution. This execution has created the most profound sensation in this community. It is an awful warning to our Courts, and to criminals, high and low. We have no room for comment today.

THE DAILY PACIFIC STAR.

SATURDAY MORNING, JULY 12 1851.

Democratic State Ticket.

FOR GOVERNOR,
JOHN BIGLER.

FOR LIEUTENANT GOVERNOR,
SAMUEL PURDY.

FOR JUSTICE OF SUPREME COURT,
SOLOMON HEYDENFELDT.

FOR ATTORNEY GENERAL,
S. CLINTON HASTINGS.

FOR STATE COMPTROLLER,
WINSLOW S. PIERCE.

FOR STATE TREASURER,
RICHARD ROMAN.

FOR SURVEYOR GENERAL,
WM. M. EDDY.

FOR CONGRESS,
JOSEPH W. McCORKLE.
E. C. MARSHALL.

☞ **Publication Office** of the PACIFIC STAR on Montgomery street, three doors from Clay. Our advertising friends will please be particular Office open from daylight until the arrival of the Sacramento boats. Advertisement solicited at as early an hour as possible.

Our Job Office.—We wish our friends to bear in mind that we are prepared to execute every variety of Job Work at the most reasonable rates and at the shortest notice. We confide tly expect our friends in favor us with their work, and we pledge to them the utmost fidelity in executing their orders.

To Subscribers.—Should any gentleman who has favored us with his name as a subscriber, fail to receive his paper, he would confer a favor by leaving word at the Publication Office. Errors incident to a new publication will be promptly and cheerfully corrected.

☞ **Col. Joseph Grant** is our duly authorized Agent for the transaction of all business connected with the "Pacific Star," in Sacramento and vicinity.

☞ Persons desirous of forwarding copies of the STAR to their friends in the country, can obtain them by applying at the counter, Publication Office.

☞ Mr. W. F. McCLEAN, is our duly authorized Agent for the city.

☞ With a view to unite in favor of a single journal the support of the Democratic party of this city, the undersigned have withdrawn their prospectus for a Democratic newspaper; and they have much pleasure in commending to their friends the PACIFIC STAR, of Messrs. SUTHERLAND, RUST & WHITE. EUGENE CASSERLY & CO.

San Francisco, June 27, 1851.

☞ Conscious of the deep interest manifested by our readers in the developments of crime, as detailed by Jim Stuart, on yesterday, we publish his confession, with an account of his execution, to the exclusion of other editorial and news.

Yesterday, about 10 o'clock, our people were aroused by the tolling of the bell of the Monumental engine company, on the Plaza, and of the California engine company, on Battery street. In a moment the streets were filled with crowds hurrying towards the committee room, all impressed with the idea that the call for the meeting was for the transaction of some serious and important business. Various were the conjectures of the crowd, as to the cause of the Vigilance Committee being so suddenly assembled. Battery street, from the Oriental Hotel to California street, presented a perfect sea of human forms waving to and fro, impatiently awaiting for something to be done. Some were of opinion that Stuart was to be hung, while many supposed that Hamilton Taft, who was found guilty of robbery, would be executed. The hoisting of a large number of flags in the harbor, and the firing of guns, was a sure indication that the matter was well understood. During the fore part of the day, the Mayor, Marshal, Sheriff, together with the whole police force, were in attendance, ready to endeavor to sustain the law and to prevent any breach of the peace. Most of the crowd after waiting for some time, and no event transpiring to attract them, quietly dispersed, among whom was most of the authorities. About half-past 2 o'clock the committee descended from their room into the street, all armed to the teeth, and formed a line eight deep, in the centre of which was the unfortunate person. He appeared to be perfectly calm and collected, and marched to meet his death with a firm step. He was taken to the foot of Market street wharf, where a crane had been erected for the purpose

FOR [illegible],
SAMUEL PURDY.

FOR JUSTICE OF SUPREME COURT,
SOLOMON HEYDENFELDT.

FOR ATTORNEY GENERAL,
S. CLINTON HASTINGS.

FOR STATE COMPTROLLER,
WINSLOW S. PIERCE.

FOR STATE TREASURER,
RICHARD ROMAN.

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☞ **Publication Office** of the PACIFIC STAR on Montgomery street, three doors from Clay. Our advertising friends will please be particular. Office open from daylight until the arrival of the Sacramento boats. Advertisement solicited at as early an hour as possible.

Our Job Office.—We wish our friends to bear in mind that we are prepared to execute every variety of Job Work at the most reasonable rates and at the shortest notice. We confidently expect our friends to favor us with their work, and we pledge to them the utmost fidelity in executing their orders.

To Subscribers.—Should any gentleman who has favored us with his name as a subscriber, fail to receive his paper, he would confer a favor by leaving word at the Publication Office. Errors incident to a new publication will be promptly and cheerfully corrected.

☞ **Col. Joseph Grant** is our duly authorized Agent for the transaction of all business connected with the "Pacific Star," in Sacramento and vicinity.

☞ Persons desirous of forwarding copies of the STAR to their friends in the country, can obtain them by applying at the counter, Publication Office.

☞ **Mr. W. F. McCLEAN**, is our duly authorized Agent for the city.

☞ With a view to unite in favor of a single journal the support of the Democratic party of this city, the undersigned have withdrawn their prospectus for a Democratic newspaper; and they have much pleasure in commending to their friends the PACIFIC STAR, of Messrs. SUTHERLAND, RUST & WHITE. EUGENE CASSERLY & CO

San Francisco, June 27, 1851.

☞ Conscious of the deep interest manifested by our readers in the developments of crime, as detailed by Jim Stuart, on yesterday, we publish his confession, with an account of his execution, to the exclusion of other editorial and news.

Yesterday, about 10 o'clock, our people were aroused by the tolling of the bell of the Monumental engine company, on the Plaza, and of the California engine company, on Battery street. In a moment the streets were filled with crowds hurrying towards the committee room, all impressed with the idea that the call for the meeting was for the transaction of some serious and important business. Various were the conjectures of the crowd, as to the cause of the Vigilance Committee being so suddenly assembled. Battery street, from the Oriental Hotel to California street, presented a perfect sea of human forms waving to and fro, impatiently awaiting for something to be done. Some were of opinion that Stuart was to be hung, while many supposed that Hamilton Taft, who was found guilty of robbery, would be executed. The hoisting of a large number of flags in the harbor, and the firing of guns, was a sure indication that the matter was well understood. During the fore part of the day, the Mayor, Marshal, Sheriff, together with the whole police force, were in attendance, ready to endeavor to sustain the law and to prevent any breach of the peace. Most of the crowd after waiting for some time, and no event transpiring to attract them, quietly dispersed, among whom was most of the authorities. About half-past 2 o'clock the committee descended from their room into the street, all armed to the teeth, and formed a line eight deep, in the centre of which was the unfortunate person. He appeared to be perfectly calm and collected, and marched to meet his death with a firm step. He was taken to the foot of Market street wharf, where a crane had been erected for the purpose of hoisting goods, the place designed for his execution. When the rope was placed around his neck, every head was uncovered. He made some remarks, which were inaudible to us, but the purport of which we understood was a denial of his guilt, a confirmation of his confession, and in the next moment the victim was swinging between heaven and earth. He scarcely struggled, or moved, and met his death as calmly as if he was going to sleep. The crowd was perfectly quiet, no disturbance was caused, nor any attempt made to rescue him. After the body had been suspended for nearly half an hour, it was demanded by the Coroner, who took it in charge. Stuart made a full and free confession of his guilt before the committee, acknowledging that he had committed many deep and damning crimes, and implicating many others in his villainies. An opportunity was offered the prisoner to avail himself of the holy consolations of religion, which he contemptuously declined. The whole affair passed off in a very quiet and solemn manner, and all seemed to regret that our citizens were forced to resort to such means for the security of their lives and property. That Stuart was a deep dyed villain, his own confessions show; that he was unfit to roam at large among his fellow men, is proved by the dark history of his life, and the character of his felonies; and though some may question the method of his execution, all must admit the justice of his fate.

CALIFORNIA COURIER.

JAMES M. CRANE ..... Editor.

MONDAY, JULY 14, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

Agents for the Courier.

The following persons have been appointed Agents for the Courier, and are authorized to receive and receipt for Subscriptions, Advertising, or Job Work:

E. B. Davidson.....Sacramento City.
R. A. Eddy.....Marysville.
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R. B. Griffith, Jr.....Santa Cruz.
J. C. Low.....Eureka, Humb't Bay.
L. B. Gilkey.....Trinidad.
Chas. K. Cullen.....Los Angeles.

WHIG STATE TICKET.

For Governor.
PEARSON B READING, of Shasta.

For Lieutenant Governor.
DRURY P. BALDWIN, of Tuolumne.

For Justice of Supreme Court,
TOD ROBINSON, of Sacramento.

For Attorney General.
WM. D. FAIR. of San Joaquin.

For State Comptroller.
ALEXANDER G. ABELL of San Francisco.

For State Treasurer.
J. M. BURT, of Butte.

For Surveyor General.
WALTER HERRON, of San Joaquin.

For Congress.
E. J. C. KEWEN, of Sacramento,
B. F. MOORE, of Tuolumne.

OUR STEAMER EDITION.

The "Courier" for the Atlantic States will be issued THIS MORNING, July 14, and will be ready for delivery at our counting-room, corner of Jackson and Sansome streets, at 9 o'clock. It will be an exceedingly interesting number, containing a large amount of interesting news, local intelligence—a full account of the execution of Stuart, his confession, etc. etc.

☞ As our steamer edition is printed on a small SHEET the postage on it will be the same as it was under the new post office regulation, viz., FIVE CENTS only.

Price of the paper, 25 cents.

ERROR.—After the first side of our paper had been worked, and too late for correction, an error in the date was discovered, making it read "FRIDAY, June 14" instead of MONDAY, June 14.

SHALL CALIFORNIA BE FLEECED?—We are compelled to defer the publication of a third number on this subject until our next, to give place to a press of other matter.

The Execution of Stuart—The Courts and the People.

The execution of Stuart by the people on Friday, has created, as it was natural to suppose, a profound sensation in this community. The mode and the manner of the punishment of the criminal, as well as his execution are remarkable for this country. Such an execution is a rare occurrence among Americans. Stuart's condemnation and punishment, by the people, in the very face of the courts, can be regarded in no other light than as a public declaration before high Heaven and the world that they have no confidence in the efficacy of our judicial tribunals and the public authorities; that they do not feel that life and property are safe in their hands. It is the most terrible rebuke to the courts that has ever been given by any people.

The evidence adduced on the trial, as well as the confession of Suart himself, proves conclusively that there was no certainy of justice being meted out were he handed over to the courts. What a lamentable consideration! and how must it strike the public mind everywhere, when it is known that many of those appointed to make and execute the laws are corrupt, and that corruption is seen and felt in our judicial tribunals, and that murderers, thieves, and incendiaries do escape punishment by compounding with those into whose care we have confided our lives and property—we say when these things are both known and felt by the people throughout the State, what other alternative is left them but to resume the powers vested by them in their courts for their protection. God knows, the men who compose the People's Vigilance Committee cannot make money by their hard labors—by exposing themselves for the common good.—Through the day their eyes are upon every part of this city; at night, they watch and protect it from fires and burglars; they charge no fees, and extort not the last dollar from the widow and the orphan for guarding them.

These things, as lovers of justice, they must do until our courts and public authorities shall discharge their duty and secure the public confidence. Before the legislators and men in public places began to plunder—before some of our courts, or certain interested lawyers, began to hedge up the way to the punishment of offenders, there were no MURDERERS, THIEVES, AND INCENDIARIES IN CALIFORNIA. We appeal to the people of California if this statement be not correct. The rogues in office are in some measure responsible before God and the people for all the INNOCENT BLOOD that has been shed in this State—for all the property that has been sacrificed by burglars and incendiaries. These fellows would never have commenced their criminal career so freely and boldly, if they had not found that the course of justice in our judicial tribunals might be controlled by money, and instead of the courts becoming a terror to all evil doers, became THEIR SOLE FRIEND AND PROTECTOR.

We do not mean to say by any means that all of our public men are corrupt—that all of our courts are corrupt,—nor do we mean to say that all lawyers should be regarded with surpicion. Some of the purest men in our State are engaged in the noble profession of the law---and some of the purest men are judges on the bench---These gentlemen all feel that the course of justice in our Courts is not what it should be. In fact this feeling is so general among the people of all clases and occupations, and the moral sense of the people is so overwhelmingly with the Vigilance Committee, that they would be sustained, if the Governor should authorize the use of the whole civil and military power of the State to suppress it. No such committee could exist in any form in this city, if the whole body of the community did not consider that necessity and policy demanded it. The committee is composed of peace loving and orderly citizens—many of them are elders, deacons and conspicuous members of the Church. They are not composed of rowdies or blood thirsty men.

They will create no interruption to the regular operation of law—they will produce no collision between the courts and the citizens. Public confidence in the security of life and property is greater now than it has been for ten months—property has risen in value, and business of all kinds has improved.—The only occupation, we believe, that has suffered by the action of the Committee is the business of a certain class of lawyers to help save the rogues about town from punishment. This is no matter of grief to high-minded and respectable lawyers and to the public at large.

We are not going to complain of Judge Campbell's charge—but we can tell him that the men who hung Stuart cannot be indicted, convicted and executed in California, while the records of the Courts show that some of our best citizens have been shot down in cold blood, and that the murderers have been permitted entirely to run at large or to slip through their hands, unwhiped and unavenged of justice. These courts heretofore have manifested no holy horror at such deeds. We can say to the Coroner that although he may watch like a hawk the dead body of every villainous culprit executed by the people---so that he may summon a jury to take testimony to criminate the parties---his vigilance will amount to nothing---so long as he can take his time with the corpses of unoffending men who are murdered in cold blood by notorious criminals.

When the committee have broken up these nests of villains, and thus enable the people to feel safe both in life and property, they will abandon their organization; regular civil matters will go on as usual. So long as they feel that either from a want of power, or a disposition, on the part of the courts, they can receive no guaranty of protection, so long will they attempt to save their own and their neighbors' lives and property. This may as well be understood at once. Every respectable lawyer and judge have an interest in making the courts the seats of virtue and justice. While the committee is composed of such men as it now possesses, we shall look for no Jacobinism, and no violence. We are opposed to all mobocracy and disorganization, and go in strongly for sustaining the laws until they are repealed or amended; but where the institutions erected by law for the protection of life and property fail to do it, we cannot complain of the people in undertaking to secure their own protection. If we cannot secure our lives and property by the laws of the land, we must fall back upon the law of nature.

Our merchants and others tell us that business and public confidence has greatly revived since the death of Stuart. We begin to feel that we have homes of safety, happiness and plenty.

B. H. Bancroft Collection
Bancroft Library

Execution of Stuart.—Further Particulars.

When the bell tolled on Friday morning, just after 9 o'clock, for the assembling of the Committee, many of the citizens who knew what it meant repaired at once to the space in front of the Committee Rooms, on Battery street, whither the members were rapidly hurrying from all quarters of the city. A crowd soon collected outside in the street, discussing in little knots the object of the assemblage and the probable consequences.

From the length of time taken by the Committee in their deliberations, many became convinced that it was merely an ordinary consultation and that nothing serious would be done. They left the ground, therefore, so that towards noon comparatively few were in waiting.

The evidence and the confession of Stuart were before the Committee, and after grave and solemn deliberation, it was decided about half past 12 o'clock that he should suffer the extreme penalty of the law—death. During this time, the prisoner was in the adjoining room of the Executive Committee, manacled. Though aware that his own fate was the subject of discussion, and that his life hung by a thread, he preserved the most imperturbable coolness and nonchalance. Once or twice during the three hours of the session, he leaned back, put his manacled hands behind his head and yawned, and declared that "it was d—d tiresome." He asked one of the members for a piece of tobacco, which was given to him, and he continued to chew until sent for to hear his sentence. This he received with the same apparent indifference. He was allowed two hours to prepare for the awful doom that awaited him. The Rev. Mr. Mines was sent for, to minister the consolations of religion to the dying man. He was closeted with the prisoner during the time allotted.

In the interim, the four hundred members in the Committee Room sat like statues on their seats—not a word was uttered, not a sound was heard to break the solemn stillness. So profound was the silence preserved that the dropping of a pin could have been heard. Gravity sat upon every countenance, for all doubtless felt the awful extremity to which they were forced. Col. Stevenson went out and addressed the citizens assembled, stating briefly the evidence in the case, the confession of the prisoner and the sentence that had been passed upon him, and put the question to the vote whether they would approve the course the Committee had decided upon. Almost a unanimous voice of approval was the response.

At the expiration of the two hours of grace, the prisoner was brought out bound, the members walked two abreast, arm in arm, as to a funeral, to the place of execution. There, as before related, he was hung. At his own request he was not blindfolded. When he was launched into eternity, the hapless man closed his eyes and clasped his hands. The wind was blowing gently, and after he had been suspended a few moments, his hat blew off and the breeze played with his waving hair. After he had been hanging some time, Coroner Gallagher came upon the ground and attempted to make his way through the crowd to the gallows. He was refused admittance. He demanded in the name of the law possession of the body, and attempted to force his way through; but without offering any violence to him, his attempts were resolutely resisted. At the expiration of about twenty-five minutes, however, he was allowed access, and lowered the body, which was immediately placed in a boat and carried to the Happy Valley Station House.

There, attempts were made by several physicians to resuscitate the deceased by bleeding in various parts of the body. His neck was of course not broken, as is usual with those hung by cutting away the drop of the gallows, and it was evident that the vital spark had not entirely fled. The blood, however, had stagnated, and refused to flow at the stroke of the lancet, until about three hours after he was cut down, when it gushed out, and he was dead.

Stewart was about five feet nine and a half inches in height, well proportioned, and of a highly intellectual cast of countenance. His forehead was high and full, his nose aquiline, his mouth compressed, and his chin slightly prominent. His hair was of a chestnut color. He wore a moustache and whiskers, and was about thirty-three years of age. He was dressed in a dark pea-jacket, white shirt, brown pants and patent leather shoes.

THE INQUEST.—The coroner held an inquest upon the body. Messrs. J. S. Wethered, Jno. W. Rider, and A. J. Ellis, were examined as witnesses before the Jury. The latter, after a few minutes' consultation, rendered the following verdict:

"We the Jury find that the deceased came to his death by strangulation by hanging at the hands of a body of men styling themselves the Vigilance Committee of San Francisco."

Tanney v. Dellicker; Fowler v. Smith; Powers et al v. Merrill & Gushing; Garritt v. Ten Eyck et al; Leitch et al v. Clark et al.

Court of Sessions.

A. Campbell, Judge; H. S. Brown and E. McGowan Associate Justices.

The People v. *Charles Sweetser*, indicted for burglary. Messrs. James and Brodie, counsel for defendant, moved for a change of venue, on his affidavit that he could not have a fair and impartial trial in this community, owing to the excited state of public feeling—the belief being particularly founded on the fact of the execution of Stuart, without the forms or authority of law. The Court denied the motion, and on motion of defendant's counsel, continued the case over until Monday, July the 21st.

The People v. *Juan Perez*, indicted for having counterfeit money in his possession. The same motion was made and denied in this case. It was shewn that the defendant bet a few Mexican dollars at a monte table in the El Dorado, which were detected by the dealer to be counterfeit—eleven of them were in his possession. Several witnesses for the defence, testified as to the good character and respectability of the prisoner both here and in Mexico, and after hearing the testimony, the jury, without leaving their seats, rendered a verdict of "not guilty."

The Grand Jury came into Court and presented three indictments.

Upon the opening of the Court the following charge was made to the Grand Jury by Judge Campbell:

Gentlemen of the Grand Jury:

The Court deem it their duty to call your attention to an event of the most startling and fearful character. We are informed that yesterday a man by the name of Stuart was taken by an organized association, to the Market street wharf in this city, and there hung. That a large force guarded the wharf to prevent the success of any attempt which might be made by the public officers or citizens to vindicate the law and to rescue the deceased. This outrage took place in open day. It is wholly without excuse or justification.

The question has now arisen, whether the laws made by the constituted authorities of the State are to be obeyed and executed, or whether secret societies are to frame and execute laws for the government of this country, and to exercise supreme power over the lives, liberty and property of our citizens. Whether we are now to abandon all those principles which lie at the foundation of American law and are the birthright of every citizen;—which from the earliest period of American history up to the present time, have ever been cherished by the good, the wise and the great. Are the people willing to throw away all safeguards which the experience of ages has proved unnecessary;—to trample the laws and constitution under foot;—to declare that law is inconsistent with liberty; and to place life, liberty, property and reputation at the mercy of [illegible] society! If such be the disposition of [illegible] of the Spanish Inquisition is to be revived [illegible] more than all its former terrors—If [illegible] of all legal process, by the mere [illegible] to be arrested, secretly [illegible] the tap of a bell is to be [illegible] ed men to assemble [illegible] in open day their unlawful [illegible] is time for every man who values [illegible] nor, to shake the dust from his [illegible] new home, where he may hope to enjoy [illegible] liberty under the law. But if on the [illegible] have not quite forgotten all the principles [illegible] our government was formed; if we believe the [illegible] stitution and laws of our country should be [illegible] and obeyed, that public order and tranquility [illegible] preserved; if we believe that persons accused [illegible] should have an open, public and impartial [illegible] jury of unprejudiced citizens, and should have [illegible] sonable opportunity of making their defence [illegible] ploying counsel and summoning witnesses; [illegible] lieve that the good name and reputation of [illegible] is to be protected from a secret scrutiny where [illegible] tions are made under the influence of fear [illegible] of questionable character; if we believe that [illegible] are to be protected from unreasonable search [illegible] color of authority; if, in short, we are friendly [illegible] law and order, and opposed to anarchy, it is [illegible] and bounden duty to take immediate and [illegible] sures for the suppression of the spirit of [illegible] lence, which over-rides the laws and [illegible] tion at defiance.

When you first assembled, the [illegible] tention to the unlawful executi[illegible] kins by an association of cit[illegible] act was greatly [illegible] which it was [illegible] fective, and [illegible] administration; that [illegible] gaol for the detention of [illegible] creased to a fearful extent [illegible] of our citizens deeming that the [illegible] no protection, had, in that instance, [illegible] executs what they conceived to be summary [illegible] violation of the law, but with a sincere desire to advance the public interest. We further stated that the law had been amended in many respects so as to secure the speedy trial and conviction of offenders, and in some cases to increase the measure of their punishment; that the county jail had been put in a proper condition for the safe keeping of prisoners—and we expressed the hope that no attempt would be made to interfere with the legally organized tribunals of justice or to wrest from them their just powers and attributes. From the time of your assembling, the Court, the Grand Jury, and all the officers have been actively and constantly engaged in the performance of their duties. At the very time when they were making every possible effort to dispose of the criminal business of the county, and when the Court was in actual session and in the performance of its duties, an association of armed and organised men, has undertaken to trample on the constitution, to defy the laws and assume unlimited power over the lives of the community. There is no excuse or palliation for the deed. It is a gross and glaring outrage. It seems to have been done for the express purpose of bringing on a collision between the Courts and all friends of law and order, on the one side, and the association referred to, on the other. If the deceased was guilty of any crime, he could have been immediately indicted, and within a week, or at most, ten days, tried, convicted and sentenced. Public justice would have been vindicated without infringing upon public law.—Every person, who in any manner aided, abetted, or assisted in taking Stuart's life, or counselled or encouraged his death, is unquestionably guilty of murder. It is your sworn and solemn duty, which you cannot evade without perjuring yourselves, carefully and fully to investigate this matter and to do your share towards bringing the guilty to punishment. Upon your fearless and faithful discharge of the trust confided to you, depend, in a great measure, the future peace, order and tranquility of the community.

County Court—A. Campbell, Judge.

H. Hagthrop et al. v. *J. H. Reys et al.*—Judgment of Court below affirmed by consent.

Patrick Leonard v. *Alexander Duncan.*—Judgment of the Court below affirmed.

In the following cases, the appellants not appearing, the appeals were dismissed: Catharine Cayman v. Wm. Cummings; N. B. Scott v. D. Aldrich et al.; A. M. Sparks v. U. S. Marsh.

Recorder's Court—H. H. Waller, presiding.

Several cases of disorderly conduct were examined and dismissed.

John Peterson, (a lad) convicted of stealing seven dollars from a Mexican, was sentenced to thirty days' imprisonment.

Mary Byrne, charged with stealing a watch, was examined, [illegible] Mr. White was [illegible]

We have been furn[illegible] Marvin &

B. H. Bancroft Collection
Bancroft Library

July 14

Commun July 14

R. H. Bancroft Collection
Bancroft Library

July 14

CITY MATTERS.

Supposed Murder!—Arrest by the Vigilance Committee.

We learn with regret the death of Sanchez Guerrera, one of the oldest and most respected of our native California citizens. About 3 o'clock Saturday afternoon, when riding, in company with another person, on the plank road, directly opposite to Alderman Green's house. he was seen to fall from his horse, by Mrs. Green, and as his companion rode off and left him, and his own horse followed after, Mrs. G. informed her husband, who immediately went to the road, some one or two hundred yards off, for the purpose of rendering assistance if needed. He found the deceased in a prostrate and speechless condition, with the blood running from both his ears and mouth. He was conveyed to Mr. Green's house, where medical and every other aid was promptly rendered him, but without avail. He lingered until about noon yesterday, without ever being able to speak, or showing the least consciousness.

From the examination of the physicians, it was concluded that one of the wounds, which was on the back of the head, was caused by a blow from a slung-shot, or some similar instrument. There was another wound on the forehead, which was doubtless caused by the fall. The fact that the man in his company was riding one of the horses of the deceased, and the further fact of his riding past his residence at the Mission without leaving the horse or giving any account of the matter to the people there, induced suspicion to attach to him. Yesterday the Vigilance Committee got on his track, and arrested him near the road between the Mission Dolores and San Mateo, and he was placed in safe-keeping. From the position of the wounds, it is impossible that both could have been inflicted by a fall, and the fact that the deceased was an excellent horseman, adds to the supposition that there was some foul play. We have heard no motive assigned for the commission of the act, nor have we heard the name of the accused. We have heard, however, that the man Stuart claimed to be acquainted with him.

Mr. Guerrera was a man much respected by all who knew,---a most generous, liberal, and high-minded man, and possessed of very considerable wealth.

LAUNCH OF A NEW STEAMER.—A beautiful new steamboat, called the "American Eagle," was launched on Saturday at Mission Point. She is designed for the trade between this and Marysville, and from her exceedingly light draught of water, is admirably calculated for it. She was built at Pittsburgh, Pa, after the most modern style, being fitted up with upper cabin and state-rooms. The hull is of iron, 135 feet long, 27 1-2 feet beam, 6 1-2 feet hold, with independent engines of 75 horse-power each. She is owned by her commander, Capt. W. M. Lubback, and P. A. Chazal, Esq, who is to be her agent in this city. From long personal acquaintance, we take pleasure in recommending these gentlemen to the confidence and patronage of the public. A large company of invited guests were present, among whom were several ladies, one of whom did the honors of the day, by christening the boat with a bottle of wine as she glided into her native element. The launch was a splendid one, and every thing went off to the satisfaction of her owners and their guests. It is expected she will commence her trips in about three weeks, when we shall give a more particular description of her.

PROCLAMATIONS.—The papers are filled with proclamations. Proclamations are being made to scare the Indians into subjection---to upset judges from their seats---to put down vigilance committees,---and we hear it said that our old friend Bellemere is about to issue his prolamation to his fellow-barbers, to prevent the ruinous reduction of rates among that professional craft. The riot act is being published, and the people appear to be seized with fear and trembling at these demonstrations of official power and majesty.

JUDGES.—Governor McDougal is determined that his appointees to judgeships shall stand at all hazards. Finding that the people of the Seventh Judicial District were likely to pay little attention to his appointment of Mr. Heydenfeldt over Judge Hopkins, he has invoked the aid of proclamations. We imagine they will have about as much effect upon the people of that district as the *pronunciamentos* of Ampudia had upon General Taylor and the American army when it reached the Rio Grande.

THE STEAMSHIP INDEPENDENCE.—This fine steamer arrived here on Friday from Panama in eighteen days. The Independence is two hundred and thirty feet long, thirty feet beam, twelve feet depth of hold, and two hundred and twenty-five horse-power. She is handsomely fitted up, and was intended for the river trade, but will now run down the coast, in connection with the Pacific until the steamship San Francisco arrives here. The Independence will be commanded by Capt. Wakeman, the former popular commander of the New World.

PERSONAL.—Among the strangers now visiting our city, is our friend of the quill Gov. Robb, of Stockton, and Judge Martin, from Tuolumne. The Judge has recently traversed a large portion of the northern mines, and brings us cheering accounts of the prospects of our ticket, We should be pleased to see the Whigs of Tuolumne send him to the State Senate. A better or truer Whig does not live in the State.

STEAMSHIP OHIO.----This favorite steamer, under the command of Capt. R. T. Haley, leaves for San Diego on Wednesday next, stopping at all the intermediate ports. The Ohio has been the means of opening a splendid and rapidly increasing trade between this and the Southern California ports, and we hope she will continue to receive the patronage of the public. Captain Haley is favorably known to the public as an obliging and gentlemanly captain, and always makes his passengers feel at home.

THE PACIFIC.—This fine steamer sails this afternoon, taking a large number of passengers and considerable treasure—a list of which we are unablo to procure for to-day's issue. Adam's & Co. and Gregory both send special messengers by her.

FOR THE STATES.—Among the passengers by the steamer to-day, is Hon. Demas Strong, late President of the Board of Aldermen of Sacramento City. He leaves a host of friends behind him.

EXECUTION IN SAN JOSE.—We learn from San Jose, that Ricardo Lopez was hung in that city on Friday afternoon. He was executed for the crime of murdering a United States Dragoon. Next Friday, an Indian will be executed, for a similar offence, at the same place. The courts of San Jose are of some value, and will, at this rate, make criminals scarce in that region.

RECORDER'S COURT.—Before Recorder R. H. Waller.

John Pearson, convicted of larceny, was sentenced to a term of 30 days' imprisonment in the county prison.

Mr. White, for a violation of the city ordinance against furious riding, was fined the sum of $30.

The "Nevada Journal" of the 10th instant, states that a couple of miners who came to that city on Tuesday last from the Yuba, report that two white men had been murdered by the Indians near the South Forth of the Yuba. The particulars could not be learned, and we trust the report is without foundation.

DEATH OF DON FRANCISCO GUERRERO.—The city was thrown into great excitement yesterday by the report that Don Francisco Guerrero, a resident of the Mission, had been killed with a slung shot on his road home by a man who was riding with him. A strong force of the Police and the Vigilance Committee were out in search of the supposed murderer, and towards night he was arrested by the Vigilance Committee. An examination of the facts is almost conclusive, however, that the death of the deceased was the result of an accident. He had been in attendance on the Court of Sessions on Saturday morning as a witness. He started to return about 2 o'clock in company with a Frenchman from Martinique, to whom he had loaned one of his horses. A gentleman who was returning to San Francisco in a buggy, passed them not far from Ald. Green's house. This gentleman states that he looked back a moment afterwards and they were apparently running a race. He saw the Frenchman ahead turn in his saddle and wave his hat in token of triumph. Just then Guerrero, who was going at full speed, pitched from his horse into the road. Three men came out of a house near by, and bore the unfortunate man, who was insensible, to one side of the road. One of them mounted Guerrero's horse, and proceeded to the Mission to inform his family of the facts. On his way he met the Frenchman just coming out of the Mission on his return to the City. The latter was no doubt frightened lest suspicion should attach to him and very foolishly went round to the Presidio road to reach the city, exciting by this course the very suspicions he wished to avoid. He returned the horse at night to the stable keeper, where Guerrero kept it yesterday, and to-day called several times to see if he was well cared for. The last time he was arrested and taken to the the Committee Rooms. Last night he was taken under guard to the Mission, to ascertain the facts more fully.—Guerrero was not robbed, and nothing induces the belief that he was murdered. On the contrary all the appearances are reconcilable with the explanation here given—that he was thrown from his horse and his skull fractured by the fall, and perhaps also by kicks from the horse. He remained insensible until his death, and of course no information could be obtained from him. The Frenchman has been in this country some three years. He has been a cook on board several steamers. He is without doubt innocent, and will be discharged by the Committee as soon as a full investigation of the facts shall convince them that Guerero's death was the result of an accident.

July 14

THE HERALD.

Monday Morning, July 14, 1851.

Double-sheet Steamer Edition—Postage Free.

We will publish this morning, at an early hour, the DOUBLE-SHEET STEAMER EDITION OF THE HERALD for the Atlantic States, to go by the steamers Pacific, Sarah Sands and Northerner. It will contain in addition to the usual interesting variety of mining and local news, an account of the execution of Stuart, together with the confession and the evidence taken in the case; the testimony of Hetherington; an account of the attack by the Indians at Trinidad; interesting news from the Southern mines, etc., etc.

To be had at the counter and at the following agencies; Marvin & Hitchcock, Montgomery street; Bonestell & Williston, Burgess, Gilbert & Still, near the Post-office; Cooke & Locount, Wells' Buildings, and at Kimball's, on Long Wharf.

N. B. To avoid the inconvenience arising from the obscurity of the postage law with regard to newspapers, we shall ourselves pre-pay the postage on every copy of our paper left at this office for mailing—having made arrangements for the purpose at the Post-office. *No extra charge for postage.* To ensure the delivery in the Atlantic States free of postage, papers must be mailed at this office. Price of the Double-sheet Herald, free of postage, 25 cents.

Judge Campbell's Charge to the Grand Jury.

We would fain forbear commenting on Judge Campbell's charge to the Grand Jury, on the execution of Stuart;—but its judicial character gives to his speech on that occasion a gravity and importance that must render any erroneous views he has taken exceedingly unfortunate. It would take much of extravagance to lessen in the smallest degree the great respect entertained for Mr. Campbell by his fellow-citizens. In addition to the warm personal esteem with which he is regarded, the most implicit confidence is reposed in his official integrity and zeal;—but in this charge we regret to say that he has assumed positions wholly unwarranted by any legal necessity, and wanting that equitable and common-sense regard to the exigencies of society which in every free country should mould and fashion the action of the judiciary. The judge is reported to have stigmatized the execution as "an outrage without excuse or justification," "a gross and glaring outrage without excuse or palliation," and "every person who, in any manner acted, aided, abetted or assisted, or counselled, or encouraged," as "undoubtedly guilty of murder."

We remember in this city many instances within the last year, wherein good worthy citizens who had never offended against the law and were useful members of society, were foully murdered for gold;—we remember when Capt. Jarvis, than whom a more manly, honest, kind-hearted man never lived, was struck down by the knife of the assassin at his own door, with his infant in his arms and his wife by his side;—the murderers were never stigmatised by the presiding Judge with half the rigor exhibited in this charge of Judge Campbell against the Vigilance Committee, for the public execution, after a fair trial, of a desperado whose life from childhood had been a long series of bold and successful crimes. Now, we will take these two homicides—phrasing them legally—and we ask Judge Campbell if by any process of reasoning he can satisfy any rational being that one is equally culpable with the other? Again—the severest punishment which could be inflicted on Stuart was death. The punishment of murder is death. But crimes deserving an equal punishment should be of equal atrocity;—therefore in Judge Campbell's view there is no difference in guilt between the member of the Vigilance Committee, who never committed a crime in his life, but who was present at the trial and execution of Stuart, and Stuart himself, whose soul was callous with a thousand crimes. Can he prevail upon any Grand Jury to entertain so extraordinary a proposition?

But this is absolutely nothing to the inconsistency which follows. We believe there are between eight and nine hundred men in the Committee. Besides these there were at a low calculation two thousand five hundred persons present at the execution. It is quite safe to say that three thousand persons witnessed the occurrence. These three thousand persons did not make an effort to arrest it, did not protest against it, did not by voice or gesture or word or deed oppose it. They are therefore accessories, and according to the Judge's charge "undoubtedly guilty of murder." He adds that it is the sworn duty of the Grand Jury—"a duty they cannot evade without perjury"—to do their part towards bringing those persons to punishment—that is, to indict them for murder. If, then, it be the duty of the Jury to indict them for murder, and if they be guilty, as the Judge solemnly pronounces them to be, it is not for the idle ceremony of an indictment and trial—it is with a view to their punishment that the Grand Jury are instructed to bring in an indictment against those three thousand persons—and the punishment of murder is death; therefore it is the punishment by death of three thousand citizens which the Judge's charge involves—or,—omitting the spectators,—of nine hundredmen composing the committee, and all for such a man as Stuart—a thing of course never contemplated by so kind-hearted and benevolent a gentleman as Judge Campbell, who, apart from the discharge of his judicial functions, estimates we have no doubt as highly as anybody the beneficial results of the Committee's action. The Judge could not then have charged the jury with the intention of having inflicted on these nine hundred men the punishment of death, and therefore his charge, so far, could not have meant anything. But is it a fit time to make charges that mean nothing, replete too with unmeasured denunciations of a large body of citizens?

We have not space to take up all the points in the Judge's charge, but passing by minor things, we come to this sentence:

"It seems to have been done for the express purpose of hurrying on a collision between the courts, and all fond of law and order, on the one side, and the association referred to on the other."

And a collision would have involved most probably the loss of many valuable lives; and it is of this monstrous crime the Judge accuses the Committee! Can he entertain the belief that a purpose so fiendish would have been coldly determined upon by nine hundred of our most estimable citizens? But the Judge charges the jury that such seemed to be their intention, and according to the order of the charge the indictment would be for wilful murder with intent to commit a breach of the peace. What shall we say of this charge but that we reject it as apocryphal, and that we must believe the report to be inaccurate and unjust.

After all, let us ask in all candor what moral wrong has yet been done by the Committee? Society has been freed by death from two pests who made a livelihood by the death and robbery of the citizens. Four men who kept places of rendezvous for murderers, burglars and incendiaries have been sent out of the country. Has society lost by these occurrences? Is there anything connected with the lives of those executed which can excite sympathy, or of those banished to cause regret for their exile? The lives of those two men were long since forfeited to the law, and any citizen would have been justified in killing them who had detected them in the perpetration of any of the hundred crimes their hands were stained with. Had the law been administered properly they would have long since died by the hands of the executioner. What moral wrong then has been committed? The law has been violated it is answered. Aye, the law;—but the Sabbath was made for man and not man for the Sabbath; and the citizen is not made for the law, but the law for the citizen;—and whenever the law becomes an empty name, has not the citizen the right to supply its deficiency?

What more shall we say, but that though differing on every point from the views held by Judge Campbell in his charge, we nevertheless would not breathe a syllable to shake the confidence that is justly reposed in him, and which he has already earned by his learning, industry and integrity, and his freedom from all the vices, faults and defects which disfigure the character of other members of the judiciary.

EXECUTION AT SAN JOSE.—Ricardo Lopez, a Spaniard, convicted of the murder of a private in the U. S. Dragoons at San José Mission, was executed on Friday last at San José. The prisoner, who was dressed in white, ascended the scaffold without assistance, but seemed much excited.—The death warrant was read both in English and Spanish, and afrer a few remarks to the crowd from the Sheriff, the rope was adjusted, the prisoner placed upon the drop, and immediately launched into eternity. His struggles lasted about three minutes; and after being allowed to hang twenty-five minutes the body was cut down and placed in a coffin.

The Sheriff announced that on the 18th instant, an Indian would be executed for the murder of a Spaniard.

Charge of Judge Campbell to the Grand Jury.

At the opening of the Court the Grand Jury were sent for and on their appearance the following Charge was read to them by Judge Campbell.

After the Charge had been delivered, Mr C. L. Ross asked to be excused from farther service on the Grand Jury, stating that he had friends belonging to the Vigilance Committee, and that his feelings would not allow him to bring in a bill against any of them. The application was refused, his honor Judge Campbell stating that his own position was similar, but that they were all sworn to perform their duty, and that no private feelings could be allowed to interfere with their oaths.

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July 15

THE HERALD.

Tuesday Morning, July 15, 1851.

NOW READY, (Postage Free,)

The Second Edition of the DOUBLE SHEET HERALD for the Atlantic States, to go by the steamers Sarah Sands and Northerner. It contains in addition to the usual interesting variety of mining and local news, an account of the execution of Stuart, together with the confession and the evidence taken in the case; the testimony of Hetherington; interesting news from the Southern mines, etc., etc.

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Since the Sailing of the Last Steamer.

The first national anniversary occurring since the admission of California into the Union, was celebrated throughout the State with joyous festivities, and by none with more cordiality and patriotism than by the natives of the soil. The day was observed in the large cities with the usual ceremonies, ushered in with the booming of cannon, and closed with fireworks and balls.—Throughout the mines the rejoicings were universal, and every where the occasion passed off in the happiest manner.

On the 5th inst. news was received by express of a massacre by the Indians near Trinidad, and of a general rising of the Rogue River tribes against the whites. The accounts of these disturbances represent a most embittered state of feeling on the part of the Indians, by what means engendered is unknown. The massacre at Port Orford was perpetrated by the same tribe, who are described in some of the journals kept by the unfortunate men cut off there, as perfect demons.

During the past fortnight the Committee of Vigilance of this city have brought to light an immense criminal organization extending through a large portion of the State. A man named Berdue had been convicted under the name of James Stuart in this city of a most aggravated and murderous assault on Mr. Jansen, and sentenced to fourteen years' imprisonment. He was afterwards taken to Yuba county and arraigned for a murder committed also by James Stuart on the sheriff of Yuba, some time last winter. The testimony being very strong against him, he was convicted, although solemnly protesting his innocence. A short time previou sto the trial, a person was arrested by the Vigilance Committee in this city, for entering a house and stealing a trunk. While under examination he was identified as James Stuart, the murderer of the Sheriff of Yuba, and further testimony shewed him to be connected with the most desperate characters in the country, and guilty of innumerable crimes. Finding the evidence was overwhelming, he made a full confession of numerous robberies and other depredations—among the rest, of the murderous assault on Mr. Jansen, for which Berdue had been convicted,—and he laid bare a systematic organization of guilt the most atrocious that ever afflicted a community. He had been sent from England as a convict at sixteen years of age, and after spending some time in the penal colonies came to this country. Here after committing numberless crimes of the most daring and reckless character, he was at length taken and his arrest saved the life of Berdue, who was already convicted of two crimes of which Stuart had been the perpetrator. The cause of the mistake was a wonderful resemblance between the two men—a resemblance singularly striking and deceptive. The evidence having been conclusive as to Stuart's manifold guilt, independent of his confession, he was executed by the Vigilance Committee on Friday last. Berdue will of course be discharged from custody.

The confession of Stuart has implicated in his guilt many men hitherto unsuspected, and further proofs of their culpability are turning up every day. The organization extended throughout a great portion of the State, and was supported by the large sums of money obtained by robbery and murder. Several persons in this city were mentioned by Stuart as his accomplices, but their names have been suppressed by the Committee for the present, to permit the adoption of measures to more fully elicit the truth.

Francisco Guerrero, a very prominent native citizen, and a very worthy gentleman, came to his death on Saturday last in a most mysterious manner. He was observed riding along the Mission road in company with a Frenchman named Le Bras, when he was suddenly seen to reel in his saddle and fall, the Frenchman being a little in advance.—The evidence goes to shew that there was immediately previous a scuffling between them, but whether sportive or not the witness could not declare. The Frenchman rode on and Guerrero was found shortly afterwards lying on the road, his skull fractured in two or three places, and he has since died. The Coroner's Jury has brought in a verdict of wilful murder against Le Bras. The surgeons say the wounds on the deceased could not have been caused by a fall from his horse.

The details of the fortnight's news will be found in our steamer paper.

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Mr. Pixley's Statement.

The following should have appeared yesterday, but for the crowded state of our columns:

MR. EDITOR:—The statement of James Stuart concerning myself being true in part and false in part, I desire to state for the satisfaction of my friends, the facts. The first time I ever saw James Stuart, I defended him for the larceny of a trunk from a dwelling house in Sacramento. On that trial he proved that he purchased the trunk, and was discharged. This he says was false testimony, and as his confession is written, it seems to convey the idea that I knew it to have been so, and he says that he told me of his guilt. I say that I did not know his witness swore false, neither did he tell me of his guilt, nor did I at that time believe him guilty of the offence.

He was again arrested for a burglary, confessed to me that he was guilty, and I swore no witnesses for his defence, but permitted him to be bound over to take his trial at the District Court. While in the prison brig and awaiting his trial, several parties came from Marysville to arrest him for murder. They were not officers, nor did they have a legal warrant. I opposed his removal, as I had good reason then to believe he would have been delivered over to a mob to be executed; and I then opposed, as I always have and always will, the assumption of such powers by any other than the legally constituted authorities. In expectation of going to Marysville to defend him, I charged him a fee of five hundred dollars, which I weighed from a bag and sent the balance to him on board the prison brig.

If anything in his statement, or from any other source, convey the idea, by implication or otherwise, that in this or in any other case, I have ever acted otherwise than honorably, and within the spirit of my professional duties, then such statement is false and untrue.

FRANK M. PIXLEY.

Herald

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July 15

The Vigilance Committee.

It is needless to ask for the following calm and sensible letter an attentive perusal:

MR. EDITOR:—Never having appeared before the public, a foreigner by birth, though a naturalised citizen of the United States, it is with some reluctance I take the liberty of addressing you, but the public interest must in this case plead my excuse.

Since I came into this country I have witnessed instances of crime going unpunished and hardly noticed, which are without precedent in any part of the civilized world. Nobody admires more than I do the glorious Constitution, and the constitutional laws of the United States, but please to tell me how have these laws been executed in San Francisco, and we may say in California at large? Is it not notorious to everybody, that murderers, thieves and swindlers of every description, after having been secured, have been let loose again on society, through means of legal quibbles, by false testimony, by bribery or connivance? Is there a man in San Francisco who can deny the insufficiency of the police, who by their neglect or carelessness so frequently have suffered burglars and felons to escape from the Station House and other places of confinement.

It was impossible this state of things could last, it is only surprising that the citizens of this State have suffered it to last so long, but as every lane has its turn, finally a body of highly respectable and resolute men came to the determination to put their shoulders to the wheel, in order to bring about a change for the better, and thank God, until now their exertions have been successful. They have punished two of the most daring villains that ever infested society, they have taken up a number of their accomplices, and to prevent them from committing farther depredations on the community, have sent them out of the country; and even now they are engaged in raising the necessary funds for finishing the county jail; they have done this with an immense sacrifice of time and money, and by frequently risking their own lives in the noble cause; and it is these men that I see accused by a judge before the Grand Jury.

I can hardly believe my own senses, and can by no means comprehend what this accusation may lead to, or is intended to work out.

Do the gentlemen of the law by inveterate attacking the Vigilance Committee intend to break up this institution in order to throw the community back into the same state of insecurity, of nightly burglary and slung-shot murders, which were so frequent amongst us before this noble association devoted themselves to their arduous task,—or are they seriously inclined to apply themselves fully and honestly to the execution of those duties and obligations which have been entrusted to them by their fellow citizens.

If the latter should be the case, let us see proof of it in the now pending trials of a number of felons committed for murder, arson and burglary, and I am convinced the members of the Vigilance Committee will be the first to come forward to the aid and assistance of the laws and lawful authorities.

But until such proof be given, I hope the Committee will not give up their present position, certain as they ought to be that every good citizen will stand by them when the hour of trial is at hand. I respect the law and am willing to obey the law as well in this country as in any other it may be my chance to come to, but when in the name of the law justice is perverted in the most shameless manner, when life and property is left unprotected by those who are lawfully appointed to watch over the safety of their fellow citizens, then, or never, is the time for every honest man to take the law in his own hands, in order to protect himself and those that are nearest and dearest to him;—and such is and has been the task the Vigilance Committee has imposed on itself, and until now has carried out with untiring zeal and perseverance. The thanks of the community at large, and of every honest citizen, answer their noble exertions, and will carry them through any impending danger, as long as they may deem it necessary for the public good to continue their present association.

I am fully convinced that no man of honor and respectability has been injured as yet by the proceedings of the Vigilance Committee, and do not think many will share the opinion of an honorable judge, "that it is time to shake the dust from their feet, and seek out some new home to enjoy the blessings of liberty under the law;" blessings which appear heretofore to have only fallen to the share of criminals, who followed their sinister calling without fear of consequences, as long as their means and connections enabled them to come forward in due time with the needful dust.

Not being myself a member of the Vigilance Committee, I am only expressing my private humble opinion on their proceedings, and am convinced thousands will join me in wishing that their noble and hazardous undertaking may be carried out to the fullest extent; so as to establish a new era of order and safety in this city, and over the whole of California, and make it a home indeed to every man of honor and integrity.

A FRIEND OF ORDER AND LAW.

Inquest on the body of Francisco Guerrero.

Judge Brown summoned a jury of eight at the Mission on Sunday evening, to hold an inquest on the body of Francisco Guerrero, who was found mortally wounded in the Mission Road near Ald. Greene's house. We append the evidence taken before the jury and their verdict, from which it will be seen that Francis Le Bras, the man now in the hands of the Vigilance Committee, is directly charged as the murderer. In relation to this man, we are informed on reliable authority, that he came to Mr. Clarke's house at the Mission, several days before the death of Guerrero, and insisted on being hung. He commenced to strip and besought those present to hang him. He seemed to have a mania for being strung up, and convinced those who saw him that he was insane. His strange actions while under arrest tend to the same conviction. It was currently reported yesterday that he had been tried and found guilty by the Committee, but such is not the fact. They are not in the habit of acting hastily and without profound deliberation, and if on thorough examination they find the man insane, though the author of the death of Guerrero, he will undoubtedly be released, or confined where he can do no harm.

With regard to the verdict of the Coroner's Jury we can see nothing in the evidence before them to justify any such conclusion. With the exception of the testimony of the physicians who made the examination, which was a matter of opinion only, and not of fact, there is nothing to prove that the deceased was murdered. On the contrary, from the best evidence we reiterate our statement of yesterday, that his death was in all probability the result of accident. Mr. Harry Josephs, at the Oriental House, was riding out to the Mission in a buggy with a lady, when Guerrero and Le Bras passed them on the road racing. He saw the whole transaction, and unequivocally states that no blow was struck by LeBras. He saw Guerrero not a hundred yards ahead of him fall from his horse. He positively asserts the innocence of the prisoner, and went before the Vigilance Committee on Sunday night and gave testimony to that effect. Moreover, what motive could he have had? He was a stranger to the deceased, and therefore it could not have been revenge, and the witnesses all say he did not stop or attempt to rob him. He knew, too, that he was in full sight of Mr. Josephs,

The following is the evidence before the jury.

Charles J. Moorefield, sworn—I was acquainted with the deceased. I was here yesterday; I was on the plank road between this place and town, a little beyond Alderman Greene's; I was going into town, and saw a couple of men on the top of the hill beyond Greene's; as I saw them there appeared to be some trouble or controversy between them; the one on the bay horse turned it towards Guerrero; at that time I turned my head towards Greene's; I heard some harsh words from the hill and I turned and saw the man looking away from Guerrero; and then Guerrero started his horse for him; the other man started into a run and Guerrero after, plying his spur and whip; Guerrero had not gone far before his hands dropped down at his side; he then began to lean forward and continued to do so until he dropped from his horse; being at a run all the time, the horse did not stumble or dodge when he fell; he was distant from me about fifteen feet; I ran to him and saw it was Guerrero, and spoke to him; he did not open his eyes nor stir; I left him there with three or four Frenchmen, and went over to the hill where the other man was, about a rod and a half ahead; I asked the other man several questions and he did not make any answer; I then asked him if he knew Guerrero, Norris and Brown, and he said he knew them all; I told him to come into the Mission and tell Norris or Brown, Guerrero was out there and was dying; he asked me several times what was the reason I thought he was dying; I told him he appeared to be hurt so bad I did not think he could live; I took the horse and carried him down to Greene's; he was a thinnish formed man; he had considerable beard, whiskers, and a little moustache; I think he had on a fur hat; when I got to the body one of the ears was filled with blood, and blood was all over his coat and arm; I do not think the blood could have got on his coat from the fall; I think he fell on his right shoulder, and partly on his left shoulder and neck; I have since been out there and found blood on the top of the hill where I first saw the parties.

Peter S. Van Winkle, sworn—I reside on the Mission road, a very little beyond Ald. Greene's; I was at my house when some one came to the door and asked for water to put on the man's head that had fallen from his horse; I went out there and saw a man lying on the side of the plank road, as I supposed nearly dead; I traced back a little distance from there and found blood on the planks, something like a rod beyond where he lay, towards San Francisco; the only persons that I knew who were present were Ald. Greene and one of his men; I stopped there about a minute when the omnibus came along and they placed him in it.

Michael Kelley, sworn.—I reside in Happy Valley; I knew Francisco Guerrero; I saw him yesterday; I was standing by Mr. Kearny's when Guerrero came along, riding a large bay horse and leading a lighter gray; I stopped him a moment; a man who looked like a Frenchman, wearing a lightish hat, brown frock coat and light pants, and lightly built, came up, and asked him to let him ride his horse; he took the light horse and they rode away together.

Henry Booth, sworn.—I know the prisoner by sight; I saw him in Sacramento City last summer; I saw him on Wednesday or Thursday; I again saw him yesterday afternoon, just before Mr. Guerrero was brought up; I can swear that this is the man that I saw on one of Guerrero's horses yesterday afternoon; I followed him but could not take him.

Mr. Moorefield, recalled.—I think that the man now in court is the man who was on Guerrero's horse yesterday at the time of the accident; his countenance appears to be the same, but he looks smaller off the horse than on it. When Guerrero fell he did not attempt to stop, or render any assistance to him; when the body was moved it was moved right straight off the road.

Thomas Harper, sworn—I have seen this man, Francis Le Bras, about four days since, and also yesterday afternoon; yesterday he was on horseback, on Guerrero street, between the Mansion House and the 8th Ward House; he did not stop at either of those houses; he was on one of the horses belonging to Francisco Guerrero; he was going north; I have not the slightest doubt that this is the man.

Dr. F. Smith, sworn—I have examined the body of Francisco Guerrero. He received five blows, either of which would cause death. Two of the blows were on the back of the head, driving in the bones of the scull, and one on each temple, producing extensive fracture of the cranium.

Dr. Hitchcock fully coincided in this statement; the injuries could not be inflicted by a fall from a horse.

The Jury, after a short consultation, brought in the following verdict:

We, the undersigned, a Coroner's jury, summoned to hold an inquest, this 13th day of July, 1851, over the body of Francisco Guerrero, deceased, do find that the said Guerrero came to his death in consequence of blows inflicted on the head with some deadly weapon by one Francis Le Bras in the city of San Francisco, on the 12th instant, between the hours of three and four o'clock, P. M.

S. E. Teschemaker, Fitz Henry De Wolf, James Chauncey, W. F. Humphreys, Clem't Humphreys, I. N. Thorn, Jno. J. Combs.

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CITY MATTERS.

THE MURDER OF MR. GUERRERO.—A Coroner's jury was held by Judge Brown on Sunday, over the body of Francisco Guerrero, before whom a number of witnesses were summoned and testified. Their evidence goes far to fasten guilt upon the man who was arrested, Francis Le Bras. There is something strange and mysterious about the matter, as no robbery was committed, nor can any possible motive be assigned for the commission of the deed. The following is the verdict of the Coroner's jury:

"We, the undersigned, a Coroner's jury, summoned to hold an inquest, this 13th day of July, 1851, over the body of Francisco Guerrero, deceased, do find that the said Guerrero came to his death in consequence of blows inflicted on the head with .ome deadly weapon by one Francis Le Bras, in the city of San Francisco, on the 12th instant, between the hours of 3 and 4 o'clock, P. M.

S. E. Teschemaker,	W. P. Humphreys,
Fitz Henry DeWolf,	Clem. Humphreys,
James Greaves,	I. N. Thorn,
D. M. Chauncey,	John J. Combs.

We are informed that an investigation of the case has taken place before the Vigilance Committee, and that it is the opinion of the members generally that Le Bras is innocent of the charges against him. Other and further testimony was before them than that adduced before the Coroner's jury. However, they still retain him in custody.

STEAMER—

THE COURTS AND THE PEOPLE.—Every good man must deplore the state of things which, at this time, prevails in this community. Although we are in no manner connected with the Vigilance Committee, still we are prepared to believe that that committee will, in the greatest spirit of thankfulness disband if the courts will at once set to work to secure speedy and certain justice to criminals. If they will permit criminals to remain in jail week after week and month after month, until their confederates can purchase the absence of all the witnesses, what other course can they expect the people to pursue than to protect themselves? We wish to see the tribunals of justice sustained when justice is administered by them. With no disrespect to the courts, we ask why are not Gallagher and Lewis brought up for trial? Some of the witnesses against them have already left town. Must they be kept there until the balance of the witnesses shall leave? We invoke the courts at once to act, and bring these men to trial.

WATER LOTS.—The Transcript asks us the following question.

Why not give us the names of those members of the Legislature who have become owners of water lots? The people of this part of the State, wish to know what members had a hand in this affair.

REPLY—The Assessors gave us the information without giving up the names of the parties. We have no doubt that the time

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Herald 7/16

SACRAMENTO INTELLIGENCE.

By Last Night's Boat.

By Gregory's Express, we received last night the Marysville and Sacramento papers of yesterday.

The *Transcript* says that "MR. T. BELCHER KAY, whose name is supposed to fill up several of the ominous blanks in the 'Stuart Revelations,' left this city by the Stockton road on Sunday night, at what hour we have not learned. He had been permitted by the representatives of the Vigilance Committee, on his parole of honor, to remain a day or two in the city until the excitement below should subside, when he was to present himself to that body. Probably by aid of fast horses and firm friends, he will reach Monterey in time to take the steamer and make sure his escape from justice."

Robinson, the second of the persons charged with highway robbery in the vicinity of Sacramento, was put upon his trial on Monday and the jury had retired to consider their verdict. Up to 2 o'clock yesterday morning they had not agreed.

Herald

BELCHER KAY.—It will be seen by our Sacramento Intelligence that Belcher Kay has left Sacramento without the knowledge of those sent to invite him to visit this city, and that he has departed on a trip to Monterey.

Herald

The Charge of Treason.

EDITOR HERALD—I have read with a great deal of interest the proclamation of the Mayor and the charge to the Grand Jury by Judge Campbell. Both are filled with truisms which no good citizens will deny; but "circumstances alter cases," and may there not exist times in which said truisms had better not be repeated? Commands from the Bible are imperative in all Christian communities, and the same Bible tells us there are cases in which it is our duty not to obey them, and illustrations given by Christ himself. Admitting the whole truth of all the Mayor and Judge have said, particularly the latter, by which at least three thousand persons must be hung, I would in all simplicity (for I am no lawyer) ask if their remarks would have not been equally applicable and as imperative of one George Washington, John Hancock, John Adams, James Otis and others, and if there is any other reason why they were not hung than that they were successful? PACIFIC.

Courier

From Sacramento.

Gregory furnished us with Sacramento and Marysville papers last evening.

Wm. Robinson, one of the men charged with robbery in Sacramento, had his trial on Monday. The jury were unable to agree---nine being for hanging, and three in favor of imprisonment.

DISTINGUISHED MOVEMENTS.---Mr T. Belcher Kay---says the Transcript---whose name is supposed to fill up several of the ominous blanks in the "Stuart Revelations," left this city by the Stockton road on Sunday night, at what hour we have not learned. He had been permitted by the representatives of the Vigilance Committee, on his parol of honor, to remain a day or two in this city until the excitement below should subside, when he was to present himself to that body. Probably, by aid of fast horses and firm friends, he will reach Monterey in time to take the steamer and make sure his escape from justice.

[Later news in another column will show that this is incorreet.]

Courier

RECORDER'S COURT.—Before the Hon. R. H. Waller.

Henry Harrison was brought up for stealing a lot of fire-arms and several other articles at Benicia. He was discharged, the case being without the jurisdiction of the court.

Thomas Griffiths, Thomas Howell, and Henry Stining, were fined $10 each for kicking up a row and fighting in Ohio street.

Frank Betram was brought up charged by several persons with being a vile nuisance. He was let off upon promising to keep sober for one week.

Robert McCutcheon was fined $10 for assaulting John Willey.

A Mexican named Sumpia was fined $20 for furious riding.

John Jones was fined $10 for being drunk and disorderly.

A woman calling herself Mary Ann was fined $10 for the same same offence.

Courier

Important Arrest.

The Vigilance Committee we learn last evening had arrested the notorious Jimmy-from-town. We are in a fair way to get hold of and punish the leaders of the band of notorious criminals amongst us, if we cannot reach all the privates.

Pacific Star July 16

July 16

CITY ITEMS.

A TRUE BILL.—The Grand Jury have returned a true bill against Francis Lebras, for the murder of Francisco Guerrero. The Committee of Vigilance now have the prisoner in charge, and who will no doubt be delivered up at the proper time. It is the opinion of many that the prisoner is crazy to such a degree as to be unaccountable for his actions. His trial will come off at an early day.

PARDONED.—It is reported that GOV. MCDOUGAL has pardoned Stephen Hendrickson, who was convicted last winter, and sentenced to one year's imprisonment for passing counterfeit money. At the time that the jury convicted him, he has recommended to mercy, upon the consideration of his age; but the plea of having obtained the money which he passed from Beebe, Ludlow & Co., in New York, was rather a shallow defence. No persons of the character and reputation of the firm above mentioned ever paid out or received at one time, the sum of one hundred dollars in counterfeit coin. The mistake did not lie at the bankers.

☞ One of the most agreeable places of resort to spend an evening with a party of sociable friends, is the saloon of MRS. WHITNEY, in Commercial st. One doesn't meet the attractive "Bloomers," whose brevity reminds one of the "soul of wit," it is true, but there is a quiet, genteel, sociable air about the place, that reminds one of the like establishments on the Atlantic side. Freezing as the association may be, an ice cream, or a cool, refreshing cobler at this popular establishment, carries our thoughts back to "the friends we left behind us."

ARREST.—It was generally understood last evening, that "Jemmy-from-Town," (Burns) mentioned by Stuart in his confession, as having been engaged in some of his villainous operations, had fallen into the hands of the Vigilance Committee.

THE CIRCUS.—In the absence of other places of amusement, the crowd flock to the Circus just opened in the rear of the Eureka Hotel, on Montgomery street. The entertainment last evening was received by a crowded house with the most flattering applause. To night an attractive bill is offered.

Thomas Wood alias Tales, for stealing a watch, was sentenced to five years imprisonment. He is an adept in the trade.

MUSIC.—The music which was formerly heard on the Plaza from morn till night, and which has gradually died away, has been suddenly resuscitated on [illegible] The great numbers of [illegible] any of the [illegible]

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☞ We are gratified to receive the report that the Vigilance Committee purpose delivering over to the civil authorities the Frenchman, Le Bras, who is charged with the murder of Francisco Guerrero. Most sincerely do we hope that this will be the case. Nice questions affecting the identity or sanity of a prisoner, need to be proceeded in with every care and caution, and where can such delicate cases be as well examined as by those who have made such subjects the study of their lives. The County Prison is now, through the efforts of the Sheriff and our citizens, being made perfectly secure, and in a little while will be sufficiently commodious to accommodate with close quarters all the villains among us. We will venture our reputation that there will never be an escape from prison while Col. Hays holds the keys of office, and this evil being obviated, one great reason for the organization of the Committee has been removed. The present state of things, which all men must regret, cannot last forever. The Vigilance Committee must, in time, abandon their organization, and we ask why may not now the law be permitted from this time henceforth to "have free course and be glorified?" Sooner or later we must all answer this question.

LAW COURTS.

SUPREME COURT.—Justices Hastings and Bennett presiding.

[illegible] vs. [illegible].—Motion for a rehearing filed. Ordered that the remittitur be stayed until after the consideration of the petition.

[illegible] vs. Wadsworth.—Motion made to dismiss appeal. Ordered [illegible] of record be made forth-

Pacific Star July 16 1851

THE HERALD.

Wednesday, July 16, 1851.

NO REMOVAL.

The Publication Office of this paper is still in Clay street, two doors below Montgomery.

The Supposed Murder of Senor Guerrero.

Seldom in a case of violent death has the public mind been so much at fault as to the means by which it was compassed, as in that of the sudden and mysterious decease of Señor Francisco Guerrero of the Mission Dolores. The cause of his death was a fracture of the skull apparently inflicted by some blunt weapon, but as to the agency by which the blow was dealt, there is still an absolute uncertainty. A man named Francis Le Bras has been apprehended, charged with the crime; and the Coroner's Jury have rendered a verdict of wilful murder against him; but there are circumstances connected with the occurrence which would seem to be wholly incompatible with his guilt. Indeed the chief testimony against him is inferential. It is pronounced by the surgeon, Dr. Hitchcock, impossible the wounds of Guerrero could have been caused by a fall from his horse; and, the animal being gentle, it is presumed they could not have been dealt by his hoofs. Furthermore, it is said the principal fracture is caused by a blow from some small round instrument, and looks much like what might be inflicted by a slung-shot. These are the chief circumstances on which the belief is based that the deceased was murdered.

The evidence against Le Bras is that he was riding in company with deceased—that they had a scuffle of some sort—whether playful or hostile is not known—that he rode on when Guerrero fell without rendering assistance—that he acted suspiciously afterwards:—and furthermore, that blood was found on Guerrero's shoulders and on his coat, shewing that he received a wound before he fell—that the blood has been traced back several yards beyond where the body was found proving the same fact—that his fall could not have caused the severe fractures discovered—and likewise, as before stated, that his horse being gentle, was not likely to injure him so terribly.

The evidence on the other hand is that two persons who were riding along the road, declare the two men passed them immediately before Guerrero fell—that they appeared to be racing, and did not exhibit, one to the other, any hostility—that Le Bras outstripped his antagonist in the race, and turned round as if in triumph—that at this time they observed Guerrero reel and fall—that if there had been an attack by one on the other, they could not have failed to see it. In addition to this the motive is entirely wanting, and although Le Bras is shewn to be not quite sane, there is no evidence of evil disposition or of criminal association.—The spot too where Guerrero met his death is the least likely of all others to be chosen for the perpetration of a murder, and least of all in sight of two persons whom the two men had passed immediately before.

On the whole it strikes us that the weight of evidence is in favor of the innocence of the prisoner; or if he did perpetrate the murder, he was in all probability insane. Is it not possible that some concealed assassin threw a missile from behind a bush and so inflicted the fatal jury? Or might not the horse have dragged the deceased by the stirrup from where he first fell, and in trying to disengage himself from the fallen man have struck him with his hoofs?

July 16

Cal Courier July 17 51

The Monterey Robbery.

TO THE PUBLIC:

I have this day received a letter from W. T. Wallace, Esq., the District Attorney for the county of Monterey, calling my attention to the following statements found in the confession of Stuart, who was recently executed in this city:

"The fact is that Parburt, McDonald, (McDowell,) and Judge Merritt were counsel for prisoners, and Col. Weller, Botts, (Butts,) and Wallace for the prosecution. There was a great deal of false swearing and bribery: all the money was taken from the prisoners—the court charges, amounting to $1000, was first taken out, and the balance, say $12,000, was equally divided between the prisoners and the prosecuting counsel."

So far as I am concerned I did not deem any explanation necessary, as in the succeeding sentence he says—"*Randall got one-half, and the prisoners the other half of the* $12,000." The facts are briefly these: The Custom House at Monterey was burglariously entered on the 8th December last, and some $14,000 stolen. A search-warrant was issued, on the application of Dr. Randall, and about the amount stolen taken from the defendants, Osmand, Ryan, Briggs, and Morgan, although it was not pretended that this was the *identical* money taken from the Custom House. In the month of January the counsel for the prisoners applied to the Judge for an order directing Ezra Richards, into whose hands the money had been placed to pay it over to the defendants. At this stage of the proceedings, I was employed by Dr. Randall; and to prevent the money from passing out of the hands of the officer, I commenced a civil suit against them and obtained an injunction prohibiting the officer from paying over the money. Several orders and counter-orders were issued, but the money remained in the custody of Mr. Richards.

Things stood in this situation when the court met at Monterey. As a recovery in the civil suit could not be expected unless a conviction was had in the criminal case, I engaged with Mr. Wallace in the prosecution—the Grand Jury refused to indict Ryan,—the defendants Seward and Osmand, against whom we had much the strongest proof were placed on trial. The trial lasted for several days and resulted in the Jury disagreeing—three said for conviction and nine for acquittal.

I gave my opinion frankly to the District Attorney that we could never obtain a conviction upon the proof submitted, and another trial must result in the same way. this I understand the District Judge concurred. One of the defendants, Briggs, failed to appear, and his recognizance was forfeited. The the District Attorney agreed to release, and enter a nolle prosequi against the defendants, if the costs of the prosecution were first fully paid. These costs amounted to $800, according to my recollections. The arrangement was finally made.

The civil suits, one brought by Randall against defendants, the other by prisoners against Richards, were then compromised—Randall receiving one half and the prisoners the other half. The amount received by Randall was, I think, some $5000. Upon the succeeding day, Dr. Randall paid me the fee agreed upon, viz, $1200. My fee would have been precisely the same, if no compromise had been made. I am satisfied that Mr. Wallace acted from the best of motives, and was fully justified, from all the facts then known, in dismissing the prosecution. The defendants certainly never could have been convicted in that county upon the proof submitted to the jury on the trial. The honesty and integrity of Mr Wallace will not be questioned by any one to whom he is personally known. No one sustains a higher character in the community where he resides.

Will the city editors who have published the confession be kind enough to insert this statement.

JOHN B. WELLER.

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Bancroft Library

July 17

Statistics of Crime in San Francisco.

The following is the classification of offences committed in San Francisco that have been decided upon by the Recorder, for the month ending July 16th. It will be borne in mind that before him, as an examining magistrate, all criminal cases are brought previous to being sent before a higher tribunal. The whole number of cases on the docket since the institution of the Recorder's Court, is 3507. The whole number for the month ending July 16th, is 250. The arrests were made for the following causes:

Drunk and disorderly	72	Peddling	8
Fast riding	15	Fighting	35
Violating city ordinances	24	Resisting an officer	5
Suspicion various crimes	17	Assault and battery	31
Stabbing	4	Counterfeiting	1
Petit and grand larceny	22	Discharging fire-arms	7
Murder	1	Arson	1
Nuisance	2	Desertion	1
Swindling	3	Threats against life	1
Total	250		

This is an average of eight per day. Of the parties accused of these offences, eighty-nine were fined in sums ranging from $5 to $100; one hundred and forty were discharged (more than half); four were sentenced to confinement, for a greater or less time, in the county prison; seven were held to bail to stand their trial before the Court of Sessions, and one before the District Court. The eighty-nine fines that were imposed amounted to $1500, all of which, however, has not been paid in. It will be perceived that a very large proportion, viz.: 56 per cent. of the cases, were discharged. This arose from a variety of causes:—the offence was trivial—the party poor and contrite—the evidence insufficient, or extenuating circumstances existed. The three cases, drunk and disorderly, fighting, and assault and battery, alone included one hundred and thirty-eight cases, or 55 per cent. of the whole. So much for rum. It will be noticed as unusual that not a single case of burglary or robbery with force occurs. Out of these two hundred and fifty cases but eight were of sufficiently grave a character, or supported by the requisite evidence, to be sent up before a higher tribunal. Of these eight cases, one was for murder, one for passing counterfeit money, two for suspicion of larceny, and four for grand larceny.

Taking out of view the offences resulting from that curse of our race, ardent spirits, and it will be seen that there has been a manifest and gratifying diminution of crime within the past month. To whom is this improvement in the morals of our city to be ascribed? All anticipate us when we say that to the Vigilance Committee is in a great measure due the credit. They themselves have made a number of important arrests, and though they have not changed the vile heart or reformed the character of criminals, they have done the next best thing, driven offenders from our city, or filled them with such terror by their vigilance, activity and stern determination that they dare not pursue their former course of villany and outrage.

We trust to be able to present a still more favorable report of the city's morals at the end of the current month. With the same influences at work, there can be no question of it.

Herald 7/17

MARTIAL LAW.—Weunderst and that it is seriously contemplated by the Governor to put the city of San Francisco under martial law. We may expect the proclamation here in a few days. Those who will be of the number to enforce it will be "men in buckram." Perhaps the military will be ingloriously few.

Cal Courier July 17

RECORDER'S COURT.—Before the Hon. R. H. Waller.

A couple of young gentlemen, generally known as being "pretty good fellows" were brought up yesterday morning before the Recorder, for kicking up a row and "breaking things," at a saloon in Clay street. The case was continued until this morning.

Dominick Galley, Juan Bastelen and Francisca Crux, were brought up on a charge of larceny. The cases of the two former were continued and the latter was discharged.

Wm. Ellison, Jas. Davis and Thos. Maloy were fined $10 each for being drunk and disorderly.

Francisco Pablo and Juan Jose were fined $10 each for the same offence.

John Berugan, Henry Robertson and Mrs. Gallingan for the same offence were discharged.

John Morrill, assault and battery, continued.

CITATIONS.—The proprietors of several gambling and drinking saloons were brought up on citations for keeping their houses open and selling liquor after twelve o'clock, in violation of an ordinance of the city. The proprietors of the Irving House and Rue de Stockton were fined $50 each. The Bella Union and Merchants saloon for the same offence, the former was continued and the latter discharged.

BELCHER KAY.—We learn that the "modus operandi" by which this gentleman got into the hands of the civil authorities, was by getting out a writ of habeas corpus for his own body. The law provides that any person fearing personal injury, may take out such a writ, upon which the officer is bound to arrest him, and keep him free from the apprehended danger. For our own part we confess this to be a strange course of proceedure, and if the doctrine holds good, why cannot any criminal about to be arrested take out a similar writ? The writ was issued from the Superior Court, and we cannot learn that any hearing has been had upon it. The counsel for Kay appeared in the Court of Sessions, and gave notice that he was under arrest, and ready to meet any charges that might be made against him. How is the Court of Sessions to know anything about the charges against him?—and whose duty is it to prefer charges? We hope that if the matter is to undergo judicial investigation, it will be done in the legal way. It used to be very common in the West for a party to catch his opponent, with whom he might have a difficulty, out, and alone, and after giving him a handsome drubbing, he would immediately go before a justice, plead guilty to assault and battery, pay a fine of five dollars, and go on his way rejoicing. We do not say that there is danger of anything of the kind in this case, but we wish merely to urge a full and fair investigation. The Picayune of yesterday says:

"We understand that Kay left Sacramento some days ago, and reached this city by the way of Stockton and San Jose. He made his appearance here as an elderly matron, and was driven up Kearny street in a buggy, at about four o'clock yesterday afternoon."

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JIMMY-FROM-TOWN V. JIMMY-ABOUT-TOWN.—It appears that the man arrested by the Vigilance Committee Tuesday evening, was the latter of the above-named notables, instead of the former, as we stated yesterday. However, as the committee seldom strike for nothing, they have the man they intended to get, although they are in pursuit of the other Jimmy also. We have not learned what disposition, if any, has been made of the prisoner. His real name is McDonald.

☞ If the "Picayune" will correctly copy our statement of the shipments of gold dust in yesterday's paper, it will find the footing and figures to be correct. The fact is that Russell, like Mose, is "spilin' for a fight,"—and he'll get into one directly, if he isn't careful.

☞ A Mexican was caught stealing a hat on Long Wharf on Tuesday evening. The boys down there gave him a "turn" in their own peculiar way.

EVERETT'S hats, Horn's segars, and Bloomer fashions, are getting to be all the rage among the upper-tendom of the city.

Cal Courier July 17

San Joaquin Intelligence.

On Friday evening about 8 o'clock, two prisoners named **Mack** and Fuller, confined in the Stockton jail, effected their escape. The *Republican* says that rushing from their cell, through an outer apartment, where two turnkeys were sitting at the time, they reached the balcony in front, and jumped to the ground. Fuller sprained his ancle in the fall, and was recaptured. Mack, favored by the darkness, managed to make his escape; and, at the latest accounts had not been found, although a large party was in immediate pursuit.

July 51

SUPPOSED MURDER.—Joseph Sproule Battee, of Brown's ranch, on the Calaveras, left that place on Saturday, July 12th, and arrived at Carson's creek on the following day. A Mexican called upon him while there, with a fine specimen of quartz, and they left the camp together for the supposed purpose of prospecting the vein from which this specimen was taken. He has not been heard of since and fears are entertained that he was taken to a Mexican encampment close at hand, and murdered. Battee received a large amount of money from his partner, Brown, the day before, which was seen in his possession by the Mexican. Battee, however, returned the money to Brown while alone. Great exertions have been made and large rewards offered for the body of deceased and arrest of the Mexican, but no information has yet been obtained.—*Republican.*

gal. 75 July 5

32½

8 Goff's statements, and the evidence of Charles Marsh were published on July 18 with the following note:

separate page -

"Goff.

As there has been a sympathy excited in the breast of some persons in this community, in consequence of the *notice to quit* which has been served by the Committee of Vigilance upon one John Goff, said Committee would lay before their fellow citizens the following evidence taken in his case: * * *

Charles Marsh's statement.—Goff, in Happy Valley, was transported to New South Wales, and assigned to Judge Forbes; he had consented himself so well that the Judge allowed him to keep a little grocery shop for his own account, he working also for the Judge; while he kept the shop there was a person there named Foss, a druggist and wholesale grocer; Goff and the people at Foss's were connected together; Goff began to sell goods cheap, and did a large trade; he sold goods cheaper than Foss could; it was discovered that this was Goff obtained his goods through the porter; Goff was arrested, tried and transported again to Norfolk Island; I think before he had been there long, he, through interest, was brought back to work with prisoners at the new jail; he worked his seven years out and then went to Windsor; from there he came here; he is a bad character; keeps Panama Restaurant; his name is spelt properly Gough; my office in Sydney was Governor's house and land Steward; I had 50 or 60 convicts under me and 5 or 6000 acres of land to take care of.

(Signed) CHARLES MARSH,
Formerly Steward for Sir Richard Bourke, at Sydney and Parramatta.

Goff has in his possession a conditional pardon, given at Sydney on the 1st May, 1849, by Sir Charles Augustus Fitz Roy, Governor of New South Wales, by which document appears the following: "And whereas John Goff, whose description is hereunto annexed, having been indicted and convicted at Devon Assizes on the 14th day of August, one thousand eight hundred and twenty-four of the crime of [illegible] and of said conviction, sentenced to transportation, and was accordingly transported to the said Colony of New South Wales; for the period of his natural life. And whereas, in consideration of the good conduct of the said John Goff, since his arrival in the said Colony, Sir Charles Augustus Fitz Roy, as such Governor of New South Wales, recommended the said John Goff to her Majesty for a pardon, to take effect in all parts of the world, EXCEPT THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND. * * * Now know ye, that I, * * * do hereby grant unto the said John Goff a free pardon for the said offence, * * which shall take effect in all parts of the world, except the United Kingdom of Great Britain and Ireland. *Provided always*, and this pardon is declared to be on condition of the said John Goff at any time during the term of his said sentence, [illegible] United Kingdom of Great Britain and Ireland, this pardon shall thenceforth be void. And it is her majesty's command And all her majesty's officers and ministers of justice to take notice accordingly."

Published by order of the COMMITTEE OF VIGILANCE.

to take effect in all parts of the world, except the United Kingdom of Great Britain and Ireland ...

go to.

as by Her Majesty's commands expressly limited and directed

and all Her Majesty's officers and ministers of justice

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Herald July 18

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8. Jet [The answers to the questions are not found on the files of the Committee, but there are published with Stuart's confession in the daily papers. The following reprint is from the S.F. Herald, July 18:]

foregoing

Cross-examination.—Knew Jenkins; knew Winifred; thinks he is gone out of the country; know Adams; does not know where he is now; know Nelson and Wilson, horse-thieves in Sacramento City, when I landed from the J. Nesbit, went to Edwards' house; John Edwards has red whiskers; is an Englishman; broke into Smith's lumber-yard about 8 o'clock at night; Jemmy-from-town stole a trunk from Mr. A. J. Ellis' house; Jemmy-from-town robbed Dow's safe, and blew it up with powder; gave Pixley an order for my money in the name of James Campbell; arrived at Foster's bar about the middle of April; hired Sullivan, Hunt and Hews to work at Foster's bar; never committed more crimes at Foster's Bar than I have stated; Dodge & Co. kept a gambling house at Foster's Bar; names of three Americans and one Sydney man, horse thieves, Dabb. Peet and another man, name forgotten; think I knew of every robbery committed in Sacramento, when I was there; have worn a serape and rode on horseback in San Francisco; I generally board at Edwards' house; some of my friends have boarded at the Port Phillip House; John Morgan is known here as John Morris and lives with Briggs; is 50 years old, large, stout fellow, and weighs 15 stone. Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers (*McIntyre and McCarty* for a long time; they were concerned with us in the robbery of Young's Bank, next to the El Dorado. Don't know who makes burglars' tools; Briggs makes some. Knew Otis, a horse thief, saw him arrested and saw him on trial.—Knew Pico; did not know Fisher or Hill or Hull at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for $113 on Lows; lives on Front street, Sacramento City; has a bow window in it; very pretty house.—Money stolen from Jansen was divided in Edward's house, near Clark's Point. A quarrel between *Belcher Kay* and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Jansen been hung. The men who committed the jewelry robbery here, were George Adams and Teddy McCormick. I have been to Angel Island; generally stop at Daniel Wilder's house; think there are no robbers there. Mrs. Hogan's house is a crib for stolen property; she wears my daguerreotype; she knows all about our motions. Mr. Hogan is innocent.

Roman

Roman

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Bancroft Library

White line

Over leaf [Stuart, alias Campbell, in account with J. W. Pixley]

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;handed over to army 215;

Church 3R,
Care of
Turned over to Govt. 215

Clark, Mrs.
Statement of Adams
Jane Adams money 4 12 - 4 13

"JEMMY FROM TOWN."—This character, made memorable from his connection with Jim Stuart, was reported yesterday morning to have been arrested the night before by the Vigilance Committee. It was not he, however, but a man named Charles McDonald, well known on Long wharf, and formerly of the New York Regiment of Volunteers. Jemmy is said to be in Stockton, and is hotly pursued by the police

CITY NEWS.

BELCHER KAY.—This individual, whose name it is said fills many of the blanks in the revelations of Stuart, left this city shortly after the arrest of the latter, for Sacramento, whither a detachment of the Vigilance Committee were despatched to arrest him. He made his escape from them, cut across the country and reached this city on Tuesday night by way of Stockton and San Jose, disguised as an old woman. He was arrested on a warrant from the Superior Court and is now in confinement in the County Prison. Judge McHenry, his counsel, announced at the opening of the Court of Sessions on yesterday, that Kay was in custody and stood ready to answer any and all charges by whomsoever preferred. He will probably not have to wait long.

CALIFORNIA COURIER.

JAMES M. CRANE ..... EDITOR.

FRIDAY, JULY 18, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

Agents for the Courier.

The following persons have been appointed Agents for the Courier, and are authorized to receive and receipt for Subscriptions, Advertising, or Job Work:

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WHIG STATE TICKET.

For Governor.
PEARSON B READING, of Shasta.

For Lieutenant Governor.
DRURY P. BALDWIN, of Tuolumne.

For Justice of Supreme Court.
TOD ROBINSON, of Sacramento.

For Attorney General.
WM. D. FAIR, of San Joaquin.

For State Comptroller.
ALEXANDER G. ABELL, of San Francisco.

For State Treasurer.
J. M. BURT, of Butte.

For Surveyor General.
WALTER HERRON, of San Joaquin.

For Congress.
E. J. C. KEWEN, of Sacramento,
B. F. MOORE, of Tuolumne.

☞ **Notice to the Public.**—Dr. A. J. LASETER is authorized to procure subscribers, advertisements, and job work for The California Courier Office. His receipts will be good for all payments made. Dr. Laseter is a gentleman of high respectability, and we take great pleasure in recommending him to the favorable notice of our friends.

☞ **Whig Notice.**—At a meeting of the General Whig Committee for the County and City of San Francisco, held on the evening of the 15th inst., the following resolution was passed:

Resolved, that the several Ward Committees be respectfully requested to assemble at the head quarters of their respective Wards at as early a day as possible, for the purpose of organization, by the election of a Chairman, Secretary, and Treasurer, and report the same when completed, to this Committee.

R. N. WOOD, President.

Geo. M. Garwood, } Secretaries.
Geo. W. Gibbs, }

jy17r

Whig Meeting To-night.

Col. E. J. C. Kewen, our gallant whig candidate for Congress will speak to-night at the California Exchange. Whigs who reside in the city, and who are here from the country, let us all go to the meeting to-night. Let us give the Colonel a rousing reception. We can have such a meeting as will carry terror to the hearts of the enemy. Locofocos, all of you, go, for you may be converted, and turn from the error of your ways, and vote the Whig ticket.

The Vigilance Committee.

There appears to be a settled determination on the part of some in this city, not only to do away with and put down the Vigilance Committee, but to prejudice the public mind against such an organization, and bring its members individually and collectively into discredit. For our own part, we are not disposed to be one of those who sing hosannas and shout "great is the Vigilance Committee," but we do contend that its efforts thus far have been of a beneficial character. The question of how formed, whether legally or illegally, it is now too late to agitate. It has been formed, and its members have voluntarily bound themselves, their honor, property, and lives, to carry out its object. Thus far, their actions have been tempered with a discernment, discrimination and justice, that would do credit to the most renowned and astute criminal tribunal that ever sat. The body, individually or collectively, can have no ambitious scheme or object in view, nor can any selfish motive be charged upon it. Gain is not their object, for they are subjected to enormous expenses, which they pay out of their own pockets. They have acted solely for the public good, believing that the exigency of the times required their existence.

We have carefully read two articles on this subject in the Post of the 16th and 17th, and although there is professed candor and friendship for the committee, yet it is clearly and evidently to our mind, an attempt to create and promote this prejudice against the Committee. In the article of yesterday, it says:

"Faith in the leaders of such an organization as good men and true, may now obtain, but there is no guaranty of their stability. We all know how prone the best of men have been to become puffed up with power, and to abuse privileges for which they were not required to give strict account. Commercial men have therefore no assurance that their merchandise may not find our town in a state of siege, or in the hands of an unorganized populace."

The Post, and every reader of the public prints, has seen, not only the names of the *leaders*, but of the members who compose the committee. They have been published to the world, and among them will be recognized mechanics, bankers, merchants, landholders, and in short men from every class of the community. If the Post has no faith in them as individuals, then it is of but little use to argue the point. We have every confidence in them, and entertain no fear that they will become "puffed up with power." The objection that they may injure the commerce of our city, is preposterous; for, a large majority of its members are those who are engaged in commercial pursuits, and it is for the protection of that very branch of business from the depredations of thieves, burglars, and incendiaries that they have been compelled to resort to this organization. So far from impeding commerce, their efforts have had a tendency to give every branch of it more firmness.

But the writer contends that a collision must ensue, sooner or later, between the courts and the committee. We do not think that such is a necessary consequence, unless, indeed, the courts attempt, as fast as offenders are ferreted out and caught by the committee, to take them out of their hands. The Committee do not seek to take offenders out of the hands of the civil authorities, but leave them to be dealt with by the legal tribunals. But the courts have been so crowded with business, that they have been unable to take up the cases of criminals until they have either escaped, or the proof of their guilt has been lost or stifled, and in aid of them the committee has not only hunted up new offenders, but inflicted just punishment upon them, relieving the courts of the heavy burden upon them. As soon as the dockets are cleared, the committee can suspend operations for a time.

But it is urged that the existence of the committee will check emigration and drive many from among us. God grant it may stop all emigration from certain quarters, which was a curse to us. Those who will be driven from amongst us, can well be spared. But all good and well-disposed persons will be inspired with confidence by the action of the committee. They will see that there are enough of good citizens among us to rise and put down the thieves and murderers who have so long infested the city. They will have a guaranty that their lives and property will be safe.

The charge that the committee have brought into existence "bands of lawless men throughout the State, who usurp the laws, and trample under foot the Constitution," is untrue in any sense of the words. We do not know what reference is intended by the Post, unless it is to the Vigilance Committees of Stockton, Sonora, Marysville &c. They are composed, as in this city, of good citizens, and will be astonished to find themselves thus characterized.

GREAT EXCITEMENT IN SONORA.

Oneof the Campo Seco Robbers taken and Condemned to Death!

By slips from the Sonora *Herald* office and the *Republican* office at Stockton, forwarded by Todd & Co.'s Express, we have the following particulars of the arrest, trial and conviction of one of the persons who committed a robbery some weeks ago at the store of Mr. Mardis at Campo Seco. We combine those portions of the two accounts which furnish the most particulars.

Last night it was reported that Jim Hill was in town—one of the men who went into a store at Campo Seco a short time ago, in the night, and held pistols over the heads of the proprietors while others of the gang stole the iron safe. Hill was the one that had a scar on his neck. Last night, he took a pistol from a man in Sonora, a stranger to him, struck him with it and then shot at him. The man ran out of the house, frightened, and gave the alarm, not knowing who had robbed and shot at him. Hill then hid under a bed, where he was found by the Sheriff. It was in a Spanish house of ill-fame, and Guallaloupe, the keeper, is no doubt an accomplice.

This morning, a party of about a dozen of our most respectable citizens went to the jail and took Hill away, to stand his trial at Campo Seco. A large crowd assembled at that place. L. D. F. Edwards called the meeting to order, and Col. B. F. Cheatham was called to the chair and A. C. Imbre appointed Secretary; A. B. Preston, Sheriff; Mr. Vise, counsel for the prisoner, and Mr. Ward for the people. The meeting then proceeded to empanel a jury. The following names were called and accepted: A. S. Root, Wm. Farrell, Dr. Clark, A. Gambige, Barney Smith, H. Palmer, L. J. Green, T. Moore, G. Gleason, J Bowers, L. G. Aspley, D. L. Blanchard. The prisoner plead "not guilty." Witnesses were then called and sworn.

C. J. Gleason—On the sixth day of this month, prisoner came into my store and pledged his six-shooter for half an ounce; came in again during the day and redeemed it; about that time another man came in who appeared to be a companion; both soon left; some time between 1 and 4 o'clock the next morning, some one came in while I was in bed—thought it was Mardis, a companion; soon the person came to the bed, and putting a pistol to his head, threatened his life if he moved; the man had a knife in the other hand; thought this was the man. *Cross questioned*—To the best of my knowledge and belief this is the man. He had a scar on his lip not healed.

Second Witness.—I was in the store at the time they came in: it was towards morning. One of the men came to me and told me if I moved I was a dead man. I felt for my pistol, but remembered that it was not loaded. The man took away the pistol; also took Gleason's pistol. Could not recognise the prisoner as one. The man appeared to know that there were pistols in the house.

Third Witness—Knew the prisoner. Had a bad name. Watched him, and told others to do so. This was before the robbery. Knew him six or eight months since; had a bad name then. Lost sight of him until two months since. Knew him first last September, and have known men to lay armed watching him. At the time he was here last, he had a scar on his lip; also had a scar on his neck. (upon examination find it now.)

The prisoner was asked if he could prove himself to have been engaged in any laudable business; could not except by his own statement.

L. D. F. Edwards, sworn—Saw the prisoner some time since; sold some horses for him; have reason to think since that they were stolen.

The jury after being out fifteen minutes brought in a verdict of guilty. It was then voted to hang the prisoner in an hour and a half, and a committee of five were appointed to confer with him and endeavor to obtain disclosures in reference to others and their whereabouts. In this they were successful. He confessed his guilt, and told of others connected with him in horse-stealing and other crimes. He is willing to die for what he has done and wishes those who led him into crime to be hung along with him. He said one of them was in the room to-day during his trial. Search was made immediately, but the rascal fearing a disclosure, had escaped. Parties were despatched to Sonora, Melones, and other places to catch different ones who were named, all of whom had been suspected. It was then voted to defer the execution of the sentence till to-morrow afternoon at 5 o'clock. In about an hour afterwards another of the gang was arrested in Sonora, according to the disclosure. He will be tried to-morrow at Campo Seco, and then we will give his name.

The doomed man is about twenty-three years old, says his real name is Charles May, and that he is from New York.

ARREST OF "JEMMY FROM TOWN."—We ha been informed by Mr. A. C. Morse of Sacramento, and Freeman & Co.'s Express, that the notorious "Jemmy from Town" was arrested at Marysville on Wednesday last by the Vigilance Committee and brought down by them last night on the steamer New World.

Dabb of Sacramento was also arrested by Mr. Samuel Brannan on board the boat on her way down.

Movements are on foot to arrest Adams and Welsh at Sacramento.

Two suspicious characters came down last night who probably belong to the gang. The Vigilance Committee have kept an eye on them.

The Suppressed Portions of Stuart's Confession.

SAN FRANCISCO, July 17, 1851.

EDITOR CALIFORNIA COURIER:

The Committee of Vigilance have directed the Executive Committee to request you to republish the evidence and confession of Stephens, alias Stuart, disclosing all the suppressed matter and names which had been kept back on first publication.

By order of the President.

[We commence at that portion of the confession which recounts his arrival in this city sometime in December last, and make extracts throughout, embracing only those portions in which, on the former publication, suppressions were made.—ED.]

* * * Never went out of the house during the day. During the night went to Port Philip House, kept by McCormick and Whittaker—(Edwards did not know of my escape.) Jansen, at that time, lived next door to Whittaker's. Whittaker had got information of there being $8000 or $9000 in a safe in a butcher's shop in Broadway; myself, J. Edwards, Whittaker and Geo. Adams, went, took the window out, got the safe into the street, and could get it no further. The next was Minturn's, there were a great many in the mess. We got this information from *Belcher Kay*. Had gone several times during the three days previous, to inquire about the money—he was acquainted there. Myself, Edwards, Edward McCormick (Teddy,) Whittaker, Geo. Adams, *Belcher Kay*, Bob McKenzie—we took a boat with us, fall and tackle, made shears to take with us, put a feather bed in the boat, augers, saws, etc., to cut away with, and all went pretty well armed. We managed to get inside three or four of us, and moved the safe somewhat, made a few augur holes in the floor, and intended cutting the floor away—some one came to the door—a false alarm—we had to run—McKenzie spoilt it by not knowing his instructions.

We should not have stirred for one or two, with so big a haul. McKenzie gave wrong signals, and we jumped into the water and swam away. *Belcher Kay* outside. The next thing was a jeweller's shop *Belcher Kay* had examined—he allowed that there was $20,000 or $30,000 in diamonds, etc. We went to look at it at night—myself and Edwards; gave my opinion that we could not do it; too much risk; some four or five people in shop below; gave it up as a bad job. The next thing *Belcher Kay* got for us was Macondray's store; he had been watching it for a month; he told us that there were three safes, and a vault with lots of money; as much as we could take away in a boat; come up in the night to do it, and some backed out, considering there were some eleven men in the building, gave it up. The night after, Whittaker informed us of Janson's place; said that when Jansen moved he had a bag which he supposed contained ten or fifteen thousand dollars; we agreed to go and get it. Myself, Jim Briggs, (from Monterey,) J. M. Morgan, S. Whittaker, Edw. McCormick, (Teddy,) Billy Kewes, *Belcher Kay*, Edwards—all of us had been together for ten days, except Briggs and Morgan, who had just come up from Monterey. Briggs and Morgan were at Macondray's; had a falling out with McKenzie, and he had to go.

A few nights after, we agreed to rob a bank kept by Beebe, Ludlow & Co., on Montgomery street. In this we were to be assisted by *Rob McIntyre* and *Andy McCarty*, *They told us whenever we were ready they would take the watch off that beat. These police officers used to know all we were about those times.* We tried two nights; opened the outside door by false keys. Watched it two days, and concluded there was not money enough to attempt the robbery, as we observed the porter of the bank come each morning from Argenti's with bags of money deposited the evening previous.

The next night went to the bank next to El Dorado in Washington street. Morris Morgan helped build the money vault, and gave us the information. Went down El Dorado steps, opened the door with false keys, entered, and found two beds; discovered there were too many people sleeping about there; considered it too dangerous, and gave it up. *Belcher Kay* was an accomplice with us; there were eight in the gang; *Kay* generally an outsider, did the watching.

* * * * *

The Sheriff of Monterey received $700 and a gold watch for packing the jury and other services; and Morrison, a juryman, received $100 from the prisoners, which was paid after the trial. Dennis McCarthy was constable. He received $100 for false swearing from prisoners. He first swore for prosecution, and swore back in favor of prisoners. The judge knew nothing about it. Jim Carson, a juryman, held out for guilty. He was bribed by the prosecution. * * *

We have had an understanding with police officers *McIntyre and McCarty* for a long time; they were concerned with us in the robbery of Young's Bank, next to the El Dorado. * * * * * * *

Two men have recently endeavored to get Whitaker to join them in robbing the El Dorado and the present Custom House; the name of of one of the men was *Earl*, who was often with Whitaker. Whitaker was afraid to trust them, otherwise he would have joined them. *Earl* suggested the robbery of the El Dorado, and *Jack Arrentrue* that of the Custom House. *Earl* and *Arrentrue* are very intimate; *Arrentrue* is constantly going in and out of the prison.

We republish the following from the examination of Hetherington, in which the blanks have been filled:

JOSEPH HETHERINGTON examined—*Do you know Belcher Kay, Briggs, Earl, Arrentrue? I know Belcher Kay*, Jim Briggs, Sam Whittaker, and English Jim, alias Stuart; I have seen Stuart, the prisoner in your custody; I know him to be the same man that I saw at the house of Mrs. Hogan; these men did not all board there, except Whittaker, who was a constant boarder; these men frequented the house; some of them ate and slept there occasionally; I never saw them commit any acts to my own knowledge; I never knew Whittaker engaged in any ostensible business whereby to earn a living; from my knowledge of the parties, I suspected them of crime, from their general conduct and from subsequent information received from Sam Whittaker, which confirmed my opinion. I have also seen Edwards at Mrs. Hogan's house in company with these men. I have frequently seen Sam Whittaker and Mrs. Hogan in bed together; Whittaker was aware that I had seen him in bed with Mrs. Hogan; Mrs. Hogan had said she had done wrong (alluding to Whittaker), and would not live with Mr. Hogan again.

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CITY MATTERS.

DOINGS OF THE VIGILANCE COMMITTE.—Hamilton Taft, the man who was arrested at the Branch Hotel in this city for robbery near Auburn some two weeks since, has been sent back to that place under a strong guard, to be dealt with by the authorities there.

Wright, the Sydney man, has been shipped back to that place on the Cameo, which sailed yesterday.

Le Bras, the Frenchman who was arrested for the murder of Guerrero, was yesterday turned over to the civil authorities. The committee, we understand, came to the conclusion that there was very great doubts as to his guilt; besides, they doubted his sanity. We are informed also, that they got a receipt from the civil authorities for the delivery of his person. The legal Tribunals have, through their Coroner, found the defendant guilty of murder, and they now have his person. We wish to see how long they will be convicting him.

JIMMY-FROM-TOWN.—The genuine chap of this name was last night brought down on the New World. He was arrested on Wednesday evening, at or near Marysville, by some members of the Vigilance Committee, who now have him in charge. The committee are entitled to great credit for their indefatigable pursuit and arrest of this man. Messrs. Freeman & Co, who furnished us this information, also inform us that another party was brought down in charge of the committee, under arrest. His name is Dabb, and he figures in Stuart's confession.

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...E HERALD.

...iday Morning, July 18, 1851.

Passing Events.

It will be seen by a report in the city intelligence that Francois Le Bras, the Frenchman accused of the murder of Francisco Guerrero, has been voluntarily delivered into the custody of the Sheriff by the Vigilance Committee, who have detained him since Sunday last. The information of Mr. Guerrero's death had scarcely been received before the Committee had scouts all around the city and its vicinity in search of the supposed murderer. The man Le Bras was arrested, and on the authority of the Coroner's Jury, who rendered a verdict of wilful murder, he was detained and examined. The testimony has been carefully weighed, and the Committee have come to the conclusion that there is not sufficient to convict, and furthermore, that if the man be guilty, he is unquestionably insane. In either case he is undeserving of punishment, and therefore they have deemed it unnecessary to detain him longer in custody. They have voluntarily handed him over to the Sheriff, as the Courts may have some desire to satisfy themselves as to the man's guilt or innocence, and moreover because they have every disposition to aid the Sheriff in the discharge of his duty,—having the utmost confidence in that officer's efficiency and integrity.

We publish elsewhere the statement of the Committee in regard to Mr. John Goff. That gentleman, it appears, has been given timely warning to leave the country, as the character of his house was not such as to render his further stay at all desirable. He has sent in a memorial to the Committee representing that he is quite honest and respectable enough for San Francisco—having been pardoned by the Colonial Governor, Sir Charles Augustus Fitz Roy—on condition that he should never revisit Great Britain or Ireland, It appears that at the age of twenty-three years, he was transported for life on a charge of burglary, and a short time since was permitted to leave Van Diemen's Land provided he did not return to the scene of his former exploits in the way of house-breaking. He has done San Francisco the honor of choosing it as his place of residence, and has since his arrival, it appears, kept up an intimacy with such men as Windred and others of that description. His house has been ascertained to have been a rendezvous for people of this character, and according to his own statement several of the police board there, although it is to be presumed they do not know the sort of gentry who make it their resort.

It is to be hoped that all those dens will be broken up, and that the keepers will be permitted to seek homes elsewhere. It should be at once signified that the men who are deemed by the British Government too bad to reside in England are not to be tolerated in California. If Mr. Goff had been a political prisoner in Van Diemen's Land it would be different; but we are not aware that house-breaking comes within the catalogue of political offences. We would strongly advise Mr. Goff therefore to avail himself of the Committee's suggestion, and depart as soon as possible.

We also re-publish the statement of Mr. Hetherington and that portion of the confession of Stuart which embraces the names and other particulars suppressed in the first publication. It will be found to be highly interesting, as constituting an important link in the chain of historical memoranda in relation to this city. It will doubtless afford an explanation of the reason why Mr. Belcher Kay entered the city on Tuesday evening in the garb of an old woman, and will furnish various other rich and rare developments of official purity in San Francisco.

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Important Testimony.

We have been furnished by the Vigilance Committee with the following, which will go far to show what kind of people we have had to deal with in this city. We never doubted the correctness and propriety of the course adopted by them in re-shipping the escaped convicts to the Colonies. This shows a state of facts, too, in regard to the officers in the British penal colonies, that we have long expected was the case. The idea of sending men among us, who they would not permit to live in their own country, is an insult, and should be promptly resisted by our Government:

JOHN GOFF.

As there has been a sympathy excited in the breast of some persons in this community, in consequence of the *notice to quit* which has been served by the Committee of Vigilance upon one John Goff, said committee would lay before their fellow-citizens the following evidence taken in his case:

CHARLES MARSH'S STATEMENT.—Goff, in Happy Valley, was transported to New South Wales, and assigned to Judge Forbes; he had conducted himself so well that the Judge allowed him to keep a little grocery shop for his own account, he working also for the Judge; while he kept the shop there was a person named Foss, a druggist and wholesale grocer; Goff and the porter at Foss's were connected together; Goff began to sell goods cheap, and did a large trade; he sold goods cheaper than Foss could; it was discovered that this man Goff obtained his goods through the porter; Goff was arrested, tried, and transported again to Norfolk Island; I think, before he had been there long, he, through interest, was brought back to work with prisoners on new jail; he worked his seven years out and then went to Windsor; from there he came here; he is a bad character; keeps Panama Restaurant; his name is spelt properly Gough; my office in Sydney was Governor's house and land steward; I had 50 or 60 convicts under me and 5 or 6000 acres of land to take care of.

(Signed) CHARLES MARSH,
Formerly Steward for Sir Richard Bourke, at Sydney and Paramatta.

Subsequently, Marsh certifies that the John Goff brought before the Committee and in his presence, was the same person spoken of by him.

JOHN GOFF'S STATEMENT.—I have resided in New South Wales; don't know Judge Forbes; think I know a man by the name of Toss; I kept a grocery store in a town called Windsor; I never bought any goods of Mr Toss, but have taken goods from Mr Toss's store to people in the country; I was born in a town called Huntington, in England; left England in 1822 or 3; was sent away from England for house-breaking, and was assigned to one Smith at Hunker's River; I was not transported to Norfolk Island; I never worked on the jail; I came from Sydney here; I never knew Judge Forbes; I was transported for life; I got a ticket of leave from the government, to work at any part of the colonies or any other country except Great Britain; I think I was about 23 years of age when I left England.

(Signed) JOHN GOFF.

RE-EXAMINATION OF JOHN GOFF.—I have been here about 16 months; came in the ship Victoria; we had about 200 passengers; I knew some few of them; there were some convicts among them; I have a wife and family; I also brought James Smith and Wright; (Wright died;) Wright's wife is here; James Smith is at the mines; I do not know where; do not correspond with him; Berdue, the man now being tried at Marysville for murder, also came in the ship; I never heard any harm of him at home; he was quiet on board the ship; he had a wife at Sydney. I have seen him several times since he has been here; he brought four or five pounds of gold dust, which he left at my house; I do not recollect the names of any others; I never saw Stephens (the prisoner) before; he is not Berdue; some slight likeness; Berdue is a shorter man; it was about ten months since Berdue deposited the gold dust with me; I never knew Jenkins; I never knew Byrnes; I keep the Panama House; keep no other place; Berdue sent back for his wife; left his direction in my book; I cut it out; "Thomas Berdue, city of Auburn, Dry Diggings; to be found at the German baker's there; write to the care of Mr. Gymas, storekeeper." I knew Windred; I lived near him at Windsor; I was on intimate terms with Berdue and Windred in this country. Windred has gone home; I received a letter from Windred's wife; some of the police have always boarded at my house; ever since the station house has been erected, the police have boarded with me; she (Mrs. Windred) writes to say that we must excuse her not calling on us; I will produce the letter; she sends an order to draw 6 or $700 dollars on lawyer MacAllister.

Signed, JOHN GOFF.

Goff subsequently acknowledges that he knew Marsh (whose testimony is given) in Sydney.

SAN FRANCISCO, May 6th, 1851.
Thomas Berdue,
To Mrs. Mary Windred,

Lent money to Mrs. Walton	$400
Lent money to witness	100
Board and washing	125
	$625

Mr. McAllister—

Have the kindness to see that Mr. Benham pays the money due to me to Mr. Goff, and you will oblige your obedient servant,

MARY WINDRED.

SAN FRANCISCO, May 6.

Mr. Goff—Should poor Tom ever be permitted to return to San Francisco, tell him that I never got any of his money. Mr. McAllister and Benham still hold it—that I assure him is the case. Tell him that I paid Mr. Walton 400 dollars and other expenses I can scarcely recollect. However, I trust he will soon be down and settle his own affairs. And by doing so you will oblige yours, M. WINDRED.

SAN FRANCISCO, May 6, 1851.

Mr. Goff: I hope you will not think it strange of me in not coming down to see you before I start. But I have only half an hour to get ready; so the time is short, and you know how I am situated, and you will not be angry. I shall see you in our own country, I hope, soon. I trust Mrs. Goff will get over her trouble soon, and be sure to come back to our own welcome home. I would tell you more, only that time is short. Should they never let poor Berdue come into this town—should they murder him for another man's crime, I enclose the following bill, to be presented to Mr. McAllister, and you will oblige

M. WINDRED.

Sould Tom come down to him, let him do as he likes, only I would like to see him rob his wife or me either; for Tom knows I borrow 500 dollars from two parties, and they will look to be paid some time or other. The $500 was on on Tom's account, to whom I am responsible for the sum, and would like to pay it. M. W.

Goff has in his possession a CONDITIONAL pardon, given at Sydney on the 1st May, 1849, by Sir Charles Augustus Fitz Roy, Governor of New South Wales,—In which document appears the following: "And whereas John Goff, whose description is hereunto annexed, having been indicted and convicted at Devon Assizes, on the 14th day of August, one thousand eight hundred and twenty four, of the crime of ———, was, in pursuance of said conviction, sentenced to transportation, and was accordingly transported to the said colony, (New South Wales,) for the period of his natural life. And whereas, in consideration of the good conduct of the said John Goff, since his arrival in the said colony, I, Sir Charles Augustus Fitz Roy, as such Governor of New South Wales, recommend the said John Goff to her Majesty for a Pardon, to take effect in all parts of the

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world, EXCEPT THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND: * * * Now know ye, that I, &c., &c., &c., do hereby grant unto the said John Goff a pardon for this offence, * * * which shall take effect in all parts of the world, except the United Kingdom of Great Britain and Ireland: PROVIDED ALWAYS, and it is hereby expressly declared to be a condition of this pardon, that, if the said John Goff, at any time during the continuance of the term of said sentence, go to, or be in any part of the United Kingdom of Great Britain and Ireland, then this pardon shall thenceforth become wholly void, as by her Majesty's commands expressly limited and directed: And all Her Majesty's officers and ministers of justice, and all others, Her Majesty's subjects, are hereby required to take notice accordingly."

Published by order of the
COMMITTEE OF VIGILANCE.

RECORDER'S COURT.—Before the Hon. R. H. Waller.

The attendance at the Recorder's levee yesterday morning was unusually slim. There was not one solitary case of drunk, and but two cases of larceny.

A Mexican named John Simmons was brought up, charged with having stolen a cloak value at $40 from a store on the Long Wharf. He plead not guilty, and asked for a postponement of his examination until this morning, for the purpose of procuring witnesses to prove his innocence. The complainants assured the Recorder that if the case was adjourned, they should not appear—whereupon his honor ordered them under arrest, and required them to give bonds for their appearance this morning.

A man named Basteters was fined $25 for picking up stray boards, and appropriating them to his own use.

Courier

THE HERALD.

Saturday Morning, July 19, 1851.

The Police.

We copy from our evening cotemporary the following card;

MESSRS. EDITORS:—In the "confessions" of the man Stuart, hanged by the Vigilance Committee, we see two of the blanks left in the previous publication filled now by our names. We pronounce the charges preferred against us *absolutely false*, and challenge any *living* man to prove them in the slightest particular. The man Stuart is dead, and unless the charges he made against us can be substantiated by living witnesses, it would certainly be very unjust for us to suffer in the estimation of our friends or the community. We appeal to the justice and good sense of the public to set us right in this matter.

A. J. McCARTY.
ROBT. C. McINTYRE.

We have heard that there exists on the part of the two gentlemen whose signatures are attached to the above card, some degree of irritation against the Committee for the publication of their names. In this we think they err, as that publication will afford them an opportunity of meeting a charge which has been for more than a week past known to the public to have been made. The Committee could not have prevented Stuart implicating Messrs. McCarty and McIntyre in his revelations, and, once implicated, the best service the Committee could have done them was to give them a public opportunity to purge themselves of the matters alleged against them. There has not been we are very sure the slightest idea of treating them with harshness or injustice, and none will be more cordially gratified than the members of the Committee when those two gentlemen shall have demonstrated their innocence of the wrong imputed to them. They urge with reason that no honest man who has stood fair with the community should be condemned on the mere averment of such a wretch as Steart: nevertheless it may be expected of them to fortify their position with some more forcible proof of the groundlessness of the charge.

The truth is that from the total impunity of crime—the frequent escape of criminals—the painful inefficiency of the police, and the more than suspected worthlessness of several members of that body, the people have begun to look with distrust on the whole force. That there were among them, nevertheless, men of the strictest probity, of unimpeachable character, and even of commanding talents in their profession, is most true. Amid the mass of evidence taken before the Committee, is one fact narrated by one of the desperadoes, how on a certain night, for the better prosecution of his villany, wishing to confer with an associate in the station house—a privilege sometimes granted him—he approached the officer on guard and asked the favor. A peremptory refusal was the response. Drawing from his pocket a handful of gold, he offered it to the officer for half an hour's conversation with his confederate, and instead of taking the bribe, the officer indignantly drove him from the prison. As a contrast to the mass of venality that has been practised, it is gratifying to be able to record an instance of such stern incorruptibility.—But there is no denying that crime was absolutely fostered in this city through the inefficiency of the police. The number of arrests of the most notorious desperadoes made by the Vigilance Committee, prove that the police have not hitherto done their duty. The latter had the same means of detecting crime and arresting criminals, and they failed to employ them. That they permitted such men as Stuart, Jenkins, Burns, and others of that character to go so long at large, must be set down to the account of either inefficiency or connivance. It is for this reason that the confession of Stuart, implicating members of the body, may carry with it more weight than coming from such a source it is intrinsically worth.

It is but just to say that no man in the police department has hitherto stood fairer with the community than Mr. McCarty.

[Since writing the above, we have been informed by Mr. McCarty that he is anxious an investigation should take place before the Committee, and is fully prepared to vindicate himself from the aspersions thrown upon his character by Stuart.]

Stuart's Confession—The Sheriff of Monterey.

Believing the statement made in Stuart's Confession, against the Sheriff of Monterey, (MR. ROACH) as follows: "The Sheriff of Monterey received $700 and a gold watch for packing the jury, and other services"—to be without a shadow of foundation in truth, I respectfully request the public to suspend their judgment upon this matter until the Sheriff can give his own denial of the alleged transaction. I was in Monterey at the trial referred to, and saw that the Grand Juries were fairly drawn by ballot. The first twenty-three names were sworn as Grand Jurors and the succeeding twelve as Trial Jurors. Both parties challenged. The Grand Jury indicted three of the prisoners, and the one selected for prosecution, was considered as "not guilty" by nine out of the twelve jurors. Public opinion was much divided as to the guilt of the accused, and this was cause enough for producing a disagreement of the Jury

A word now upon the character of the worthy Sheriff of Monterey. Mr. Wm. Roach came to California as a sergeant in Stevenson's regiment, and bore a high character for courage and integrity. I have these qualities attributed to him by Col. Stevenson, by my brother Lieut. Thomas J. Roach and by other officers of that Regiment. Had the sheriff been disposed to violate his duties, the prisoners could have been allowed to break jail and their escape would not have excited suspicion—a course far easier than packing the panel from which the Grand and Trial Juries were drawn. In Monterey no man enjoys a higher character for honesty than Wm. Roach I deem it proper to state that my remarks on this subject are not prompted by ties of relationship. The Sheriff of Monterey is in no degree, near or remote, connected with me. I make this statement that similarity of name and residence may not mislead the public as to my motives. I ask the citizens of San Francisco to suspend their opinions upon this matter for a few days, and not to believe a felon's accusation against an honest man until some better proof be obtained.

PHILIP A. ROACH, of Monterey.

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Bancroft Library

California Courier 7/19

July 19

DUTY OF WITNESSES.—It happens, not unfrequently, in the Recorder's Court, that prisoner's are discharged for want of testimony to convict them of the offence for which they are arraigned. In such cases those who witnessed the offence are quite ready to accuse the court or its officers of neglect of duty, without ever inquiring whether they have done their own duty in the premises. Perhaps they had promised to the officer that they would attend the court in the morning and testify. Ten o'clock arrives, the case is called, and no witness appears but the officer who made the arrest. He had seen but little of the transaction, and his testimony is insufficient to convict. The other witnesses are strangers. The officer knows not where to find them. They are, perhaps, busy in their shops or stores; or, as is sometimes the case, the accused is a desperate fellow—they do not wish to incur his displeasure by testifying against him, lest he should do them some injury. For want of their testimony, the culprit is turned loose to prey upon the community, and the court is brought into disrepute.

A day or two since there occurred a case in point. A prisoner wanted time to procure witnesses and asked that the case might be postponed till next day. Two witnesses on behalf of the State said they could not attend next morning, as it would interfere with their business. The Court informed them that the rights of the prisoner must be protected, as well as those of the State. They turned about quite cavalierly and started to leave the room, one of them muttering something which, in the presence of some courts might have subjected him to punishment for contempt. His Honor, Judge Waller, called them back and directed an officer to take them into custody. They were detained till the business before the Court was disposed of, when they were required to give bonds for their appearance, as witnesses, next day.

J. H. Trivier.—Appeal dismissed.

RECORDER'S COURT.—Before the Hon. R. H. Waller.

There were quite a number of drunk and disorderly cases, before his honor, the Recorder, on yesterday morning. They were all discharged, with the exception of two, who were fined $10 each.

John Peterson was brought up for offering for sale at auction a lot of clothing which he had picked up at the fire. The case was continued.

The case of Juan Simmons, a Mexican who was caught stealing clothing on Long Wharf, was continued.

The continued case of Thomas Stephenson was taken up, and the prisoner was discharged.

Wm. Wood, Mrs. Jacobs, John Freeman, John Lucas, and Henry Davis were up for being drunk and disorderly, and were discharged.

Wm. Fayen and Edward Ramis, for the same offence, were severally fined $10 and $5.

John Morris, assault and battery, was discharged.

A SUSPICIOUS LOOKING ROPE.—Having a little leisure, a day or two since, we stepped into the Court of Sessions. While there, one of the counsel, with his usual eloquence, was advocating the cause of some unlucky hombre, accused with having allowed a certain amount of the "root of all evil," to stick to his fingers. Being a looker on, we first directed our attention to the judges and then to the jury, for the purpose of discovering the effect of the lawyer's eloquence. While thus engaged, a piece of suspicious looking rope attracted our attention, which was hanging from the ceiling, midway between the court and jury. At first, we thought it might be there for the purpose of supporting a chandelier, but its length and size did not favor that view. It was about the size of ropes sometimes used for public purposes. Forgetting the eloquence of the lawyer, the court, jury, and prisoner, we began to cogitate for what purpose it was hanging in that particular place. Was it to enlighten witnesses, counsel, jury, or court? or was it placed there by the Vigilance Committee, as indicative of the fate awaiting those upon whom devolved the prompt and faithful administration of the laws, in case they should fail to do their duty? Or was it placed there by order of the court, to warn the counsel for prisoners what awaits them, if they take any steps to defeat the ends of justice? Or was it suspended there to show all parties that justice would characterize the doings of that court? We hope some one will inform the public why such a suspicious-looking rope is allowed to hang there. Its particular size and length is calculated to excite enquiry as to its intended use.

H. H. Bancroft Collection
Bancroft Library

CANDIDATES IN CALAVERAS.—We understand that Col. John C. Johnson originally from Virginia and late of Missouri, is a candidate among the Whigs in this county, for State Senator—and David Sheppard, late of South Carolina is a whig candidate for the Assembly. The Whigs could not select two better men. We would advise our whig friends to hold a convention and have nominations made, so as to produce universal harmony and concord.

SYDNEY IMMIGRANTS.—The American ship Adirondack, which arrived here a few days ago from Hobart Town, brought 254 passengers, of whom 104 were females. The Vigilance Committee have had her in charge ever since her arrival, and carefully examined the papers of the passengers. They find two on board who will be re-shipped immediately, as they will not be allowed to land here. The other passengers have mostly come ashore.

ARREST.—A negro was arrested yesterday afternoon, by the Vigilance Committee, on Jackson street, who is charged with having committed a murder in Stockton. He was sent back to Stockton yesterday evening under a strong guard.

ANOTHER ROBBER CAUGHT.—A young man, whose name we could not learn, but who escaped from the prison of this city, where he was confined for robbing a safe at the foot of Washington street, was brought down on the Wilson G. Hunt last evening by the Vigilance Committee.

MARYSVILLE HERALD.—This sterling whig paper has connected with its editorial management Mr. Ransom, a gentleman of fine talents as a writer. With three such conductors as Taylor, Masset, and Ransom, the Herald must take rank as one of the first papers in the State. We always peruse it with pleasure.

Marysville Herald 7/19

July 21

ARREST OF ADAMS.—This notorious burglar, who has several times broken jail in this city, was taken on Friday evening in the neighborhood of Sacramento. He was brought to this city on Saturday evening in charge of the Vigilance Committee, who now have him in custody. He was fully identified on Saturday evening by police officer Morgan, to whom Adams remarked, that he was the "d——d cuss" who had taken him, before his final escape from this city. Thus, one by one are these notorious villains being ferretted out by the activity of our Vigilance Committee.

COMMERCIAL ROOMS.—Strangers and others who wish to enjoy a quiet hour and read the news of the day, will find a pleasant resort, in this excellent establishment kept by our friend Jobson, corner of Sansome and Washington streets. Mr. J. has full files of papers for the free use of the public.

Cal Courier
July 21

SAN FRANCISCO, July [illegible]

GENTLEMEN,—I beg to acknowledge, and I do so with many thanks, the kind communication of the 15th inst., received on the 16th, wherein you are pleased to notice the services recently rendered by me on occasions of great solemnity, doubtless as trying to you as to myself.

On one of these occasions, I regret to say, to all human appearance, my ministrations were not of the least avail. The unfortunate man, whom I had exhorted to depart this life with the prayer of Saint Stephen, and of the penitent thief, on his lips, employed the last moments of his earthly life, at least so long as he could speak, in exclamations of indecency, revenge and blasphemy. I never before had seen the man that came so fully up to one's ideas of a being "given over," and no longer able to control the evil influences he had drawn around him, and it is risking nothing to say, with our knowledge of the laws and processes of the human mind, that the condition of mind in which I found and left him, could not have been attained but by a long continued course of sin and crime. The dominant passion of his dying hour was the vindictive, which I labored without the slightest avail to soften, warning him how unsafe it would be to appear before God with so dark and deadly a passion rankling in his breast. But the fearful passion seemed now inseparable from his being, and he passed away apparently an unresisting prey to the evil influences he had gathered around him in life. I beg, however, to say, in correction of the report that he was insolent and rude, that he treated me personally with all the respect I could have looked for, and at parting said, "I am much obliged to you; God bless you."

Much less is it true, that the man Stuart, (whose real name has not been given to the public) received me rudely. When I first proposed to him my services, he did indeed insist that it was not worth while. "I," said he, "have not thought of God for fifteen years; and I cannot expect that he would think of me in the few moments that are left me now. If there are everlasting burnings," he added, "I expect to go to them, for I have led the life that must take me to them." I reminded him that the fires were in his own breast, and if, in the moments left him, he could extinguish or subdue them by the tear of repentance and the blood of the Lamb, he might yet be saved. He said "it was too late; so great a work could not be done in so short a time." Besides, he hardly knew any longer, he said, whether the religion of his youth was true.

After reasoning with him that the convictions of his mind, while it was yet unclouded by sin, and those of a large and excellent family (parents, he had told me, and eleven brothers and sisters,) were more likely to be true than his, which had been darkened by a life of sin and passion; and after reasoning from the instance on the cross so like his own, and pressing on him the memories of his early baptism and youthful communions (as I ascertained) at the altars of his church, a change of the thought and feeling appeared to come over him greater and in a shorter time, than I had ever met with in my life before.

At first, like Jenkins, he was vindictive, though certainly less sullen in his temper. At my second interview, he promised that he would try to lay aside the feelings in which it was so unsafe to die. At the third meeting (having left him a space to his reflections,) he acknowledged the justice of his fate, and declared he could die without resentment and in charity with all; and that, with the crucified malefactor, he could confess that he received the due reward of his deeds, and could trust only in the mercies of the cross for pardon. As he declined my offer, twice made, to accompany him to his execution—although I should have persisted in going if I had supposed that such decorum would have prevailed—I begged him to renew those confessions in his last moments to those who might be near him; which I am gratified to learn that he did. As he died penitent, professedly, and receiving the church's absolution, I afterwards desired the Coroner to have me notified of his funeral, that he might receive the rites of church burial. I did not get the notice.

I very much regret that I did not know of the suspicions of murder which, I now hear, rested on Stuart; for I am quite sure that if he had been put upon his conscience, he would have revealed to me information, to be made use of after his execution.

Long as this letter is, I cannot close it, gentlemen, without expressing the satisfaction felt, I do not doubt, by this whole community, and felt very deeply by myself, at the humane consideration of your Committee, in invoking the offices of religion on these trying occasions. The eternal world will undoubtedly bring more instances to light than the one recorded in the Gospels, in which, through God's unbounded mercies, good has triumphed over evil even in the last desperate moments of this mortal life. And while we so believe, we cannot hide from the eyes of the dying, however steeped in guilt, the light and healing of the cross!

May wisdom and moderation and a due regard to the dictates of humanity, continue to guide you in your difficult and self imposed task! But, better, still, may the day soon come when, in the judgment of all the good, safety of our citizens and the restored tranquility of our city, shall make your terrible organization no longer necessary!—a result not looked for, we fear, until an outraged community, merging the trivial distinctions of political party, shall rise at the next polls and drive our profane and profligate, obscene and drunken ministers of law from their places, and raise men to power who have families and interests in the country, and at least shall be above suspicion and collision with fiends and felons. It is really sickening to think how fair and beautiful might have been our world-renowned city, and how happy might have been its teeming population, where poverty is not known, and how much greater, too, that population itself might have been, this moment, and this in spite of all the felons in the land, if a purer ermine had rested on our judiciary and the officers and counsellors and makers of the law had all been decent men and above the influence of gold.

While it is to be hoped that these sad offices will be seldom required hereafter, yet, I beg to assure you, gentlemen, that in all cases, and especially such as like the two which have occured already, are associated by the memories and ties of other days with the church to which I belong myself, my services will be most cheerfully and gladly rendered.

I am, gentlemen, very respectfully,
Your obedient servant,
FLAVEL S. MINES.

To Stephen Payran, Esq., President of the Executive Committee and Members of the Committee of Vigilance Committee of San Francisco.

H. H. Bancroft Collection
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CITY ITEMS.

COWHIDING DESIGNS.—The application of the cowhide to offending hombres, is becoming dangerously fashionable. An evening or two since, a lady promenaded the streets, and visited several of the saloons, dressed in the bewitching "Bloomers," in search of an hombre to whom she intended an application of the Lancasterian system—the light strokes up and the heavy ones down. Fortunately for the public peace, and the gentleman's back, she did not come in contact with him.

THE CASE OF T. BELCHER KAY.—This person who voluntarily delivered himself into the hands of the Sheriff, for the better security of his person from the Committee of Vigilance, was brought up on last Saturday before the Superior Court upon a writ of *habeas corpus*. Judge McHeary appeared as counsel for the person imprisoned. No opposition was made by any one, as no legal proceedings had been instituted. The Court ordered the prisoner to be discharged, so as to relieve the Sheriff from any responsibility, or free him from any action which might be brought against him in a pecuniary point of view. Were the Sheriff now to detain him by virtue of his authority, an action might properly lie for a false imprisonment. It lays entirely between the Sheriff and Kay, whether an agreement can be made for the latter to lie in prison as a matter of security, but one thing is certain, our authorities can't assume the expense of keeping him, when no legal charge has been preferred. It must appear to those abroad, that we live in a strange country, and are governed by singular circumstances, when persons are forced to apply for lodging in the city prison to escape personal violence.

ADAMS RE-TAKEN.—This notorio is scoundrel who has so long baffled the efforts of the police, has at length been taken. He was arrested at Sacramento and brought down to this city last Saturday night. The Vigilance Committee have taken him in charge. Adams is one of the most notorious characters that has ever infested our city. We hope justice will be meted out to him.

Pacific Star
July 21

Star
July 21?

July 21

Vigilance Committee—Letter of Rev. Mr. Mines.

SAN FRANCISCO, July 18, 1851.

GENTLEMEN,—I beg to acknowledge, and I do so with many thanks, the kind communication of the 12th instant, received on the 15th, wherein you are pleased to notice the services recently rendered by me on occasions of great solemnity, doubtless as trying to you as to myself.

On one of these occasions, I regret to say, to all human appearance, my ministrations were not of the least avail. The unfortunate man, whom I had exhorted to depart this life with the prayer of Saint Stephen, and of the penitent thief, on his lips, employed the last moments of his earthly life, at least so long as he could speak, in exclamations of indecency, revenge and blasphemy. I never before had seen the man that came so fully up to one's ideas of a being "given over," and no longer able to control the evil influences he had drawn around him, and it is risking nothing to say, with our knowledge of the laws and processes of the human mind, that the condition of mind in which I found and left him, could not have been attained but by a long-continued course of sin and crime. The dominant passion of his dying hour was the vindictive, which I labored without the slightest avail to soften, warning him how unsafe it would be to appear before God with so dark and deadly a passion rankling in his breast. But the fearful passion seemed now inseparable from his being, and he passed away apparently an unresisting prey to the evil influences he had gathered around him in life. I beg however to say, in correction of the report that he was insolent and rude, that he treated me personally with all the respect I could have looked for, and at parting said, "I am much obliged to you; God bless you!"

Much less is it true, that the man Stuart, (whose real name has not been given to the public,) received me rudely. When I first proposed to him my services, he did indeed insist that "it was not worth while." "I," said he, "have not thought of God for fifteen years; and I cannot expect that He would think of me in the few moments that are left me now. If there are everlasting burnings," he added, "I expect to go to them, for I have led the life that must take me to them." I reminded him that the fires were in his own breast, and if, in the moments left him, he could extinguish or subdue them by the tear of repentance and the blood of the Lamb, he might yet be saved. He said "it was too late; so great a work could not be done in so short a time." Besides, he hardly knew any longer, he said, whether the religion of his youth were true. After reasoning with him that the convictions of his mind, while it was yet unclouded by sin, and those of a large and excellent family (parents, he had told me, and eleven brothers and sisters,) were more likely to be true than his, which had been darkened by a life of sin and passion; and after reasoning from the instance on the cross so like his own, and pressing on him the memories of his early baptism and youthful communions (as I ascertained) at the altars of his church, a change of thought and feeling appeared to come over him, greater and in a shorter time, than I had ever met with in my life before. At first, like Jenkins, he was vindictive, though certainly less sullen in his temper. At my second interview, he promised that he would try to lay aside the feelings in which it was so unsafe to die. At the third meeting, having left him a space to his reflections, he acknowledged the justice of his fate, and declared he could die without resentment and in charity with all, and that, with the crucified malefactor, he could confess that he received the due reward of his deeds, and could trust only in the mercies of the cross for pardon. As he declined my offer, twice made, to accompany him to his execution—although I should have persisted in going if I had supposed that such decorum would have prevailed—I begged him to renew those confessions in his last moments to those who might be near him; which I am gratified to learn that he did. As he died penitent, professedly, and received the church's absolution, I afterwards desired the Coroner to have me notified of his funeral, that he might receive the rites of church burial. I did not get the notice.

I very much regret that I did not know of the suspicions of murder which I now hear rested on Stuart; for I am quite sure that if he had been put upon his conscience, he would have revealed to me information to be made use of after his execution.

Long as this letter is, I cannot close it gentlemen, without expressing the satisfaction felt, I do not doubt, by this whole community, and felt very deeply by myself, at the humane consideration of your Committee, in invoking the offices of religion on these trying occasions. The eternal world will undoubtedly bring more instances to light than the one recorded in the Gospels, in which, through God's unbounded mercies, good has triumphed over evil even in the last desperate moments of this mortal life. And while we so believe, we cannot hide from the eyes of the dying, however steeped in guilt, the light and healing of the cross!

May wisdom and moderation, and a due regard to the dictates of humanity, continue to guide you in your difficult and self-imposed task! But, better still, may the day soon come, when in the judgment of all the good, safety of our citizens, and the restored tranquility of our city, shall make your terrible organization no longer necessary—a result not to be looked for, we fear, until an outraged community, merging the trivial distinctions of political party, shall rise at the next polls and drive our profane and profligate, obscene and drunken ministers of law from their places, and raise men to power who have families and interests in the country, and at least shall be above suspicion and collusion with fiends and felons. It is really sickening to think how fair and beautiful might have been our world-renowned city, and how happy might have been its teeming population, where poverty is not known, and how much greater, too, that population itself might have been, this moment, and this in spite of all the felons in the land, if a purer ermine had rested on our judiciary and the officers and counsellors and makers of the law had all been decent men and above the influence of gold.

While it is to be hoped that these sad offices will be seldom required hereafter, yet, I beg to assure you, gentlemen, that in all cases, and especially such as like the two which have occurred already, are associated by the memories and ties of other days with the church to which I belong myself, my services will be most cheerfully and gladly rendered.

I am, gentlemen, very respectfully,
Your obedient servant,
FLAVEL S. MINES.

To Stephen Payran, Esq., President of the Executive Committe and Members of the Committee of Vigilance Committee of San Francisco.

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California Courier 7/21
Alta, Pi, State and Herald

THE HERALD.

Tuesday Morning, July 22, 1851.

The San Francisco Custom-House--Mexican Mules and Teas from Hong-Kong.

The Habeas Corpus in the Case of Kay.

The following documents, which are certified by the Clerk of the Superior Court to be a true copy of the record, develope a state of things of which, much as we knew of the workings of Courts in San Francisco, we did not dream. It will be seen that W. Thompson, Jr., swears positively that Kay is unlawfully restrained of his liberty on the 11th instant—(whereas the truth is, Kay never was in custody of the Committee)—that this is further stated by the plaintiff's attorneys in the petition, and that upon this petition a writ is issued by Judge Murray, ordering the Sheriff to take the body of Kay and safely keep him. What must be thought of this proceeding? Who will not now shout for the Courts and the supremacy of the law?

To the Hon. Hugh C. Murray, Chief Justice of the Superior Court of the city of San Francisco:

The petition of T. Belcher Kay, residing in the city of San Francisco, State of California, respectfully represents that he has been unlawfully restrained of his liberty, and illegally imprisoned by a great number of persons who style themselves the "Vigilance Committee," and who also reside in the city of San Francisco; that said persons or Vigilance Committee are unknown to and unauthorized by the constitution or laws of California; that he is now on board the steamer ——— and that said imprisonment is illegal in this: that the said persons composing the Vigilance Committee are acting in open defiance and violation of the laws of the land.

Wherefore, petitioner prays that a writ of habeas corpus may issue, directed to John C. Hays, Sheriff of the county of San Francisco, or ———, directing or commanding him or them to have petitioner before the Hon. the Superior Court of the city of San Francisco, in accordance with the laws in such cases made and provided, and after all due proceedings had, that petitioner may be restored to his liberty. J. McHENRY
and VAN NESS for plaintiff.

STATE OF CALIFORNIA, City of San Francisco.—*William Thompson Jr.*, being sworn, doth depose and say: That deponent is a resident of the city of San Francisco, county and state aforesaid: that T. Belcher Kay, who also resides in said city of San Francisco, has been unlawfully restrained of his liberty, and imprisoned by a great number of persons who have, without legal authority, associated themselves together, and who style themselves the Vigilance Committee; that said persons are endeavoring to conceal the said T. Belcher Kay in order that he may not be reached by legal process, to the end that they may put him to death by hanging him; that a warrant directed to the sheriff of the county of San Francisco or ———, directing him or them to produce his body, is necessary to prevent them from carrying their designs into execution.

(Signed.) W. THOMPSON, JR.

Sworn to and subscribed before me this 11th day of July, 1851, A. D. JAMES VAN NESS, Not. Public.

STATE OF CALIFORNIA, District of San Francisco, ss.—Superior Court, San Francisco.—*To John C. Hays, Sheriff of the County of San Francisco:* Information on oath having been filed before me that T. Belcher Kay is illegally arrested and held in custody, without process of law by parties unknown, who intend to put the said Kay to death, or inflict other bodily harm upon him before the writ of habeas corpus can issue—you are therefore commanded to take the body of the said Kay, whenever or in whosesoever hands he may be found, and him safely keep until the further order of this court, and this you will not omit under the penalty of the law.

H. C. MURRAY,
Chief Justice Supreme Court of San Francisco.

SACRAMENTO INTELLIGENCE.

By Last Night's Boat.

By Freeman & Co.'s Express, we have the Sacramento and Marysville papers of yesterday.

Some fifty Pitt river Indians have been killed in a fight by some fifteen citizens from Shasta, under command of Captain Kenney.

On the night of the 24th ult., a party of five men (miners) were attacked in the night, some four miles from Shasta. A man by the name of Matthews, from Iowa, was shot dead on the spot, and three others badly wounded, one of whom has since died. His name was Osborne, from Salem, Mass. They were all brought in. The two deceased were taken from the St. Charles Hotel and interred. The Indians are daily committing depredations, killing one, two and three at a time every few days.

The Whig County Convention of Sacramento have made the following nominations:

For the Senate—D. J. Liste.
Assembly—J. A. Cogswell, of Sacramento; Mr. Moore, of Cosumnes; Mr. Blood, of Sutterville; Mr. Catlin, of Mormon Island.
Sheriff—D. McDowell.
Recorder—James Queen.
County Attorney—Mr. Sunderland.
County Clerk—Samuel McKee.
County Treasurer—R. J. Watson.
Coroner—Dr. H. K. Harkness
Justices of the Peace—D. Smith, B. F. Ankony, C. H. Swift, —— Cass.
Constables—E. D. Eyre, C. Denison.

We learn from the Nevada *Journal* that the Vigilance Committee of Grass Valley have recently scoured the country after horse thieves, but without catching any. They are on the watch for them.

Herald 7/22

July 22

...journed until to-... Judge Morrison will make the clos... ument.

Assault with Intent to Kill.

About 1 o'clock, A. M. yesterday morning, an outrageous assault was made by Charles Duane, at the Cairo Ball, in Commercial street, upon Frank Ball, who was participating at the time in the galeties of the evening. We append the affidavit of Mr. Ball, sworn to about 12 o'clock yesterday, while in bed, before Judge Campbell, and so feeble that he could not sign his name. The circumstances as there related agree substantially with what we have gathered from other parties present. We are further informed that Duane broke past the door keeper and forced his way into the ball-room, given by a Frenchman, and attended by a large number of persons male and female, of that nation. As soon as he entered and was recognized, fear fell upon the assembled company, and the galeties of the evening were at once succeeded by silence and constraint. Duane was arrested by Deputy Sheriff Harley, on a warrant issued by Judge Campbell. At 4 o'clock yesterday afternoon, the Court of Sessions resumed its sessions and the Grand Jury, of which Mr Ball is a member, brought in a true bill against Charles Duane, for an assault with intent to commit murder. He was admitted to bail in the sum of $10,000, which he had not succeeded in getting at the last accounts. He will be arraigned to-day to plead and his trial will take place immediately.

Mr. Ball is most seriously injured. At the time Duane was admitted to bail, Ball was supposed to be out of danger, but his case during the afternoon took a decided turn for the worse, and fears are now entertained for his life. His face is badly cut and dreadfully swollen, a large black spot has made its appearance upon his abdomen, where he was brutally kicked after he was down and it is feared that inflammation has taken place and mortification will follow. The cause of this assault, it will be seen, is the audacity of the sufferer in venturing while under oath as a juror on Duane's trial for assault with intent to kill Mons. Fayolle, to vote in favor of the punishment of the accused. We cannot comment with calmness on this most flagrant outrage, and as the case is now before the proper tribunal, we forbear for the present.

AFFIDAVIT OF FRANCIS BALL.

STATE OF CALIFORNIA, } ss.
County of San Francisco. }

Francis A. Ball of said county being duly sworn, saith that on the night of the 26th day of July, instant, a person whose name as deponent is informed is Ira Cole, accosted this deponent at a ball-room in Commercial street, in the city of San Francisco, and asked deponent if he was on the jury which tried his friend Dutch Charley, (by which name Charles Duane is generally known,) that deponent replied that he was, and that he voted to punish him, (said Duane); that said Cole then stated that deponent ought to have his damned head smashed in, or words to that effect; that said Cole then went to said Duane, who was also in the room, and was for some time engaged in earnest conversation with him—that both Cole and Duane looked earnestly at deponent, and that from their gestures, looks and conditions, deponent became apprehensive that they were meditating an assault upon him—that very shortly after their conversation, said Duane stepped up to deponent and said he had something to say to him, that deponent replied that he was dancing then and would see him afterwards, Duane then said he wanted to meet him now, whereupon deponent told him that he would meet him at any proper time and place. Said Duane then said, "You damned, black son of a bitch, I'll kill you," or words to that effect, and thereupon knocked deponent down and kicked him violently in the stomach, so as greatly to endanger deponent's life—that deponent was taken home insensible from the effect of the injuries received, and remained in that condition for several hours, as he is informed and believes, and that deponent is now in a feeble and helpless condition from the injuries so received. Deponent, therefore, charges that the said Duane assaulted him with intent to kill and murder him, and that the said Ira Cole incited said Duane to commit said offence, and aided and abetted him therein.

His
FRANCIS A. BALL.
Mark.

Ira Cole, who is mentioned in Mr. Ball's affidavit as having incited Duane to the attack, was arrested on a warrant issued by Judge Campbell, on a charge of aiding and abetting in this murderous assault. He was held to bail in the sum of $2000 to appear to-day before the Court of Sessions, where an examination will be had of his participation and criminality in the matter.

The Duty on Tea.

In compliance with the request of a friend of the Collector, we re-publish from the columns of a cotemporary the following explanation of his course in placing a duty on teas exported from Hong Kong.

S. F. Herald

SAN FRANCISCO, July 18, 1851.

MESSRS. EDITORS: Doubtless numerous shipments are now a ray of light on some mistaken ... with importations ... and Hong Kong, and the course pursued ... which your ...

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Correspondence of the San Francisco Herald.

SACRAMENTO CITY, July 19, 1851.

ED. HERALD—Having just returned from a tour through the mountain districts, I take pleasure in informing you of the universal opinion there regarding the action of the San Francisco Vigilance Committee, that opinion is one of unqualified respect and admiration. The subject is one of frequent comment in the tent and around the cradle, and in no instance has a feeling contrary to the above been expressed. The people of the entire community feel more secure now that scoundrels, after having perpetrated crimes throughout the State, can no longer flee for succor and protection to Sacramento and San Francisco, thence to issue again as opportunity serves upon new missions of villany. And in connection with the subject permit me to express the humble opinion, that while the committee pursue their past noble and energetic course, whatever opposition may be made by sickly sentimentalists, weak judges and lawyers, they may still rest secure in the united intelligence and patriotism of the mining and agricultural districts of California.

Herald 7/22

EXECUTIVE DEPARTMENT, }
VALLEJO, July 21st, 1851. }

To the People of the State of California.

It has been represented to me that organizations of citizens, styling themselves "Vigilance Committees," have been formed in various portions of the State, and assume powers inconsistent with the existing laws, and serious apprehensions are entertained of collision between the constituted authorities and the citizens thus organized; and it becomes my duty to take some step by which so great a calamity may be averted. It is earnestly hoped that a few simple and practical suggestions may serve to secure this desirable end.

No security of life or property can be guaranteed except the constitution and laws are observed. Let these be forcibly dispensed with, their sacredness violated, and submission to their authority refused, and we are reduced to a state of anarchy more dangerous in its tendencies and probable results than the worst laws, under our system can possibly be, no matter how corruptly administered. We are just entering upon our career, our character is not yet formed, people from all climes and all countries are flocking to our shores, it then becomes us to take no unadvised step which shall retard our progress now, or prejudice our claims to a high and commanding stand hereafter. But more than this, we owe it to ourselves to impress upon the strangers who have settled amongst us unacquainted with, and perhaps entertaining prejudices unfavorable to the practical operation of our peculiar institutions, that our government is a government of laws, and that though they may sometimes prove inadequate, sometimes operate oppressively, or be administered corruptly, the remedy is not in a destruction of the entire system, but is to be secured by a peaceful resort to those constitutional means which are wisely afforded to reform whatever abuses may exist, and correct whatever errors may have been committed.

The occurrences of the past three or four weeks, the apprehension of individuals within the jurisdiction of legally constituted tribunals, their trial, sentence and execution without authority of law, by a voluntary association of citizens, who thus virtually place themselves above and beyond all law except that prescribed by and for themselves, will prove sufficiently prejudicial to our interests abroad, commercial and otherwise, if such organizations, assuming such unquestionably dangerous powers, were now dissolved, but if continued there is no calculating the extent of the injury which may result to us as a state. The dangerous tendencies, in other respects, of organizations of the character under consideration, the excitement produced in the public mind, consequent upon their action, resistance to the constituted authorities, which must almost inevitably result, and threatened collisions between themselves and officers of the law in the execution of their duties, cannot but be appreciated and deprecated by every right thinking and patriotic citizen of the state, and need not therefore, be dwelt upon here. Whatever may have been the exigency heretofore existing, requiring, or supposed to require the adoption of extraordinary measures on the part of the citizen, it has now happily, in a great degree, passed, and such measures should, on this account, if on no other, be at once abandoned. Another criminal code with more efficient provisions, attaching adequate penalties to the commission of offences, and directing a more prompt and effective administration of justice, has gone into operation. Courts are now enabled to try, sentence and execute, as the offence deserves; safe and secure prison houses are being provided, and the officers, there is reason to believe, are ready and anxious to discharge the high duty imposed upon them by the people.

I cannot do less, therefore, than earnestly recommend to my fellow citizens everywhere throughout the state to aid in sustaining the law, for in this is our only real and permanent security. Associations may be organized, but they should be formed with the view to aid and assist the officers of the law in the execution of their duties, and act in concert with the civil authorities to detect, arrest and punish criminals. By pursuing this course, much good may, and undoubtedly will, be accomplished, and all the dangers which threaten unlawful assumptions of power, thus averted. Inefficiency will not then secure impunity to crimes, nor dangerous criminals be permitted to go unwhipt of justice. It is my sworn duty to see that the laws are executed, and I feel assured that all good citizens will cordially co-operate with me in its discharge.

JOHN McDOUGAL,
jy22 Governor.

WANTED,
A YOUNG MAN TO ATTEND BAR. Apply at Public Bar. jy22

UNION BATHS.
THE UNDERSIGNED ... THE PUBLIC ... their friends and the public that ...

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July 22

Cal Courier July 22

July 22

Extraordinary Official Documents.

We find the following documents in the "Picayune" of yesterday. They reveal some marvellous proceedings. So marvellous, indeed, that they cannot but arrest the grave consideration of the whole community. These proceedings will explain many other strange things in our judicial tribunals not heretofore understood.

[COPY.]

To the Hon. Hugh C. Murray, Chief Justice of the Superior Court of the City of San Francisco:

The petition of T. Belcher Kay, residing in the city of San Francisco, State of California, respectfully represents that he has been unlawfully restrained of his liberty, and illegally imprisoned by a great number of persons who style themselves the "Vigilance Committee," and who also reside in the city of San Francisco; that said persons or Vigilance Committee are unknown to and unauthorized by the constitution or laws of California; and that he is now on board the steamer ——, and that said imprisonment is illegal in this: that the said persons composing the Vigilance Committee, are acting in open defiance and violation of the laws of the land—

Wherefore, Petitioner prays that a writ of habeas corpus may issue, directed to John C. Hays, Sheriff of the County of San Francisco, or——directing or commanding him or them to have petitioner before the Hon. the Superior Court of the City of San Francisco, in accordance with the laws in such cases made and provided, and after all due proceedings had that petitioner may be restored to his liberty,

[Signed] J. McHENRY,
and VAN NESS, for Pltff.

(COPY.)

State of California, city of San Francisco.—William Thompson, Jr, being sworn, doth depose and say: That deponent is a resident of the City of San Francisco, county and State aforesaid; that T. Belcher Kay, who also resides in said city of San Francisco, has been unlawfully restrained of his liberty, and imprisoned by a great number of persons who have, without legal authority associated themselves together, and who style themselves the Vigilance Committee; that said persons are endeavoring to conceal the said T. Belcher Kay in order that he may not be reached by legal process, to the end that they may put him to death by hanging him; that a warrant directed to the Sheriff of the county of San Francisco or ——, directing him or them to produce his body, is necessary to prevent them from carrying their designs into execution.

Sworn to and subscribed before me this 11th day of July, 1851, A. D.

(Signed.) W. THOMPSON, JR.
[S D.] JAMES VAN NESS, Not. Public.

[COPY.]

State of California, } ss.
District of San Francisco, }

Superior Court, San Francisco.

To John C. Hays, Sheriff of the county of San Francisco:

Information on oath having been filed before me that T. Belcher Kay is illegally arrested and held in custody, without process of law, by parties unknown, who intend to put the said Kay to death, or inflict other bodily harm upon him before the writ of habeas corpus can issue—

You are therefore commanded to take the body of the said Kay, whenever or in whosesever hands he may be found, and him safely keep until the further order of this court, and this you will not omit under the penalty of the law. [Signed.]

[Seal.] H. C. MURRAY,
Chief Jus. Sup. Court of San Francisco.

I hereby certify that the foregoing is a true copy of the affidavit, petition and order to the Sheriff in the matter of the petition of T. Belcher Kay, now on file in the Clerk's office of the Superior Court of the city of San Francisco, this 18th day of July, A. D. 1851.

[Signed.]
[Seal.] H. MARSHALL, Clerk.

(COPY.)

SACRAMENTO, July 13, 1851.

To the Committee of Vigilance,
San Francisco,

GENTLEMEN:—Being informed that certain grave charges have been preferred against me by the man, Stuart, and that you wish to try me on said charges, I now state to you that I am ready and willing to meet the same, and will voluntarily deliver myself up the moment you may send for me, trusting to your honor for a fair and impartial trial, and beg of you the favor to secure for me as counsel Geary Austin, Esq.

Very respectfully,
[Signed.] T. B. KAY.

Since the foregoing was in type, we have received the following card from Mr Thompson. We have no doubt that he was led to believe what he has sworn to.

CARD.

EDITOR CALIFORNIA COURIER:

SIR: The Picayune of last evening has made a very severe attack upon me, for my agency in seeking to place T. Belcher Kay in the hands of the constituted authorities, to answer, if he were guilty of any offence, before the *legally organized* tribunals of the country. The affidavit sworn to by me, and upon which a warrant was issued to take the person of Kay, was made upon information and belief—precisely as most affidavits are made—information obtained on that very day from leading members of the Vigilance Committee, who stated publicly that Kay had been arrested in Sacramento City by a deputation from their body, was in irons, and would be brought down on that night, and, as confirmation, they believed what they stated as to the arrest of Kay. The Committee, in considerable force, were on the wharf on the arrival of the Sacramento boat, with preparations and arrangements, confirmatory of their previous declarations, that Kay was being brought down on that night.

I can add, also, that Mr Samuel Brannan, a leading and influential member of that committee, publicly declared that Kay would be here on that day, and before twenty-four hours would hang as high as Haman. And I, therefore, had no doubt that, at the moment that the affidavit was made, Kay was then in the Bay, in the hands of said Committee, and so believed when the warrant was issued.

I suppose, under such circumstances and with such declarations made by those who professed to know what they were talking about, any one who felt an interest in the matter, and who only wished a fair hearing to be given to a man whom he believed to be unjustly accused, would be authorized to make the affidavit I did, and without any suspicions or imputations as to his integrity in so doing. W. THOMPSON, JR.

San Francisco, July 21, 1851.

Courier 7/22

RECORDER'S COURT.—Before the Hon. R. H. Waller.

Charles Black was fined $25 for assaulting a man named Wm. Staler at the California Exchange on Saturday evening.

The mate of the bark Wenham, named Creation, was brought up for assaulting sailors on board of the vessel.

John Freeman, Chase and Lormes were fined $15 each for being drunk and disorderly.

Thomas Brown, Wm. E. M. Berry and Peter Fronket were fined $5 each for the same offence.

Charles Stuart was fined $20 for fast riding.

A Mexican was fined $20 for the same offence.

John Cornish, disorderly, discharged.

Courier 7/22

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THE HERALD.

Wednesday, July 23, 1851.

The Governor's Suggestions.

We publish elsewhere Governor John McDougal's communication to the people of the State of California containing suggestions how a collision may be avoided between the constituted authorities and "organizations of citizens styling themselves Vigilance Committees." This communication is styled a a proclamation by the Democratic organ, but we presume this to be a mistake. It doubtless was not intended as such by the Governor, as it bears none of the marks or signs of such a document except that it is rather weak and is dated from the Executive Department. The suggestions, for any practical effect, are as harmless as a bread-pill, and being emanations of the Executive mind they will doubtless be received by the people to whom they are addressed with respectful indifference accordingly. We are by no means disposed to find fault with the Governor for putting these suggestions on paper and publishing them. It is not every Governor who has sufficient strength of mind to enable him to resist the temptation the occasion throws in his way of uttering half a column of "wise saw] and modern instance" advice; and the fact that the premises on which this counsel is based are erroneous,—or rather that the necessity urged for its utterance is imaginary, but renders its promulgation the more innocuous. The letter is a very mild letter, and in its tenor pointless and Pickwickian as could be desired. If all Governor McDougal's official and unofficial acts are as innocent as this epistle, he will go out of office a very popular Governor indeed.

The Governor however, as we have said, falls into a grave mistake. He alleges that apprehensions are entertained of a collision between the constituted authorities and the citizens, and declares his suggestions are thrown out with the view of averting this calamity. We assure the Governor that such apprehensions are wholly groundless, and the authorities if they entertain them may set themselves entirely at rest as to the occurrence of such a catastrophe. The Vigilance Committee have avoided it from the commencement. They have treated the writs and other process of the courts with marked respect and deference. The officers of the law have been received at the committee rooms with signal courtesy, and no interference has been attempted with the culprits already in the hands of the judges. If any effort has been made to produce a collision it has not been by the Committee, and should any yet be made and be successful, it will be without their instrumentality.

But of such a result there is not the slightest probability, and indeed scarcely a possibility. The moderation which has hitherto characterized the course of the Committee will still mark their [illegible]. Their prudence in [illegible] guaranty for [illegible] and the band of [illegible] our community being at length broken up, the functions of the Committee will by degrees assume the character not only of a detective police but also of an organized censorship of the courts. We cannot believe then that the authorities will seek a collision with the Committee, as there will be no pretext for such a course, and, both parties strenuously avoiding it, the Governor will see that there exists absolutely no necessity for his suggestions. It is needless therefore to go into the merits of his advice.

One impression of the Governor we desire to set right. He says there is every reason to believe the judges are "ready and anxious to discharge the high duty imposed on them by the people." This is but partially correct. The community have every confidence in Judge Campbell—they have none at all in Judge Parsons,—and so of others. Let the obnoxious judges resign the trust they have abused, and there will be no necessity thereafter of Executive pronunciamentos to uphold the dignity of the Bench.

July 23

The Governor and the Vigilance Committee.

EXECUTIVE DEPARTMENT, Vallajo, July 21, 1851.

To the People of the State of California:

It has been represented to me that organizations of citizens, styling themselves "Vigilance Committees," have been formed in various portions of the State, and assume powers inconsistent with the existing laws, and serious apprehensions are entertained of collision between the constituted authorities and the citizens thus organized; and it becomes my duty to take some step by which so great a calamity may be averted. It is earnestly hoped that a few simple and practical suggestions may serve to secure this desirable end.

No security of life or property can be guaranteed except the constitution and laws are observed. Let these be forcibly dispensed with, their sacredness violated, and submission to their authority refused, and we are reduced to a state of anarchy more dangerous in its tendencies and probable results than the worst laws under our system can possibly be, no matter how corruptly administered. We are just entering upon our career, our character is not yet formed, people from all climes and all countries are flocking to our shores, it, then becomes us to take no unadvised step which shall retard our progress now, or prejudice our claims to a high and commanding stand hereafter. But more than this, we owe it to ourselves to impress upon the strangers who have settled among us, unacquainted with, and perhaps entertaining prejudices unfavorable to the practical operation of our peculiar institutions, that our government is a government of laws, and that though they may sometimes prove inadequate, sometimes operate oppressively, or be administered corruptly, the remedy is not in a destruction of the entire system, but is to be secured by a peaceful resort to those constitutional means which are wisely afforded to reform whatever abuses may exist, and correct whatever errors may have been committed.

The occurrences of the past three or four weeks, the apprehension of individuals within the jurisdiction of legally constituted tribunals, their trial, sentence and execution without authority of law, by a voluntary association of citizens, who thus virtually place themselves above and beyond all law except that prescribed by and for themselves, will prove sufficiently prejudicial to our interests abroad, commercial and otherwise, if such organizations, assuming such unquestionably dangerous powers, were now dissolved, but if continued there is no calculating the extent of the injury which may result to us as a State. The dangerous tendencies, in other respects, of organizations of the character under consideration, the excitement produced in the public mind, consequent upon their action, resistance to the constituted authorities, which must almost inevitably result, and threatened collisions between themselves and officers of the law in the execution of their duties, cannot but be appreciated and deprecated by every right thinking and patriotic citizen of the State, and need not therefore, be dwelt upon here. Whatever may have been the exigency heretofore existing, requiring, or supposed to require the adoption of extraordinary measures on the part of the citizen, it has now happily, in a great degree passed, and such measures should, on this account, if on no other, be at once abandoned. Another criminal code with more efficient provisions, attaching adequate penalties to the commission of offences, and directing a more prompt and effective administration of justice, has gone into operation. Courts are now enabled to try, sentence and execute, as the offence deserves; safe and secure prison houses are being provided, and the officers, there is reason to believe, are ready and anxious to discharge the high duty imposed upon them by the people.

I cannot do less, therefore, than earnestly recommend to my fellow-citizens every where throughout the State to aid in sustaining the law, for in this is our only real and permanent security. Associations may be organized, but they should be formed with the view to aid and assist the officers of the law in the execution of their duties, and act in concert with the civil authorities to detect, arrest and punish criminals. By pursuing this course, much good may, and undoubtedly will, be accomplished, and all the dangers which threaten unlawful assumptions of power, thus averted. Inefficiency will not then secure impunity to crimes, nor dangerous criminals be permitted to go unwhipt of justice. It is my sworn duty to see that the laws are executed, and I feel assured that all good citizens will cordially co-operate with me in its discharge.

JOHN McDOUGAL, Governor.

Herald 7/23

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STATE OF MR. BALL.—We were informed last night that Mr. Ball, though still lying in a dangerous state, was considered slightly better, his symptoms having assumed a somewhat more favorable appearance. He has been in a high fever ever since he recovered his senses and it is apprehended that inflammation has taken place. We sincerely sympathize with the sufferer, and trust he may yet get over the effects of this murderous attack. Physically incompetent as he naturally was to cope with so notorious a bruiser as Duane, he was rendered still more so by wounds that he had received in the battles of Mexico. It is not surprising then that he suffered so severely in the contest with his powerful opponent.

CASE OF DUANE.—Charles Duane, who was arraigned the same day on which he made the assault upon Mr. Ball, obtained until yesterday morning to plead, when he was brought into the Court of Sessions and plead "not guilty." His trial is set down for Friday next. His bail was fixed at $10,000 but not having obtained it he remains under the custody of the Sheriff in the County Prison. Ira Cole, who is implicated by Mr. Ball as aiding and abetting in the assault is under bonds in the sum of $2000 to appear this evening, at 4 o'clock, in the Court of Sessions to undergo examination.

SENTENCE OF LEWIS.—The evidence in the case of Benjamin Lewis on trial for arson was submitted to the jury yesterday morning, who, after a few minutes absence, returned a verdict of "Guilty." Judge Parsons then sentenced him to two years imprisonment in the County Jail, being the highest punishment for the offence under the old statute in operation at the time the crime was committed. Two days afterwards the new statute which makes arson punishable with death went into operation, a circumstance of which Lewis was fully aware, as he remarked to the officer who conducted him to prison, that "it was a lucky thing for him" it was so.

Herald 7/23

ROBBERY.—A house was forcibly entered before daybreak yesterday morning, and while the occupants were sleeping the robbers quietly broke open the drawers and a trunk and abstracted therefrom $70 in money, and some other articles of value. The most impudent feature in the transaction was the fact that the house was situated but a few rods in the rear of the Station House where the robbers were liable at any moment to be pounced upon by the Police.

CALIFORNIA COURIER.

JAMES M. CRANE .....Editor.

TUESDAY, JULY 22, 1851.

Another Outrage—A Grand Juror Attacked.

Sunday evening, a most outrageous and violent assault was committed upon the person of Mr. Ball, a young gentleman connected with Clayton's saloon, on Commercial street, by Charles Duane *alias* Dutch Charley.—The affair took place in the Cairo Saloon, in Commercial street, where a fancy dress ball was going off, and if the facts are as represented to us, was of the most brutal character. Without the least warning or expectation, Mr. B. was attacked, knocked down, kicked, and trampled upon until he was, to all intents and appearances, dead. We have heard no cause assigned for the act except that Mr. Ball was a member of the jury who tried Duane for his assault upon Fayolle, and was one of the eleven who insisted upon his conviction. Mr. Ball was a member of the present Grand Jury, was ble to give it, he was remanded to the custody of the Sheriff. Before three o'clock the Grand Jury had returned into Court an indictment against him for assault with intent to murder.

We were sorry to hear that Mr Ball was lying in a very precarious condition at a late hour last night. In fact his life was almost despaired of. The injuries are the result of a severe blow on the side of the head and one or more kicks in the abdomen and breast.

We hear it stated that Duane was parading the streets yesterday, in company with an officer. We hardly suppose that such a thing is possible. From the tone of public feeling, we judge that this man has now got to the end of his string in this country. The time has now arrived when he cannot take or endanger the lives of our citizens with impunity. He should be severely dealt with.

Confession and Sentence of Robinson, Gibson and Thompson at Sacramento.

We are indebted to Gregory and also to Mr. S. McNulty of Sacramento, for copies of the Union Extra, giving an account of the confession of Robinson and the statements of Thompson and Gibson, three persons under conviction for capital crimes in Sacramento. We have not space to publish entire the statement, but will give the substance. On the opening of the Court, the prisoners being separated, and Robinson being asked why sentence of death should not be passed against him, arose and said:

Your Honor and Gentlemen Present: A jury of my countrymen have found me guilty of the crime alleged against me. I have this to say: I was born in West Broadway New York; my real name is William Benjamin Heppard; I was born in 1819, and will be thirty-two years old the 19th of December next; I have since assumed my mother's maiden name of Robinson. I was in the Mexican war, and served in seven battles. I was detached to Jefferson Barracks. I returned to Baltimore. I then went to Fort Leavenworth, under Capt. McLane's order. I accompanied Long in the Mounted Rifle Regiment; was made a sergeant; came to Oregon; was broken in the ranks for not saluting an officer; was made Orderly Sergeant under Major Tucker; was persuaded to desert, with ninety-seven others, on the 1st of February; got as far as Susqual mountain; returned and gave myself up; placed as Sergeant at-Arms. I staid in Oregon two years; sailed in the steamer Massachusetts; served under Capt. Carr; laid off San Francisco on arrival; dropped to Benicia; went to the General for a furlough; heard my wife was at Marysville; obtained another for ten days; came up here and stopped at Crescent City Hotel; in two days went up to Marysville; put up at U. S. Hotel; heard my wife boarded at the "New World," kept by Clara Lewis. She told me there was a girl named Rosaline there. My wife's name was Margaret Sarah Sheppard. I then intended to shoot my wife for her disgrace; she entered the room; did not recognize my face, but knew my voice. I then wanted to take her with me and reform her; the city Marshal told me to leave her; have had two children by her. I went then to Park's Bar.

The balance of his confession relates to his roving life, through the mines until his arrival in Sacramento, the Sunday previous to his arrest. He denies all criminal intention or connection with the man Wilson who was robbed, although he was with him a great portion of the time, and admits being with him when the attack of Thompson and Gibson was made. He claims that he ran off from Wilson when he was attacked, because he had money in his own pocket, which he was afraid would be taken from him! Says he told the other parties that if they would go away he would entice Wilson to a game of cards, win his money, and then divide equally! The whole statement goes to show that he was the stool-pigeon of Thompson and Gibson.

The prisoners Thompson and Gibson being called upon, made the following statements:

John Thompson said, I have this to say: I sailed from Valparaiso to San Francisco two years since lacking a month; have returned to that place twice since: have been to sea since 14 years of age; been at the bay 14 months; worked here two or three months; don't know anything about man's money; Wilson chucked the money into the bushes; no one saw him find it. If you think me guilty, punish me.

James Gibson: Robinson brought Wilson into the shanty when I was shaving; know nothing of the man at all, good, bad or indifferent. I never took his money.

The Judge then proceeded to pronounce sentence upon the prisoners. He delivered it in a most solemn and impressive manner, and with such emotion as oft-times to prevent his articulating distinctly. The silence of the grave reigned throughout the crowded court room, only broken at intervals by the half suppressed sobs of the prisoner Robinson, the only one of the culprits who seemed at all impressed with the solemnity of the scene.

We are sorry that we are compelled to omit the sentence of Judge Willis. It is couched in language such as seldom ever emanated from the judicial bench—being most solemn and impressive. It concludes thus:

"That you, William B. Robsnson; and that you James Gibson, and that you John Thompson, be each conducted from this place to the County prison, and there be detained in close custody until Friday, the 22d day of August, 1851, on which day between the hours of 10 o'clock A. M. and 1 o'clock P. M., you are each to be taken to the place of execution, and there hanged by the neck until you are dead—and may God, who alone is able to save, have mercy upon your souls."

The whole conduct and course of Judge Willis during these trials has been such as to merit the highest commendation from every well disposed person in the State.—His promptitude and decision are the topics of conversation in every circle of society, and redound much to his credit.

member of the present Grand Jury, was

A jury of my countrymen have found me guilty of the crime alleged against me. I have this to say: I was born in West Broadway New York; my real name is William Benjamin Heppard; I was born in 1819, and will be thirty-two years old the 19th of December next; I have since assumed my mother's maiden name of Robinson. I was in the Mexican war, and served in seven battles. I was detached to Jefferson Barracks. I returned to Baltimore. I then went to Fort Leavenworth, under Capt. McLane's order. I accompanied Long in the Mounted Rifle Regiment; was made a sergeant; came to Oregon; was broken in the ranks for not saluting an officer; was made Orderly Sergeant under Major Tucker; was persuaded to desert, with ninety-seven others, on the 1st of February; got as far as Susqual mountain; returned and gave myself up; placed as Sergeant at-Arms. I staid in Oregon two years; sailed in the steamer Massachusetts; served under Capt. Carr; laid off San Francisco on arrival; dropped to Benicia; went to the General for a furlough; heard my wife was at Marysville; obtained another for ten days; came up here and stopped at Crescent City Hotel; in two days went up to Marysville; put up at U. S. Hotel; heard my wife boarded at the "New World," kept by Clara Lewis. She told me there was a girl named Rosaline there. My wife's name was Margaret Sarah Sheppard. I then intended to shoot my wife for her disgrace; she entered the room; did not recognize my face, but knew my voice. I then wanted to take her with me and reform her; the city Marshal told me to leave her; have had two children by her. I went then to Park's Bar.

The balance of his confession relates to his roving life, through the mines until his arrival in Sacramento, the Sunday previous to his arrest. He denies all criminal intention or connection with the man Wilson who was robbed, although he was with him a great portion of the time, and admits being with him when the attack of Thompson and Gibson was made. He claims that he ran off from Wilson when he was attacked, because he had money in his own pocket, which he was afraid would be taken from him! Says he told the other parties that if they would go away he would entice Wilson to a game of cards, win his money, and then divide equally! The whole statement goes to show that he was the stool-pigeon of Thompson and Gibson.

The prisoners Thompson and Gibson being called upon, made the following statements:

John Thompson said, I have this to say: I sailed from Valparaiso to San Francisco two years since lacking a month; have returned to that place twice since: have been to sea since 14 years of age; been at the bay 14 months; worked here two or three months; don't know anything about man's money; Wilson chucked the money into the bushes; no one saw him find it. If you think me guilty, punish me.

James Gibson: Robinson brought Wilson into the shanty when I was shaving; know nothing of the man at all, good, bad or indifferent. I never took his money.

The Judge then proceeded to pronounce sentence upon the prisoners. He delivered it in a most solemn and impressive manner, and with such emotion as oft-times to prevent his articulating distinctly. The silence of the grave reigned throughout the crowded court room, only broken at intervals by the half suppressed sobs of the prisoner Robinson, the only one of the culprits who seemed at all impressed with the solemnity of the scene.

We are sorry that we are compelled to omit the sentence of Judge Willis. It is couched in language such as seldom ever emanated from the judicial bench—being most solemn and impressive. It concludes thus:

"That you, William B. Robsnson; and that you James Gibson, and that you John Thompson, be each conducted from this place to the County prison, and there be detained in close custody until Friday, the 22d day of August, 1851, on which day between the hours of 10 o'clock A. M. and 1 o'clock P. M., you are each to be taken to the place of execution, and there hanged by the neck until you are dead—and may God, who alone is able to save, have mercy upon your souls."

The whole conduct and course of Judge Willis during these trials has been such as to merit the highest commendation from every well disposed person in the State.—His promptitude and decision are the topics of conversation in every circle of society, and redound much to his credit.

Another Outrage—A Grand Juror Attacked.

Sunday evening, a most outrageous and violent assault was committed upon the person of Mr. Ball, a young gentleman connected with Clayton's saloon, on Commercial street, by Charles Duane *alias* Dutch Charley.—The affair took place in the Cairo Saloon, in Commercial street, where a fancy dress ball was going off, and if the facts are as represented to us, was of the most brutal character. Without the least warning or expectation, Mr. B. was attacked, knocked down, kicked, and trampled upon until he was, to all intents and appearances, dead. We have heard no cause assigned for the act except that Mr. Ball was a member of the jury who tried Duane for his assault upon Fayolle, and was one of the eleven who insisted upon his conviction. Mr. Ball was a member of the present Grand Jury, was highly esteemed for his many good qualities, by his numerous acquaintances in this city, and this outrage has created intense excitement throughout the city.

Yesterday morning, as soon as Judge Campbell became aware of the circumstances, he issued a bench warrant for Duane's arrest, upon which he was shortly afterwards brought into Court. The Court held him to bail in $10,000 for his appearance at 4 o'clock in the afternoon, and being una-

July 23

The Habeas Corpus in the Case of Kay.

Mr. W. Thompson, upon whose affidavit, published in yesterday's *Herald*, the writ of habeas corpus in the case of Kay was issued by Judge Murray, has published a card stating that his affidavit to the effect that Kay was at the time restrained of his liberty by the Vigilance Committee, was based upon information derived from common report and from members of that Committee themselves; —that he expected and believed Kay was on board the steamer on that day in the hands of the Committee, and in proof of this averment, he asserts many of the Committee repaired to the wharf in the evening supposing Kay would arrive. We can readily believe that such were the circumstances, and that Mr. Thompson deposed to what he thought was true; but does not the looseness of this whole proceeding do more to subvert law and order—to throw obloquy on the bench—and to destroy in the minds of citizens that respect which is essential to the usefulness of the judiciary, than the execution of twenty men by the Vigilance Committee? The highest process known to the Court is issued on a statement under oath of facts which never had existence. The question naturally presents itself, if this thing could be done for the ostensible purpose of preserving the life and liberty of a citizen, can it not be done with equal facility for a very different object? Cannot the process of the Court be abused for the furtherance of any dark purpose that malice may dictate? That the writ has been abused in this case cannot be denied;—grant that the intention of all concerned was entirely proper and humane;—grant there was no personal feeling on the part of the Judge, and that he issued it in the exercise of what he considered a duty;—

Herald 7/23

Herald July 23

what confidence is there that some other process or even a writ of habeas corpus may not be issued another time for a base purpose?

We ask now, after this development, that at least we hear no more cant about "constituted authority," "the dignity of the bench," and all that other nonsense indulged in by those in office. We ask that people, after this, may talk sensibly of the concerns of this community as they exist, and not travesty the slavish extravagances of Coke and Mansfield and Eldon in their worship for station and prerogative. The matter which forms the subject of this article constitutes a stronger argument in favor of the Vigilance Committee than all that has yet been written on the subject. We neither denounce nor wonder at it. We are not unprepared for anything of the sort—but we do hope that as the mask has fallen, the high tragedy cant will be abandoned.

THE POST AND THE VIGILANCE COMMITTEE. —The conduct of the *Post*, in regard to the action of the Vigilance Committee, has been varied and changeable. At first, thinking that popularity was on their side, they reprobated the action of the Committee in the case of Jenkins. Then, finding they had got on the wrong track, like a whipped cur, they whined out their apologies, and became laudatory of the Committee. Every one must recollect their apologetic article on this subject, wherein they state that their objections to the organization had been removed by the withdrawal of the veil of secresy from their acts. Latterly, however, the *Post* has been trying to get back to its old position of opposition to the Committee. Because we took occasion to review in a candid manner, as we believe, certain articles in that paper, the editors see proper in Monday's issue to make a contemptable insinuation in regard to us, unworthy of them. If they have any awful disclosures to reveal of us, we hope they will make a clean breast of it.

California Courier 7/23

The Habeas Corpus in the Case of Kay.

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The Case of Barnes.

EDITOR HERALD: Having seen an article in the *Alta California* of Friday last, headed "a singular verdict," (my attention being directed to it by a fellow juryman) may I request you to publish these few lines, and convince the said paper that the verdict was "singularly" proper?

A young man by the name of Barnes, with an alias of Smith, has a true bill found against him by the Grand Jury, and he is accordingly tried. The evidence against him places him in a suspicious position, but leaves doubts, which the jury allowed to operate in his favor. The evidence in his defence proves that he is a young man belonging to a highly respectable family, but that he had been drinking and gambling—one or both of which acts may have been the cause of suspicion attaching to him. And that he may avoid any future obloquy, the Court is requested to admonish him, and the Court, no doubt seeing the propriety of so doing, did it without a moment's hesitation.

Now, the jurors contend they have not been influenced by any thing but the evidence, and if any should be produced by them, showing that the young gentlemen of the *Alta* indulge in such pernicious vices, they will recommend that they also be admonished.

ONE OF THE JURORS.

THE DAILY PACIFIC STAR.

WEDNESDAY MORNING, JULY 23, 1851.

Democratic State Ticket.

FOR GOVERNOR,
JOHN BIGLER.

FOR LIEUTENANT GOVERNOR,
SAMUEL PURDY.

FOR JUSTICE OF SUPREME COURT,
SOLOMON HEYDENFELDT.

FOR ATTORNEY GENERAL,
S. CLINTON HASTINGS.

FOR STATE COMPTROLLER,
WINSLOW S. PIERCE.

FOR STATE TREASURER,
RICHARD ROMAN.

FOR SURVEYOR GENERAL,
WM. M. EDDY.

FOR CONGRESS,
JOSEPH W. McCORKLE.
E. C. MARSHALL.

☞ **Publication Office** of the PACIFIC STAR on Montgomery street, three doors from Clay. Our advertising friends will please be particular. Office open from daylight until the arrival of the Sacramento boats. Advertisement solicited at as early an hour as possible.

Our Job Office.—We wish our friends to bear in mind that we are prepared to execute every variety of Job Work at the most reasonable rates and at the shortest notice. We confidently expect our friends to favor us with their work, and we pledge to them the utmost fidelity in executing their orders.

To Subscribers.—Should any gentleman who has favored us with his name as a subscriber, fail to receive his paper, he would confer a favor by leaving word at the Publication Office. Errors incident to a new publication will be promptly and cheerfully corrected.

☞ **Col. Joseph Grant** is our duly authorized Agent for the transaction of all business connected with the "Pacific Star," in Sacramento and vicinity.

☞ Persons desirous of forwarding copies of the STAR to their friends in the country, can obtain them by applying at the counter, Publication Office.

☞ With a view to unite in favor of a single journal the support of the Democratic party of this city, the undersigned have withdrawn their prospectus for a Democratic newspaper; and they have much pleasure in commending to their friends the PACIFIC STAR, of Messrs. SETHE-LAND RUEY & WHITE.
EUGENE CASSERLY & CO.
San Francisco, June 27, 1851.

The Habeas Corpus Case.

Heaven knows that we shall never undertake the herculean task of defending all the actions of the officials in this State though they may belong to our party. We *profess* at least to be honest and intend only to justify such measures, as we know are calculated to advance the interests of our State and people. There are members of both the Democratic and Whig parties, that have been appointed to public places, for the conduct of which neither party as such should be held responsible—for the apparent reason that they were never elected as party-men, but owe their elections to combinations that members of both parties made with each other—and we wish to be distinctly understood that the official actions of such men will be closely scrutinized, and any improper action on their part fully exposed. But while we claim the privilege of censuring, we will not withhold a proper defence whenever they may be in our opinion unjustly reflected upon. The *Picayune* of Monday evening, and the morning papers of yesterday, generally, published what was represented to be a gross act of malfeasance on the part of Judge Murray. Our acquaintance with this Judge is of so limited a character, that we certainly have neither any personal or political friendship, that would induce us to defend his course if we supposed he had violated or transcended the law. In fact from the rumors that we had heard, we were prepared to believe that there was "something rotten in Denmark," and had determined to express ourselves accordingly, but an examination into the law of the State, concerning the writ of Habeas Corpus, convinces us in our poor legal judgment, that Judge Murray could not under the law have acted differently. It seems that an affidavit was made by a Mr. Thompson, wherein he sets forth that Belcher Kay had been restrained of his liberty, and illegally imprisoned, and asks the court to issue a writ of Habeas Corpus, to inquire into the facts. Without stopping to examine whether there was truth or falsity in the affidavit, or whether Thompson was mistaken or not, we do believe and hence must say, that when that affidavit was filed, it became the duty of the Judge to issue the writ. This solemn prerogative writ, is a writ of right. A Judge might perhaps stop to examine *arbitrarily* into the truth of the affidavit, but of that we are not called upon to speak. If a witness perjures himself in making the application, the Court can protect itself in the punishment of the witness. The 4th sec. of "An Act concerning the writ of Habeas Corpus," provides, "that any" "court or judge empowered to grant" "any writ applied for under this act to" "whom such petition might be pre-" "sented, if it appear that the writ" "ought to issue, *shall grant the same*" "*without delay.*" And the 2d section provides when a "writ ought to issue," in the following words: "Application" "for such writ shall be made by peti-" "tion, signed either by the party for" "whose relief it is intended, *or by some*" "*person in his behalf*, and shall specify" "1st. That the person in whose behalf" "the writ is *applied for is imprisoned*" "*or restrained of his liberty; the officer*" "*or person by whom he is so confined*" "*or restrained; and the place where*" "*naming all the parties if they*" "*are known, or describing them if they*" "*are not known.*" 2d. If the impris-" "onment be alleged to be illegal the" "petition must also state in what the" "alleged illegality consists. 3d. *The*" "*petition must be verified by the oath*" "*or affirmation of the party making*" "*the application.*"

Clearly the affidavit in the case before us shows that Kay was restrained of his liberty—it alleges by whom he was imprisoned, and was verified by the oath of Thompson. This is all the judge requires of the applicant. In fact [illegible] proves and would have been liable under the law had he refused to have directed the writ to have been issued. We quote in this connexion from the 88th section of the same law: "If any Judge, after a proper application," (meaning, of course, an application that complies with the terms of the 2d section of the law above referred to,) "shall refuse" "to grant an order for a writ of habeas" "corpus, or if the officer or person to" "whom such writ may be directed" "shall refuse obedience to the com-" "mand thereof, he shall forfeit and pay" "to the person aggrieved a sum not" "exceeding five thousand dollars, to" "be recovered by an action of debt" "in any Court having cognizance" thereof." Hence, when the affidavit of Thompson was filed, complying as it did in form with all the requirements of law, it would not only have been a high act of judicial tyranny to have refused to have issued the writ, but one which would not only have mulcted the judge in damages, but would have furnished good ground for his impeachment and removal. It has become so fashionable of late to assail the courts, that many willingly join in the cry without stopping for a moment to see if the charge is just. We will never be found to defend the acts of a corrupt judiciary, and we feel that we have manliness enough to defend them when unjustly accused, though all the world should cry and "bid us hold our peace."

P. S. The above matter was already "set up," when we received the *Picayune* of last evening, which contains a disclaimer of the article to which we have referred on the part of one of its editors, and a card signed by Mr. A. C. Russell, acknowledging the paternity of the objectionable "leader." However much we are inclined to endorse Mr. Russell's honesty of purpose, there can be no question that he acted in too hot haste; and that the "Extraordinary Proceedings" on the part of the Court which he characterized so severely, were in themselves not only *ordinary*, but proper, and such as became the bounden duty of the Judge to perform.

DETERMINED TO BE PUNISHED.—Yesterday morning, an individual came rushing to the door of the room occupied by the Vigilance Committee, and attempted to gain admission. On being stopped by the Sergeant-at-Arms, he said he wanted to be punished; had been stealing from a friend; had taken shirts from his trunk and put them in his own carpet-bag. On being asked his name, he refused to give it, but said he was determined to be punished, and endeavored to impress upon the Committee the necessity of properly overhauling his case. He was finally forced away, no doubt laboring under the impression that the Committee were guilty of a gross remissness of duty.

THE SON OF AFRICA, who fell into the hands of the Vigilance Committee on the charge of having caused the last fire, and confessed being instigated thereto by a woman, was finally discharged by the Committee, they not being able to make head nor tail to his confessions and denials. Before leaving the room, he claimed the prisoner's privilege of saying a few words, and said, "Gemlemen, I thought you stop my *bref*, a few days before, but as you hasn't, I bless God I has enough left to say that I'se wery much 'bliged to you." Grasping his greasy cap by the tassel, he left in double quick time.

THE GREAT WONDER of strangers arriving in our city, the splendor of our social Saloons, and all admiration they do not surpass [illegible] country, [illegible] has had a notoriety in the bar-maid line, but we think San Francisco for the beauty of its bar-maids, stands unrivalled. While on the subject of bars and bar-maids, we would remark that the recent alterations and improvements in the California Exchange reflect great credit on the designers, and entitle the proprietors to a liberal support for their [illegible] to render comfort [illegible] patrons.

July 23

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Following the precedent set by Mayor Brenham, Governor McDougal made in an effective attempt to check the activities of committees of vigilance, by a proclamation which appeared in many of the daily papers;

Dr Logan :

EXECUTIVE DEPARTMENT,
VALLEJO, July 21st, 1851.

To the People of the State of California.

It has been represented to me that organizations of citizens, styling themselves "Vigilance Committees," have been formed in various portions of the State, and assume powers inconsistent with the existing laws, and serious apprehensions are entertained of collision between the constituted authorities and the citizens thus organized; and it becomes my duty to take some step by which so great a calamity may be averted. It is earnestly hoped that a few simple and practical suggestions may serve to secure this desirable end.

No security of life or property can be guaranteed except the constitution and laws are observed. Let these be forcibly dispensed with, their sacredness violated, and submission to their authority refused, and we are reduced to a state of anarchy more dangerous in its tendencies and probable results than the worst laws, under our system can possibly be, no matter how corruptly administered. We are just entering upon our career, our character is not yet formed, people from all climes and all countries are flocking to our shores, it then becomes us to take no unadvised step which shall retard our progress now, or prejudice our claims to a high and commanding stand hereafter. But more than this, we owe it to ourselves to impress upon the strangers who have settled among us, unacquainted with, and perhaps entertaining prejudices unfavorable to the practical operation of our peculiar institutions, that our government is a government of laws, and that though they may sometimes prove inadequate, sometimes operate oppressively, or be administered corruptly, the remedy is not in a destruction of the entire system, but is to be secured by a peaceful resort to those constitutional means which are wisely afforded to reform whatever abuses may exist, and correct whatever errors may have been committed.

The occurrences of the past three or four weeks, the apprehension of individuals within the jurisdiction of legally constituted tribunals, their trial, sentence and execution without authority of law, by a voluntary association of citizens, who thus virtually place themselves above and beyond all law except that prescribed by and for themselves, will prove sufficiently prejudicial to our interests abroad, commercial and otherwise, if such organizations, assuming such unquestionably dangerous powers, were now dissolved, but if continued there is no calculating the extent of the injury which may result to us as a state. The dangerous tendencies, in other respects, of organizations of the character under consideration, the excitement produced in the public mind, consequent upon their action, resistance to the constituted authorities, which must almost inevitably result, and threatened collisions between themselves and officers of the law in the execution of their duties, cannot but be appreciated and deprecated by every right thinking and patriotic citizen of the state, and need not therefore, be dwelt upon here. Whatever may have been the exigency heretofore existing, requiring, or supposed to require the adoption of extraordinary measures on the part of the citizen, it has now happily, in a great degree, passed, and such measures should, on this account, if on no other, be at once abandoned. Another criminal code with more efficient provisions, attaching adequate penalties to the commission of offences, and directing a more prompt and effective administration of justice, has gone into operation. Courts are now enabled to try, sentence and execute, as the offence deserves; safe and secure prison houses are being provided, and the officers, there is reason to believe, are ready and anxious to discharge the high duty imposed upon them by the people.

I cannot do less, therefore, than earnestly recommend to my fellow citizens every where throughout the state to aid in sustaining the law, for in this is our only real and permanent security. Associations may be organized, but they should be formed with the view to aid and assist the officers of the law in the execution of their duties, and act in concert with the civil authorities to detect, arrest and punish criminals. By pursuing this course, much good may, and undoubtedly will, be accomplished, and all the dangers which threaten unlawful assumptions of power, thus averted. Inefficiency will not then secure impunity to crimes, nor dangerous criminals be permitted to go unwhipt of justice. It is my sworn duty to see that the laws are executed, and I feel assured that all good citizens will cordially co-operate with me in its discharge.

JOHN McDOUGAL,
Governor.

jy22

then with much the same arguments as were used by Campbell & Brenham, at once warned the people of the dangers of such a breakdown of constitutional government & suggested that while no protective organizations might be formed, they should be "aid"

H. H. Bancroft Collection
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copy

UNION BATHS.
RESPECTFULLY TO THE PUBLIC METHOD
[illegible] inform the public that
they have built a large Bath House and can give 300
baths a day.
TUESDAY and FRIDAY [illegible] each week
will be reserved for LADIES.

July 23

Printed in full. Popular Tribunals I, 332-333. Other contemporary Comments may be found in the same work.

July 23

The Governor and the Vigilance Committee.

EXECUTIVE DEPARTMENT, Vallejo, July 21, 1851.

To the People of the State of California:

It has been represented to me that organizations of citizens, styling themselves "Vigilance Committees," have been formed in various portions of the State, and assume powers inconsistent with the existing laws, and serious apprehensions are entertained of collision between the constituted authorities and the citizens thus organized; and it becomes my duty to take some step by which so great a calamity may be averted. It is earnestly hoped that a few simple and practical suggestions may serve to secure this desirable end.

No security of life or property can be guaranteed except the constitution and laws are observed. Let these be forcibly dispensed with, their sacredness violated, and submission to their authority refused, and we are reduced to a state of anarchy more dangerous in its tendencies and probable results than the worst laws under our system can possibly be, no matter how corruptly administered. We are just entering upon our career, our character is not yet formed, people from all climes and all countries are flocking to our shores, it then becomes us to take no unadvised step which shall retard our progress now, or prejudice our claims to a high and commanding stand hereafter. But more than this, we owe it to ourselves to impress upon the strangers who have settled among us, unacquainted with, and perhaps entertaining prejudices unfavorable to the practical operation of our peculiar institutions, that our government is a government of laws, and that though they may sometimes prove inadequate, sometimes operate oppressively, or be administered corruptly, the remedy is not in a destruction of the entire system, but is to be secured by a peaceful resort to those constitutional means which are wisely afforded to reform whatever abuses may exist, and correct whatever errors may have been committed.

The occurrences of the past three or four weeks, the apprehension of individuals within the jurisdiction of legally constituted tribunals, their trial, sentence and execution without authority of law, by a voluntary association of citizens, who thus virtually place themselves above and beyond all law except that prescribed by and for themselves, will prove sufficiently prejudicial to our interests abroad, commercial and otherwise, if such organizations, assuming such unquestionably dangerous powers, were now dissolved, but if continued there is no calculating the extent of the injury which may result to us as a State. The dangerous tendencies, in other respects, of organizations of the character under consideration, the excitement produced in the public mind, consequent upon their action, resistance to the constituted authorities, which must almost inevitably result, and threatened collisions between themselves and officers of the law in the execution of their duties, cannot but be appreciated and deprecated by every right thinking and patriotic citizen of the State, and need not therefore, be dwelt upon here. Whatever may have been the exigency heretofore existing, requiring, or supposed to require the adoption of extraordinary measures on the part of the citizen, it has now happily, in a great degree passed, and such measures should, on this account, if on no other, be at once abandoned. Another criminal code with more efficient provisions, attaching adequate penalties to the commission of offences, and directing a more prompt and effective administration of justice, has gone into operation. Courts are now enabled to try, sentence and execute, as the offence deserves; safe and secure prison houses are being provided, and the officers, there is reason to believe, are ready and anxious to discharge the high duty imposed upon them by the people.

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JOHN McDOUGAL, Governor.

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Alta or Herald 7/23

July 24

THE HERALD.

Thursday Morning, July 24, 1851.

Chief Justice Murray and the Press.

EDITOR HERALD: The recent attacks upon Judge Murray, for issuing a writ of habeas corpus in the case of T. Belcher Kay, have created in the minds of many of the most intelligent of the community the most profound surprise and regret. I propose, therefore, to examine into the merits of this case, and will shew that Judge Murray has been treated with gross injustice; that he has done nothing but his duty as a sworn judicial officer; that he has not exceeded his duty; and that to have acted otherwise than he did would have subjected him to the heavy penalties of the habeas corpus act.

To entitle any one to the benefit of habeas corpus, the affidavit must shew—1st, that he is restrained of his liberty; 2d, the officer or person by whom; 3d, the place where.

By examining the affidavit of Mr. Thompson, who applied for it on behalf of Kay, it will be seen that these requisites were fully complied with, with the exception of stating the place of confinement, which however was fully supplied by the allegation that the prisoner was concealed, and it will be further seen by section 20 of the same act, that under the case as made by the affidavit, the writ could only be directed to the Sheriff.

It, therefore, appears that according to the strictest requirements of the statute, the application upon its face was a proper one.

The 38th section of the same act provides, "If any judge after a proper application is made, shall refuse to grant an order for a writ of *habeas corpus, &c.*, he shall forfeit and pay to the person aggrieved a sum not exceeding five thousand dollars to be recovered by action of debt," &c.

It therefore appears that in an application under the habeas corpus act, if the form is in compliance with the statute there is no discretion left with the judge; he must grant the writ or be liable to the penalty affixed for refusing, and be further liable to the charge of gross dereliction of duty, and a violation of his oath of office.

The application for habeas corpus is an *exparte* one, and the judge cannot inquire into the truth or falsehood of the affidavit, and very properly for two reasons, first, such an inquiry would involve a long and tedious investigation, requiring much delay, and might in many instances deprive the party applying of the benefit of the writ by enabling his captors to remove him beyond the jurisdiction of the proper office r; and secondly, such investigation can and must be had fully and fairly upon the return of the writ and the bringing in of the prisoner.

The examination of the subject thus far will certainly relieve Judge Murray from the censure which has been so unjustly visited upon him, unless such censure is the result of personal ill feeling. And indeed a portion of the strictures in the *Picayune*, and which are reiterated in the card of Mr. A. C. Russell, can scarcely be attributable to enough else. Judge Murray is accused by Mr. Russell of knowing the affidavit of Thompson to be false. How did Mr. Russell attain to this conclusion? Has he any proof? If so it is certainly his duty to furnish it to the public, or otherwise it must be inferred that his assertion is the offspring of vindictiveness. The public press, while it ought to be the guardian of the public interest, and use every effort to discover and expose official misconduct and corruption, should carefully distinguish between the innocent and the guilty; it should avoid those attacks which, from their manifest injustice, will eventually succeed in sapping the confidence of the public in its integrity or sound judgment, and thereby seriously impair its usefulness. I trust, Mr. Editor, that as far as your own strictures have gone you will re-examine this matter. I believe that no pride of opinion will induce you to persist in an unjust position.

The writer has argued quite successfully the legality of Judge Murray's action in the case of Kay, but, as far as we are concerned this is superfluous, for we never denied it. In the next place, he does us but simple justice in the belief that "no pride of opinion would induce us to persist in an unjust position." We have the utmost confidence in our own willingness to depart from a wrong position if we should ever have the misfortune to assume one; but the fact is, we never do. We have given credit to all parties concerned in this habeas corpus affair for good intentions, but at the same time we said that considering a writ of habeas corpus had been issued on an affidavit to facts that never had existence, it was on the whole a very loose proceeding, and that it would tend to weaken materially the public confidence in courts and judicial proceedings;—if this position is an unjust one, we shall promise never to take another.

All that our correspondent has said about the law is of course critically correct;—there is law doubtless for every step in the proceeding; but we all recollect that when a writ of habeas corpus was sued out in the case of Mr. Walker, an honest citizen, whose sole crime was a conscientious discharge of his duty, the applicant was knocked about from Court to Court like a shuttlecock, and seven days elapsed before he was restored to his liberty—while here in the case of a man charged with felony, known to have been the companion of thieves and burglars, and suspected of being their confederate, the portals of justice open wide to receive him even before he knocks for admission, and a process issues to restore him to liberty before he is known to be in durance. All according to law, perhaps, but if it be so, then that law acts directly for the oppression of the honest man and the immunity of the knave. We cannot believe the law was ever intended for any such purpose. We repeat then, that here is a case demonstrating the necessity of a Vigilance Committee and disproving all the cant indulged in about the sacredness of the Courts. These institutions are formed for the purpose of dispensing justice, and if they do not answer that purpose they are worse than useless.

In the two cases we have contrasted, was justice done? Was it just that the law should be used to deprive an honest man of his liberty for seven days on the one hand, and to prevent the knave from being punished on the other, that a writ should issue before his arrest? Mr. Walker's counsel were able, full of zeal, and certainly unremitting in their efforts to procure his release. Why is it that in that case seven days elapsed, and in Kay's case relief was granted before it was necessary? If this be the equal justice of the courts, then we say a Vigilance Committee is necessary to regulate the courts, and our correspondent will see that this is the position we took in our first article. We care not what the judge's intentions are. We shall always take them to be correct until we know the contrary and it will take a strong presumption to make us ascribe improper motives;—in this case we have not ascribed such motives:—we only look to results:—the Superior Court, it is but justice to add, has been more free from taint than any other we are acquainted with; but these two habeas corpus cases prove that the whole machinery of courts is out of order, and that the great end and aim of their existence, the administration of equal justice to all, is not at present accomplished.

PRISONERS DELIVERED.—James Burns alias Jemmy-from-town and John Ainsworth alias Jemmy-roundhead was last night delivered by the Vigilance Committee to the custody of the Sheriff, and the prisoner Geo. Arthur, was at the same time given to the City Marshal. Now we shall see what the Courts will do.

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ATTEMPT AT BURGLARY.—Yesterday morning, about 2 o'clock, a person attempted to break into the house of J. C. Pelton, Esq., corner of California and Stockton streets. He was caught in the act of crawling into the house, having forced a window in a wood shed adjoining, by the proprietor and secured. He was turned over to the Committee of Vigilance.

FELL FROM A HORSE.—A gentleman named Bonforte was seriously injured yesterday morning by a fall from a horse while riding on Stockton street. Two of his ribs were broken, and he was otherwise injured. He received proper medical attendance.

SONS OF TEMPERANCE.—Excelsior Division No. 6 of this order was instituted on Tuesday evening last. The officers were duly elected, Rev. Osgood Church Wheeler, is the chief officer of the body.

OLYMPIC CIRCUS.—All those who have not visited

☞ A burglar attempted to enter the dwelling house of Mr. J. C. Pelton about two o'clock yesterday morning. He was caught by Mr. P. and handed over to the Vigilance Committee to be dealt with.

☞ A gentleman by the name of Bonneforte, while riding in Stockton street yesterday morning had three of his ribs broken and was otherwise seriously injured.

IRON CURBING.—We saw yester-

July 25

CALIFORNIA COURIER.

JAMES M. CRANE ..... EDITOR.

FRIDAY, JULY 25, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

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WHIG STATE TICKET.

For Governor.
PEARSON B READING, of Shasta.

For Lieutenant Governor.
DRURY P. BALDWIN, of Tuolumne.

For Justice of Supreme Court.
TOD ROBINSON, of Sacramento.

For Attorney General.
WM. D. FAIR, of San Joaquin.

For State Comptroller.
ALEXANDER G. ABELL, of San Francisco.

For State Treasurer.
J. M. BURT, of Butte.

For Surveyor General.
WALTER HERRON, of San Joaquin.

For Congress.
E. J. C. KEWEN, of Sacramento,
B. F. MOORE, of Tuolumne.

☞ **Whig Notice.**—At a meeting of the General Whig Committee for the County and City of San Francisco, held on the evening of the 15th inst., the following resolution was passed:

Resolved, that the several Ward Committees be respectfully requested to assemble at the head quarters of their respective Wards at as early a day as possible for the purpose of organization, by the election of a Chairman, Secretary, and Treasurer, and report the same when completed, to this Committee.

R. N. WOOD, President.
Geo. M. Garwood, } Secretaries.
Geo. W. Gibbs, } jy17r

The Courts in Council.

The members of the bar and the judges have addressed a letter to the Rev. Dr. Mines in reply to his letter to the Vigilance Committee. Although there are no signatures to this letter which we find in the Morning Post of yesterday, yet we suppose it emanates from the bar and the bench. It is certainly a shallow production—is without point or meaning. It does not deny the charges made by Mr. Mines, nor does it attempt to vindicate the bar and the courts. Neither Mr. Mines, the Vigilance Committee, or the public press condemn the whole bar and all the courts. They do complain, however, of some of them, and very justly.

We do not know who wrote this address, and we do not believe that any one would wish to father it. For perspicuity and point it may be likened unto a speech made by a Canadian French sea captain to his merchant. He said, "Monsieur Tobin, if you trust me next spring I pay you last fall so sure as I never come back." His merchant said, "Captain, I understand what you mean, but from your words I could not, if I did not know that you were going away." We can understand what these people mean, who address Mr. Mines, from their position and desire, but not from the words spoken. Judges on the bench it is well known, have been seen gambling at public tables, and swearing while dispensing justice—for doing which they have not been as severely dealt with by the press and the public as they ought to have been. All the judges have not been seen, however, drunk, and gambling, and heard to swear while presiding. We are willing to forgive and forget if these gentlemen hereafter mend their ways.

The allusion made to Rev. Mr. Hunt and the able sermon he preached, cannot check the moral effect of that sermon upon the public mind. We cannot see how he has prostituted the pulpit, when he censures and reproves evil. If men in high places are offended, let them cease to do evil and turn from the error of their way. We hope the pulpit, the bench, bar, and the press, will soon speak a common sentiment against all men who hold places of honor and responsibility, who are guilty of conduct unworthy of their stations, and unworthy of thier fellow-citizens who have confided to them the protection of their lives and property.

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July 25/51

CITY MATTERS.

THE VIGILANCE COMMITTEE.—Some of the morning papers yesterday noticed that there had been a demand upon the Chief of Police of the Vigilance Committee for the persons of some of the criminals in their custody, and that in consequence they had been delivered over. Such, we are informed by good authority, is not the case. The Vigilance Committee voluntarily gave into the custody of the civil authorities the prisoners Barnes, Ainsworth, and Geo. Arthur, without any demand or legal process whatever. The Committee have no anxiety whatever to decide upon the guilt or inflict punishment upon any person brought before them. All that they desire is, that prompt, certain, and speedy justice be administered to all villains, whenever caught, by the courts, and they are perfectly willing to confine their operations to catching them. The recent prompt action of the civil authorities relative to criminals, has induced the Committee, no doubt, to give them a trial, and if they shall faithfully discharge their duties, we trust the Committee will at once resign that part of their onerous duties into their hands, as they will have accomplished one great object of their organization.

GIVEN UP.—The delivery to the authorities of Burns, Ainsworth and Arthur, by the Vigilance Committee, is a judicious disposition of these worthies. An opportunity will now be offered for the Courts to vindicate themselves from the charge of permitting criminals to escape from the meshes of the law. The operations of the Vigilance Committee, unauthorized and illegal as they were, have nevertheless accomplished much good. They have brought to justice more daring villians in the short time since their organization, than the authorities have secured in a twelve month. Let them now continue their organization as a *detective police*, aiding the authorities in ferreting out the villains, and procuring the necessary testimony to ensure justice, and San Francisco will boast of the most efficient police arrangements of any city in the Union.

SHOWER OF MEAT.—The *Herald* says that a shower of meat fell at Benicia [illegible] last. Mion stated some two or three minutes. Specimens of the meat were preserved and resemble the [illegible] were portions of a small blood vessel, some of the

July 25

The Poisoning Case.

The People v. *Richard Hall.*—The defendant was put upon his trial in the District Court, L. Parsons, judge under an indictment charging him and one Spiers with having on the night of the 1st of June, caused the murder of an Indian, named Frank Brewer, by administering poison to him.

G. K. Platt, District Attorney, appeared for the prosecution; Messrs. James &, Brodie appeared for the defence.

Much time was spent in empanelling a jury, which was not accomplished until one o'clock, the defendant's counsel having exhausted the number (twenty) of peremptory challenges, allowed by the law.

The following gentlemen summoned as jurors, and not answering to their names were fined $25 each: J. Boyer, J. Howell, C. E. Huse, J. Andrews, W. H. Jones, H. A. Harrison, W. T. Coleman, F. A. Bartlett, Olof Swedenstein.

The following gentlemen were accepted and sworn on the jury: Thomas L. Mount, T. J. Haynes, D. S. Turner, Thos. Corn, W. F. Cooper, H. C. Logan, S. D. Smith, D. W. Smith, W. H. Colt, G. M. Blake, J. Dows, Wm. Webster.

The District Attorney having stated the case to the Jury, the following testimony was produced.

Edward Gallagher.—On the morning of 2d day of June met Capt. Harding, who informed me there was a man lying dead around the corner; went and saw him lying by the side of a house or shed on Montgomery street, above Pacific; examined the man and found that he was dead; empanelled a jury and held an inquest on him; he was copper-colored, an Indian, about five feet eight inches high, about thirty years of age; had on a dark colored sac coat; we saw no marks of violence on the body, and the jury found that he had come to his death from some cause unknown. The house at [redacted] How's was about twelve or sixteen feet from the body, which was lying on its side, the head being towards the street, and more elevated than the feet; there was nothing unnatural either in the position of the body, or the appearance of the face. Hall was present at the examination. The body was buried by my order the same day at about 4 o'clock, afterwards had it disinterred and a *post-mortem* examination was held by Dr. Zeille, which I witnessed. One of the intestines seemed to be perforated. There were three or four others present. A portion of the intestines were put in a bottle; the other portion were wrapped in a cloth and placed in a keg formerly containing paint. The keg and bottle were conveyed by us to Dr. Zeille's house, where I left them.

This witness was also examined and cross-questioned at some length upon the *modus operandi* of the examination.

Dr. Zeille.—First saw the body at the cemetery, in the company of Mr. Gallagher and two other men; the body was brought into a small house; I commenced an examination of the belly. (Here the witness was required by defendant's counsel to prove that he was expert in surgery, and was questioned at length as to his acquirements in that science.) On opening the stomach and bowels, I found the intestines in a state of great inflamation; in one of them, on the right side, a hole about the size of a quill; I cut this part out; put the contents of the bowels in a bottle which I had brought for that purpose; I made no further examination at that time; I cut out three parts—the first from the small intestines, second in which was the hole, the third was the stomach; wrapped it in a piece of the man's shirt, and secondly in a piece of sack, and then put it into a cask; the bottle was cleaned before my eyes; the cask was an old dirty one; they were put in the wagon by the Coroner, and put in the place whence they were never removed except when taken by Dr. Burns; I think they were there 24 hours; I made no chemical examination of them; my opinion is that the hole in the intestine was occasioned by corrosive stuff; the inflammation was like that produced by arsenic; it is impossible to say how long before such a dose would produce death; my opinion is it was taken in connection with a powerful narcotic; there was about one pound and a half or two ounds of matter in the bowels.

Cross-examined.—I have practised medicine for about ears; have held several examinations of this kind y practice; think I was more than an hour and a making the examination; on examining the brain, l strong appearance of congestion; I have known r instances of arsenic making a perforation of the is; saw one other; in this case I discovered no subnce like poison.

being 4 o'clock, the Court took a recess until 7 ock.

he Court being reassembled, pursuant to adjournt, the evidence for the prosecution was proceeded h as follows.

Dr. M. P. Burns, graduate of the University of Glasw in 1843, and of the College of Physicians and Surons in Canada, 1848, related minutely and in detail the process and results of a chemical analysis made by him of the stomach and intestines received by him from Dr. Zeille on the 4th of June. He testified that he found therein from thirty to sixty grains of arsenic, and also a portion of opium or morphine; and stated his opinion o be, that the deceased had come to his death from e combined effects of the two. He produced in court rtion of the arsenic extracted from the stomach.

The examination of this witness was very lengthy and tedious, occupying the Court until half-past 2 o'clock.

Norah Maloney.—Lived on Montgomery street, three doors from Pacific; saw a colored man playing cards all of Sunday evening; saw him at 5 or 6 o'clock in the evening, playing cards with Hall and Spiers and his wife; I saw from my door opposite; between 10 and 11 o'clock saw Hall and Spiers take and throw the man out of doors; they threw him about five or six feet from their door, with his head down, near the butcher's shop. I knew Hall by right alone; I had come here in the same ship from Sydney with Spiers about two years ago; the first time I saw the colored man was in that house that evening. I stood at my door which was on the opposite side of the street, a little above their house; there was a candle burning on their table when they were playing cards; when they were throwing this man out he sung out "murder" and "robbery," whereupon I turned and told it to a gentlemen in my house, Mr. Swords; this was between 10 and 11 o'clock; by my time; I saw Hall and Spiers at their house at different times during the day, and at 5, 6 and 8 o'clock that evening.

Cross-examined.—Since the last fire, I have lived aboard the Mason, opposite Pacific Wharf; I am a Catholic; went through a marriage ceremony in a Protestant church to a Mr. Bowden, against my consent; but I never considered that marriage binding, being a Catholic; I never lived with Bowden an hour; never became acquainted with him; he bribed a woman to carry me to church, where I was married to him; he took me immediately aboard the ship; before the Recorder. I stated under oath that I was not married; I do not consider that I was; I have got a child; its name is Maggy Maloney; I shall not say who is its father unless the Court says so. (Court overrules the question.) 'Can't say whether the body found was that thrown out by these men; suppose it was; Mrs. Fossett lived just opposite to me; I never said that I would have revenge on George Spiers, or threatened him, or accused him some time since of stealing; I lived at a house on Pacific street called the Mermaid; I kept it; had about one or two female boarders. (A question whether witness kept a brothel or was a prostitute, was overruled by the Court after considerable argument.) I do not live with John Swords.

At the close of this witness's testimony, the Court adjourned until this morning, at 9 o'clock.

July 25. Herald?

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Herald 3

The Poisoning Case.

The People v. *Richard Hall.*—The examination of the testimony for the prosecution in this case before the District Court was resumed yesterday morning:

Dr. Burns produced two phials, one broken and containing a white powder, the other a fluid, which he testified he had received from Marshal Crozier. A third phial received by him he had returned to the clerk in the marshal's office.

Marshal Crozier testified that he had received three phials from a police officer, which he delivered to Dr. Burns, and which he thinks are the same produced in court. They remained in his office two or three days.

Officer McKenzie—Searched the house in Montgomery street, by request of Capt. Ray; found there one of the phials in court; in the back part of the house under a cot, I found a box containing a white powder, a portion of which I put in one of these phials now in court; delivered them to Capt. Ray. I searched this house at about 9 or 10 o'clock on Monday evening, I think; there were two or three pounds of this powder, in a tin box under a berth; found one of the phials in the bar; officer Regan was with me.

Capt. Ray—I think that the two phials in court are the same brought into the police office by officers McKenzie and Regan; they were enclosed and put into the desk, whence they passed into the hands of Mr. Lindenberger, Marshal's Clerk.

Mr. Lindenberger—On the 3d June, there were three or four phials handed into the marshal's office, by some of the police; I gave them to Coroner Gallagher that evening; think the broken one was a little larger than that in court; there was a long, round phial containing a dark-colored fluid; they were returned by the coroner, and afterwards handed over to Dr. Burns, who had them four or five days; can't say whether those returned by him are the same.

Dr. Burns was recalled to prove the nature of the contents of the phials; (objected to on the ground that they had not been identified and connected with the accused; objection overruled.) Received the phials from Mr. Lindenberger; there was no stopper in the broken one; received three and returned the one containing the dark acid; as to the whole phial in court, there was no liquid in it; there was a powder adhering to the side, which I diluted with an acid; it was strichnine, a poison which causes death (defendants here objected to testimony of any other kind of poison found in the house, than that found in the analysis of the man's stomach—objection sustained.) Examined the contents of the broken phial, which I received from the Marshal's office, scattered in a piece of paper, and found it to contain morphine and arsenic: think the proportion of arsenic was greater than the morphine; when I got the phials from the marshal's office, the three were wrapped in a piece of paper, into which the white powder from the broken phial had been spilled. Witness having stated the effects of strichnine to be similar to those perceived in that part of the body examined, he was then allowed to testify as to the phial containing strichnine, &c.

At the conclusion of this witness' testimony, the Court remarked that for the purpose of satisfying their mind whether the substance produced in Court by Dr. Burns, taken from the stomach of the deceased was arsenic, he would refer it to some other expert for examination.

At this time a man in the crowd addressed the "Court and Jury," declaring that though he was not summoned he desired to be considered a material witness in the case for the purposes of justice, etc. He was ordered into the custody of the Sheriff.

Samuel C. Harding, (Captain of the Police,) testified to finding the body at 11½ o'clock at night; put it in charge of two men in Hall's house who called them Smith and and Mills; afterwards in charge of Byrne and Cusic; the body was lying on the left side, head up-hill. Saw Hall about 12 o'clock, apparently coming home; asked Hall if he knew anything about the body, he replied "No, he was just returning home."

Cross-examined—Called the attention of Mr. Kirk, who was sleeping in the butcher's shop adjoining by rapping on the house and telling him to get up, as a man was lying dead outside; he replied he expected not; he was only asleep and was so when he went to bed. Knows Norah Maloney; has seen her in houses of ill-fame—does not know her character for truth and veracity—heard her testify before the Recorder that she never had been married, and never had gone by any other name than Maloney. Hall lent witness a lantern and candle to put by the body.

By a Juror—Hall's house was lighted and people were up when witness found the body. Did not see any other houses lighted up at that time.

Dr. Burns re-called—Obtained the substances found in the crystal from the stomach of deceased.

Dr. Panton, sworn—Testified to the contents of a bottle shown him being arsenic and morphine; found the contents of the watch crystal to be arsenic alone; found the contents of a third bottle to be sulphuric ether and acetic acid, and as far as he can ascertain, no strychnine.

Dr. Burns, re-called—Testified to the arsenic and morphine lying in his public office without being under lock and key, or seal.

Jane Fossel—On the 1st of June, about 9½ o'clock at night, a man named Spiers came to her door with a colored man; he asked for brandy; she said she had none; the colored man then pulled out a leather bag, and said, "If that is not enough, here is another," producing a second bag; both appeared to have gold in them; when she refused the liquor, they went along and entered Hall's house, the third from her own; she stood in her door about half an hour; after which, she saw Spiers and Hall throw a man out of the door; she heard the man sing out twice that he was both robbed and murdered; next morning saw the colored man lying on the ground by Hall's house, dead; thinks it was the same man she had seen with Spiers; never spoke to Hall in her life; had seen him several times; the man threw the body a short distance from Hall's door, the feet nearest the door; had not seen Hall during the day at any time before the throwing out of the body.

Cross-examined—Lives on Montgomery street; has a husband living in the mines, and four children; keeps a bar; is a tenant of Miss Maloney; has been there three months; is well on to 40 years of age; was born in Ireland: lived there 16 years; emigrated to Adelaide; was married at the time; lived there nearly seven years; went thence to Hobart Town; lived there three years; her husband was superintendent of the prisoners; went thence to Sydney; lived there 11 months; went thence to New Zealand; stayed there four years; thence came here; her husband had been here 12 months before her, and sent for her; never knew of any jail being set on fire in the British Colonies; she never was charged with setting it on fire; Norah is in the habit of visiting her; they have talked over the circumstances of the murder together. Was standing in the door half an hour; is lame; has one wooden leg; don't mind standing two or three hours; there was a pile of stoves between her house and Hall's; there was a bright light in Williams's house; a small one in Berry's; one in Norah's; saw Norah walking about the floor; her door was open; saw Hall's wife come to the door with a light; it was soon put out; about half an hour after Brewer went into Hall's house, he was thrown out; Spiers had Brewer by the shoulders; deceased was thrown head down hill; thought he was a drunken man; it was a bright night.

By a Juror—Refused to sell liquor to them because they appeared tipsy; can't tell why she stood in the door so long.

Wm. C. Byrne, policeman.—Saw the dead body lying near Hall's door about ten minutes past twelve, on the night of the 1st June. The body was lying head up-hill beside a butcher shop adjoining Hall's. The hill there is pretty steep; stayed by the body about an hour; left it in the charge of officer Cusic; it was the body of Frank Brewer. Doesn't know Hall; knows Spiers well; Spiers came near the body about 12½ o'clock. Hall repeated so often that "he wasn't at home that night, and was glad of it since the accident had happened so close to his house, that it excited the notice of the by-standers. Very little money was found on Brewer.

Judge Waller sworn—Lives corner of Montgomery and Vallejo street. 1st June, was returning from church at about 9¼ o'clock; was passing Hall's door, and saw a man lying there, head down, whom he supposed to be a Mexican. Examined him and thought he was drunk.—Called some persons passing and got them to turn his head up the hill. Miss Maloney when examined before him said she had never been married, and never had borne any other name than Maloney; these questions were then distinctly put to her.

Here the Court at half-past four o'clock took a recess until seven.

HALF-PAST SEVEN O'CLOCK.—The Court re-assembled.

Sergeant Eadie of the Police, sworn.—Have known Hall by sight for several months; since last October. Saw him about 7 o'clock of Sunday evening, on the day of the death; he was standing in his door; heard a noise as if some one was drunk in the house. Knows it was about 7 o'clock because the roll is called at half-past 6. Saw him next on Monday when he arrested him. Knows Spiers. Arrested both of them in Spiers's house in Broadway near Ohio street.

Cross-examined.—Have been on the Police for a year.

Mr. Miller sworn—Knew Brewer; he was from Long Island, Suffolk county; have known him personally a year; met him on Saturday; asked him how he had done at the mines; he said very well; knew not how much money he had.

Dr Rogers sworn.—Is a surgeon and physician; graduated in 1827 in New York; has practised about twenty years. He testified to the effects of arsenic on the system when taken into it. Has known arsenic produce death in five hours; there are recorded cases where death had ensued in four hours. Arsenic is not a corrosive poison but an irritative poison; perforation may take place from arsenic. The witness here entered into a detailed and lucid explanation of the effects of arsenic and morphine upon the stomach and intestines; the nature of these and other poisons.

Cross-examined.—Within the records of medical jurisprudence for the last fifty years not more than three cases of perforation of the intestines by arsenic are to be found. It would be an extraordinary case if thirty or forty grains of arsenic did not produce vomiting, thereby throwing it off the stomach.

By a Juror.—Arsenic could not produce perforation or any other effect after death, except to preserve the dead animal matter.

Joseph Howell, sworn—Knew Brewer for six months before his death: he had come down three or four days before that occurrence; he had left $54 50 in gold dust in witness's hands; this amount remained in witness's possession until after B.'s death; saw one of the bags of dust B. had; thinks it contained $300 or $400—the bag was of buckskin.

John Williams—Lived in Montgomery street before the fire; saw Brewer before his death, in Mrs. Hall's house, just opposite to witness's house; the doors looked into each other; saw Brewer on Saturday evening, standing at Hall's door; Hall and Spiers were inside jesting with deceased; witness heard Brewer say, "I can show more dust than any man in the place;" at the same time hitching up his trowsers; Hall and Spiers took him up to a wooden legged woman's; it was between 9 and 10; saw him carried out of Hall's house, crying "murder! murder!" Hall and Spiers laid him down quietly by the house; they then went in doors; a woman then took the candle away from the window.

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Cross-examined—Kept a general store-house; also a bar; his wife and two children. A man named Curry, and another, Johnson, lived with him; both were at home that evening; was in bed when I heard the cry of murder; got up; was standing inside his window when he saw the three men going to Mrs. Fossett's; had not been in bed twenty minutes when he heard the cry of murder. (Here Col. James proposed that the witness should be put in confinement until he recovered his senses. The District Attorney admitted that the witness was under the influence of liquor at the moment, whereupon the Court committed him to the custody of the Sheriff, to be kept in close confinement until morning.)

Mr. Swords, sworn—(Was committed at the outset for being in court-room contrary to the order of the court, and for insolent language then used. The Court threatened also to commit the District Attorney for disputing about a point settled.)

Examined.—Saw Brewer on June 1st with Hall's wife; Hall, his wife, Spiers and Brewer played cards on Sunday; afterwards B. and H.'s wife played alone; walked out after dark; they were still playing cards; it was probably about 7½ o'clock; believes Hall was in there at that time; lay down on the sofa in his house, where a little after 10, the lady in the front room of his house came running to witness and said, "they have thrown the man out;" got up from the sofa, went across the street and found the colored man that had been at Hall's all day, lying about four feet from Hall's door; shook him and he snored; thought B. was drunk; went home; next morning saw that same man dead; it was a bright night.

Cross-examined—Lived on Montgomery street, about sixty feet from Pacific; board at Norah Maloney's; has done so four months; has known George Spiers; rented him a house; lost some money the 27th of November, between eight and ten thousand dollars; it was his own; never said Spiers robbed him; might possibly have said he had a hand in it; saw B. three or four times Sunday evening; saw Spiers standing in Hall's door when witness returned from a walk; this was about dusk; the lamps were not lighted; afterwards saw the whole party when the candles were lighted. Have known Miss Maloney sixteen months; she never threatened vengeance against Spiers.

Here at 10½ o'clock, the Court adjourned until 9 o'clock this morning.

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July 26

THE HERALD.

Saturday Morning, July 26, 1851.

Trial of Duane.

The People v. Charles Duane—Indicted for assault with intent to kill, committed upon the person of F. Ball on Sunday night, July 20th, at the Cairo Coffee-house, in Commercial street.

This case being called for trial in the Court of Sessions (A. Campbell, Judge,) Calhoun Benham, counsel for the accused, presented a motion for a change of venue founded upon affidavits sworn to by the accused, by A. B. Berthelf, and George Cornell, to the following effect—on information and belief that recent events have so poisoned and corrupted the public mind as to render it impossible for the said defendant to have a fair and impartial trial; that a vast proportion of the French population are embittered against defendant and have also prejudiced a portion of his fellow-citizens against him; and that said Duane has been heretofore indicted for the offence of assault with intent to kill, in which case a *nolle prosequi* has been entered, on which account there exists a special prejudice against defendant, etc. This motion was argued with much earnestness by Mr. Benham with regard to the prevailing excitement of the day, and was opposed by H. H. Byrne, prosecuting attorney.

The Court took a recess of fifteen minutes, for the purpose of deliberating upon the motion, at the conclusion of which time they returned, and rendered their decision, over-ruling the application.

The court then proceeded to empannel a jury from the following persons summoned by *venue*:

H. Allen, being questioned as to his competency, replied that he had formed an opinion of the case, and was discharged for cause.

F. W. Macondray, had formed no opinion; was peremptorily challenged by the defence.

W. E. Stoutenburgh, had formed no opinion—was accepted.

J. C. Dall, had not made up his mind, was peremptorily challenged by defendant.

Horace Templeton, had formed no opinion, peremptorily challenged by defendant.

S. W. Hatch, had formed no opinion, peremptorily challenged by defendant.

James B. Roberts, had formed no opinion, was accepted.

Charles H. Harper, was accepted by defendant, but peremptorily challenged by the prosecution.

Francis Gassett, had formed no opinion, was accepted.

Charles H. West, had no bias or opinion against the prisoner, accepted.

James Harper, peremptorily challenged by the prosecution.

C. B. Young, thought he could give the prisoner a fair trial; was not a member of the Vigilance Committee, but approved of their proceedings; considered it a necessary evil ;"Vox populi, vox dei." This gentleman was challenged for bias and referred to three triers, who reported him incompetent. Set aside for cause.

J. C. Sheppard, accepted.

J. C. Eddy, accepted.

J. L. Pool, accepted.

Joseph Ringsbury, accepted.

H. M. Lewis, peremptorily challenged by defendant.

W. H. Crowell, was a member of Vigilance Committee, reported incompetent by the triers and set aside.

Robert Wells, declined answering whether he was a member of the Vigilance Committee for the reason that it might implicate himself and others. Peremptorily challenged by defendant.

James Dearie, accepted.

W. A. Darling belongs to the Vigilance Committee.—Considered himself in a proper state to try the case.—Here, Counsellor Byrne arose and protested against the fact of membership of the Committee being considered a cause for challenge. The Court replied that it was for the triers to determine whether there was cause, &c., and charged the latter in the language of the statute. Mr. Darling being referred to the trier, was further questioned. He considered that there were occasions which would justify a departure from the observance of the law; but his connection with the Committee would not prevent him from rendering a fair verdict, &c. The majority of the triers reported him incompetent, and he was set aside.

F. A. Hussey was not a member of the Committee, and thought he could give a fair trial. Accepted.

C. Ludlum had formed and expressed a decided opinion. Was set aside for cause.

James De Long was a member of the Vigilance Committee, and justified a disregard of the law in case of public necessity. Reported incompetent by the triers, and set aside.

F. L. Jones was accepted.

Wm. Pearson was accepted.

The Jury being complete, at 3 o'clock, P. M., the Court took a recess until 4 o'clock.

The prosecuting attorney, stated the case to the jury, and proceeded to call the following witnesses:

F. A. Ball—Last Sunday night was at a ball in the Cairo Coffee House on Commercial street; had just finished dancing a figure of a quadrille when the accused stepped up to me and told me to step aside, he wanted to speak to me; I replied, "I am dancing now, I will see you after a while;" he said, "I want to see you now, you d——d son of a b——h"; I said I would see him at the proper time and at the proper place; he then said, "You d——d d——d son of a b——h, I want to kill you"; I said, "That is easily done, for I am unarmed," and turned to leave him; as I did so, he struck me in the face, and I fell; I was about to raise myself on my arm, when he stepped forward and kicked me in the upper part of the bowels; I remember nothing further; I have an indistinct recollection of some things that took place in the saloon afterwards; how long I do not know; I have since been confined to my room under medical treatment; I had no other conversation with Duane that evening than above related; within the last six weeks, the accused, on passing me, has said, "There goes the little d——d son of a b——h," as if to pick a quarrel with me; about a month ago, I was singing at Clayton's saloon a song about the hanging of Jenkins, when he (the accused, who was present,) got up and called me a stinking little puppy, for singing such a song about his friends, and said that the company present were the same, and cowards for listening to it.

Cross-examined—When Duane struck me, I know that his knuckles hit the blow; as far as feeling goes, I think his hand was clenched; I did not see him have any weapon; I went to the ball in the disguise of a black person; I had on the Bloomer costume, a short frock and two or three petticoats, some three skirts in all, gathered at my waist.

Dr. S. R. Gerry—Knows Mr. Ball; was called last Monday morning, a: about 1 o'clock, to see him; found him stretched on a sofa, talking incoherently; proceeded to examine him, and found that he had received a contusion on the chin and a cut on the lip; his pulse was weak; he was attacked with violent retchings or vomitings, and threw up blood; soon evinced that he was attacked with violent cramps in the abdominal muscles; found the epigastrium very tender; he was apparently out of his mind; I found no external marks of violence on the stomach; saw a slight discoloration the next day. This incoherency lasted for about an hour, when he commenced to regain his senses, and recognize his friends around him; from that time to this he has been gradually improving. A severe blow on the stomach may produce death. The probable effect of a severe kick in the stomach would be to produce death. The complainant had on, at the time, a number of petticoats and other female apparel, which probably deadened the force of the blow.

Cross-examined.—I would not state positively that I think this kick would have produced death, though I think it was, from the effects, a pretty severe one.

Nathaniel Truesdale—Know Mr. Ball and Mr. Duane; saw Duane strike Ball on the floor; right opposite to where I was dancing. I saw Duane standing against a post; saw him walk up and speak to Ball; then saw him strike him, and then kick him some place about the stomach; saw him kick him twice, while the latter was lying on the floor; myself and a friend picked him up and took him home; he appeared to be insensible.

Samuel Marks—Know Ball and Duane; Mr. Ball was standing in a quadrille; I stood talking with him; Mr. Duane came up to him, apparently very friendly, and told him he wanted to speak to him; Ball replied that he was dancing, he could not go then; Duane insisted upon speaking to him then; Ball persisted in refusing; Duane then told him "you black nigger—" and the first I saw then was, Duane knocked at him, when he fell down and Duane kicked him at the same time; think he kicked him as he fell.

Artemize Simon, proprietress of the Cairo coffee-house, where the ball took place, testified that she saw Duane strike Ball, nothing more.

Dr. Burdell—Know Mr. Ball and Mr. Duane. On two occasions—the last time about 3 weeks ago as he was coming out of Clayton's, the former just after he had been tried in the Fayol case—I heard Duane say he would "kill the red-headed son of a b—h, Frank Ball; I went to Mr. Ball, told him about it, and gave him my pistol, advising him to shoot if Duane approached him to attack him.

Cross-examined—I belong to the Vigilance Committee; the Committee never endeavored to cause any proceedings against Duane; I belong to the St. Francis Hook and Ladder Company. During an absence from the city a committee of the company declared me expelled; I have understood it was Messrs. Duane, Henriques and Parker who were the cause of this. I was reinstated on my return.

The case for the prosecution was here rested, when Mr. Benham opened the case for the defence by stating that he expected to show that the offence was nothing more than an assault and battery, and called the following witnesses:

Ira Cole—On Sunday night last, Duane, myself and others were pretty tight; went to the hall on Commercial street, where we drank a good deal; I was standing at one end of the bar, talking with Mr. J. Treadwell. Mr. Ball, dressed as a black woman, stepped towards the counter, when Treadwell asked me "who is that." I replied that it was a man who was on the jury in Dutch Charley's case. Ball overheard me, and asked what I had said. I repeated it; he said yes, and voted for hanging him; and he had tried to convict him; he was on the Grand Jury now, and would like to deliberate upon his case again. I then made some remark that Duane ought to do something about it, when officer Blitz came up and said don't have any difficulty here, &c. About that time Ball stepped away and Duane came up, asking what was going on; I repeated the conversation to him, and had told him that Ball had left the idea that he would meet him on an equality and give him satisfaction; thereupon Duane said he would see if he would, and would go speak to him—saying that if he would not step outside with him, he would slap his face. I turned around to drink—heard something, turned around and saw Ball on the floor.

Cross-examined—Went to this ball at about 11 o'clock; had been drinking very often all day and felt pretty good—pretty keen; was sufficiently sober to recollect the circumstances; Duane had drank more liquor that day than I had ever known him to drink before.

Officer Blitz—Saw Duane and party come into the Ball; afterwards heard some words between Ball and Cole, and fearing that there might be some fuss, went up and advised them not to have any.

I. Cole, recalled—Q. Did you not a day or two after this occurrence, say to Mr. Francis Panton that you were so drunk on that occasion, you did not recollect anything that happened. Do not recollect; if I did, the reason was that I was at that time threatened with an indictment and wanted to appear as innocent as possible.

Roberts—Was dancing in the same cotillion with Ball; Duane came up and said something to him; Ball said, "you will," and Duane knocked him down with his open hand; he then kicked once at his head; I will swear positively that he did not kick him in the stomach; he then stepped back and stood a few minutes; he had no weapon.

Cross-examined—Reside in Sacramento, where I have kept three public houses; this kick was given to Ball after he had fallen to the floor; Duane then stood about two or three feet from him; I do not think that Ball was hurt at all.

—— *Carroll*, Police officer.—Saw Duane strike Ball with his open hand, and, when the latter was down, kick him in the face with the side of his foot.

The defence was here rested, and the prosecuting witness called as rebutting testimony—

F. Panton—Know Ira Cole slightly. About two days after the occurrence was at Clayton's saloon, and heard him say that he was so drunk on that occasion he could not recollect any thing about it. I was on the Grand Jury who found the bill against Duane.

F. A. Ball re-called.—When Cole and I had this conversation, he asked me if I was on the jury who tried his friend, Dutch Charley. I said yes, and had voted to punish him. He replied that I ought to have my d——d head stove in. I answered that I was responsible for what I did, and would on any other occasion, while on a jury, vote according to the evidence. I said nothing about the Grand Jury. Cole commenced the conversation.

The testimony was here closed, at 10 o'clock, P. M.

The Jury were ably and eloquently addressed by Mr. Byrne for the prosecution, and Mr. Benham for the defence; the address of the former gentleman being followed by loud applause from the audience.

At 11½ o'clock the case was submitted to the jury, who were out at 1½ o'clock this morning, without a probability of agreement.

H. H. Bancroft Collection
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July 26

CITY ITEMS.

W. H. Graham.—The trial of this gentleman for an assault with an intent to kill George Frank Lemon, came up for trial before the Court of Sessions yesterday morning. It is unnecessary to detail the facts of the case, they having been already laid before the public. Judge Morrison appeared for the defence, and H. H. Byrne for the prosecution. The following jury were empannelled in the cause:—F. W. Macondray, Charles B. Young, Francis Gasket, Charles H. Harper, Horace Templeton, W. H. Crowell, A. Winants, H M. Lewis, James Harper, J. C. Dall, J. L. Pool, C. H. West. The cause occupied but a short time in trial, and the jury rendered a verdict of "not guilty." Mr. Graham was ordered to be discharged.

Branding Animals.—There is a law requiring that every one who own animals should brand them, and have the brands recorded, so as to prevent disputes as to ownership, and for the better identification of property. This law has not been regarded in many instances, and the result is that difficulties are daily ensuing as to the right of property, when was the law enforced, it might be easily avoided. The Judge of the Plains has given notice of this fact, as it is the source of great trouble and expense to him in the exercise of his various duties. It would be better for all if the law was strictly enforced.

The Adelphi Theatre.—This splendid building on Dupont street, which is nearly finished, will be opened in the ensuing week. We understand that Dr. Robinson has concluded an arrangement with the proprietors, by which he is the lessee and manager. Dr. Robinson is well known to our citizens as an accomplished and talented actor, and one who well understands to cater for the public amusement. He has with him a large and brilliant corps of actors, and has made such arrangements as to secure the services of the best in California. The theatre will be opened on the 4th day of August, when it is hoped that our citizens will patronize with liberality commensurate with his merit.

Adams re-taken.—This notoria is scoundrel who has so long baffled the efforts of the police, has at length been taken. He was arrested at Sacramento and brought down to this city last Saturday night. The Vigilance Committee have taken him in charge. Adams is one of the most notorious characters tha has ever infested our city. We hope justice will be meted out to him.

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July 26

The Vigilance Committee in the Courts.

In swearing in the jurors in the case of Charles Duane, arraigned for assault with intent to kill, reported in the *Herald* of Saturday—objection was repeatedly made to the competency of persons summoned as jurors, on the ground that they were members of the Vigilance Committee. We regret that this thing is done, as it must prejudice the case of anybody in whose behalf it is attempted. We fully admit Mr. Benham's right—far be it from us to deny it—to resort to every legal means to defend his client, and of the best means to achieve this end he is the proper judge;—but we can assure the members of the bar it will not serve to mitigate in any degree any harsh or stern feeling that may at present exist in the breasts of the community against criminals, to object to a respectable man serving as a juror on the trial of an accused person, simply because he belongs to the Vigilance Committee. It will be regarded by many as *prima facie* evidence of the badness of the case. If the entire Vigilance Committee and all who think with them are to be disqualified from serving as jurors, there will be very few left to try criminals.

But this course strikes us as more particularly inconsistent at a time when the Committee have been appealed to by every description of blandishment to trust the courts—to aid the courts—to act as auxiliaries to the courts;—now when they have shown a willingness to some extent and as an experiment to trust to the courts—when in obedience to the summons of the Sheriff they come forward to aid the courts—when leaving their business they present themselves ready to serve on juries as auxiliaries of the courts—they are told to quit the sacred precincts of the halls of justice as being incapable by reason of their membership of rendering a just and proper verdict. This is not the entertainment to which they have been invited, and considering all the circumstances we think the wisdom of the course extremely reasonable.

But this is not the only remarkable point of view in which the rejection of members of the Vigilance Committee by the counsel of the accused presents itself. Duane committed an assault—this is not denied. In doing so he offended against law and order. If the organization of the Vigilance Committee were so subversive of law and order as their opponents pretend, surely they would be expected to have a sympathy with all those who break the law, and of consequence they would be expected to have a sympathy with Duane. But the counsel of the latter objected to the members of the Vigilance Committee—because, it is to be presumed, he imagined they might be hostile to him. Well here is the strongest testimony from a gentleman opposed to the organization that they not only will not countenance but that they are actually hostile to those who attempt to subvert law and order. Our own opinion is that Duane would have obtained from a full jury of the Vigilance Committee as impartial a trial as he could possibly have got from any other twelve men in existence, and moreover that their verdict would have been to the full as lenient as that which was rendered.

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CITY NEWS

Trial and Conviction of Duane.—The trial of Charles Duane commenced at an early hour on Friday morning, and though much time was spent in empanelling a jury, the Court continued its sittings until late at night, when the case was submitted to the jury and they retired to deliberate on their verdict. During the whole day the court room was crowded with citizens deeply interested in the proceedings and watching anxiously all the developements in the case. Their feelings were not to be mistaken, when at the close of Mr. Byrne's (the prosecuting attorney) address to the jury, they broke out in involuntary applause. Mr. Benham made an eloquent defence of his client, but he struck no responsive chord. No one sympathised with him in his sentiments. The jury remained out all night and all day Saturday, until 6 o'clock in the evening, nearly twenty hours, when they came into Court and rendered a verdict of "Guilty," on the charge of assault with intent to kill, recommending the prisoner, however, to the leniency of the Court. The punishment fixed by the statute for the offence of which Duane has been convicted, is imprisonment in the county jail for not less than one year nor more than fourteen years. During Saturday, great anxiety was exhibited to ascertain whether the jury had agreed and upon what verdict, and these were the questions constantly asked throughout the city. Mr. Benham, after the rendition of the verdict, gave notice of his intention to move for a new trial, on the ground that the verdict was contrary to the evidence. His client will probably be sentenced to-day or to-morrow.

R. H. Bancroft Collection
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THE HERALD.

Monday Morning, July 28, 1851.

Shooting Affair.—On Saturday afternoon a shooting affair took place between two persons named McKenny and McKew, on Montgomery street, above Broadway. We did not learn the cause of the quarrel. They were both arrested, and required to give bail for their appearance at the Recorder's court this morning, when the affair will be investigated.

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The Poisoning Case.

In the District Court.—The trial of this case being resumed, John Williams, a witness for the prosecution was recalled, and gave substantially the testimony he had given the evening previous. He had seen Hall and Spiers carry the body of Brewer outside and lay it down.

Dr. Gibbons was called to testify to the effects of arsenic.

The case for the prosecution was here rested.

For the defence, Drs. Nuttall, Haine and Carter, were successively examined in relation to the testimony of Dr. Burns, which they considered generally erroneous, as to his process of analyzing the strichnine; also as to the effects of such a quantity of arsenic and morphine described by Dr. B. to have been found in the stomach of deceased.

Dr. Nuttall, at the request of the court, tested a portion of the powder contained in the broken phial, which he pronounced to contain arsenious acid.

Frederick Mills—Live on the schooner Empire, as steward; came here twelve months ago last May; on Sunday afternoon, the 1st of June, was at Hall's house a little after 5 o'clock; and remained there until one o'clock in the morning; was in the front part of the house; the first time I saw Hall was when he was going to get his tea; I suppose that there was from 50 to 60 persons passing in and out; while there, saw the body of a man outside the door; did not examine it; Capt. Harding came in and asked for a light; Hall came out in his shirt-sleeves, as if he had been abed; this was the first time I had seen him since he went to tea; did not see the copper colored man in the house that night, saw him for the first time lying outside.

It being 4 o'clock, the court took a recess until 7, at which time the following testimony was proceeded with:

Barnard Bishop—Resides in Montgomery street; knew Hall and Spiers; saw the body of Frank Brewer on Monday morning; the evening previous was at a house on Washington place, kept by a woman, I think by the name of Mrs. Nolan; the defendant came there about 6½ o'clock, accompanied by Spiers; they remained there about two and a half or three hours; they remained until about 8½ o'clock; I have a partner by the name of Wm Jones, who was there with me—Brewer was not there.

Wm. Jones—Lives on Montgomery street; knew Bishop; knew Hall and Spiers; on Sunday evening, I was at Mrs. Nolan's house on Washington place; I live there; Hall and Spiers came there about 6½ or 7 o'clock, and remained there about an hour and a half.

Cross-examined—Have no recollection of having said to any body, the day of Hall's arrest, in the presence of officer Noyes, that I would swear to anything, to get Hall clear; I was pretty drunk for a day or two after, wards, Tuesday and Wednesday, was sober on Monday.

Mercy Tucker—Kept the White Squall on Pacific street, was at home all Sunday evening; Hall and Spiers came there about 9½ o'clock, ate some oysters and went away within half an hour.

John Radford—Am a publican; kept a house on Broadway between Stockton and Powell; know Hall and Spiers; they came to my house on Sunday evening, between 9 and half-past 9 o'clock; they remained there until twenty minutes to 12; read newspapers, had a game of cards, had a few glasses of liquor, etc.; Mr. Walker, King, Spencer and Handlin were there.

Edward Walker—Am from Baltimore; reside on Battery street. On Sunday night left the California Exchange at about 9 o'clock, with four others, and walked up to Broadway street, stopped in a house a few doors above Stockton, (Radford's.) Oram and myself started out of the house at about twenty minutes of 11 o'clock, and the others not coming out we went back; there were three men in there besides the landlord and landlady, when we went in; I think Hall was there, playing cards; when Oram and myself went back it was to see the result of a game in which one of our party was betting his watch and a ring, which he lost; I would know the ring again; it had the initials T. T. on it; when we went back we remained about eight or ten minutes, and then went off. I recognize King and Spencer as being there. I recognise the ring produced by Capt. Harding, as the one lost by Tucker on that occasion.

Capt. Harding—Identified the ring as one taken from Hall the day of the arrest.

It being 11 o'clock, the Court adjourned until Monday morning at 9 o'clock.

The Poisoning Case.

In the District Court.—The trial of this case was resumed yesterday morning, by the examination of the following witnesses for the defence:

John Hannelin—Keeps a livery stable; on Sunday night (the night of the occurrence) went into Radford's house, at about 10 o'clock; saw the defendant Hall there; he asked me to play cards; there were four or five setting at the table; I left at half-past ten; the defendant remaining there.

Capt. Harding—On the night in question, at about 12 o'clock, went to look after the body; Hall gave me a light and asked me if I wanted any thing more; he was in his shirt sleeves.

Thomas Spencer—Knows defendant; went to Radford's house on Sunday night at about 10 o'clock, remained there until near 12 o'clock; Hall and Spiers were there playing cards; there was some betting of a watch or two.

James Kirk—Kept the butcher shop at the corner of Montgomery and Pacific streets, adjoining Hall's house; know him; was in my shop all of Sunday evening; do not recollect of seeing Hall that afternoon or evening; sleep in my shop; went to bed that night about 9 o'clock as near as I can recollect; in the back part of my shop, I can hear Hall and his wife talking while in their bedroom; I heard no cry of murder or any unusual noise that night; as I was cleaning my block just before going to bed, I heard a man outside shouting, apparently at the end of my block; the first noise I heard afterwards was when Capt. Harding was outside, who knocked on my shop and said to me there was a dead man outside. Had heard talking in the house that evening; heard a strange voice speaking about the mines; did not hear Hall's voice; heard them playing cards.

John King—Keeps a public house on Pacific street; know Hall; on Sunday night went to Radford's at about 10 o'clock; found Hall there; remained there until about 11½; Hall was there all the time; he played cards; a gentleman in company with Walker bet and lost his watch and ring; Hall then treated all hands.

Charles H. Stewart, (colored.)—Am a native of New Bedford, Mass.; kept a liquor and segar shop on Broadway, between Stockton and Powell; know Brewer; he came to my house on the Friday preceding his death, saying that he had just come from the mines; he had two bags of gold dust, one containing about $50, the other $200; he was there pretty near all day; stayed there that night; next morning cocked his breakfast and went out; came back at about four or five o'clock and stayed all that night; he had drank several times. On Sunday he had been drinking with a man by the name of Turner, and was lying on a bench asleep; Turner came in and waked him up; asked him to drink with him, and then to take a walk with him; Brewer said he had no coat; Turner loaned him one of his and a handkerchief; they then went down town; this was between 3 and 4 o'clock in the afternoon; this was the last I saw of Brewer until the next morning, when I saw his body; Turner came home between 9 and 11 and went to bed, after drinking with me; he staggered a little; I then went home to my lodging place; Brewer had been in Turner's room; heard Turner say he had showed his gold dust. On Monday morning I heard of Brewer's death; went down and saw the body; came back and found Turner lying on a bench.

Witness was asked as to the conversation which took place between him and Turner; (objected to by District Attorney and objection overruled.) On Monday morning, when the constable took Turner, the latter had $20 to $25; that was all I saw; he was drinking at the time; had been down town and returned; Turner was night days in my house altogether; that morning I asked him two or three times why he did not go down to see him; told him it was strange that he had lent Brewer his coat the night before, and that he would not go down to see him; he said he left him the evening before on Pacific street, just below the station house; a third man who had come in and asked the crowd to drink, and Turner went out together; they walked for some 25 rods conversing together in a low tone; I followed them that distance, being suspicious, when I stepped up to them and asked Turner if he was going to see Brewer; he said yes, and told me to go on, he would be there directly; I did so but Turner did not come; Brewer had on the coat lent him by Turner; it was pretty well torn.

Cross-examined—When Turner came back that Sunday night I asked him where he had left Brewer, and he replied that he did not know where he had left him; he said nothing more about it until next morning, when I asked him again. Turner and his wife came from Sydney; I never saw Hall in company with Brewer.

Officer McKenzie—Arrested Turner the same evening that the body was found; arrested him about 8 or 9 o'clock in the morning in Stewart's house, in a back room, in bed; he had about $25 on his person in coin.

Officer Thorpe—Know Hall very well, and Spiers; on Sunday evening, between 9 and 10 o'clock, passed the corner of Montgomery and Pacific streets; saw a man sitting and leaning against the butcher's shop, very near to where the body was found the next morning, with three men standing by him; I think one of them was Turner; his countenance was familiar to me; neither Hall or Spiers were of the party; the evening was sufficiently light for me to see; I was at Spier's house that night at a quarter before 12 o'clock; he was there examining a watch and a ring, which he said he had just won. I know Mrs. Fawcett by reputation; from what I had seen and heard of her, I would not believe her under oath.

Cross-examined—I did not give information to the Recorder about my seeing this man Turner there, because I was not summoned. I came by again about 11 o'clock, and saw these three men there again; they had a candle and were apparently looking at the body, which was then lying on the ground; there were no policemen there; saw one there the next morning at 6 o'clock; I was subpœnaed as a witness at about 6 o'clock last Saturday evening, as I was starting for San Jose. Am certain that Judge Waller was not one of the three men.

The Court then took a recess until 7 o'clock.

Officer Thorpe, recalled at the request of the District Attorney. I have no knowledge of stating in the Marshal's office, the day after the arrest of the defendant, that I saw Brewer at 1 o'clock that night (Sunday) and that he was not dead; neither have I any knowledge of stating that I returned at 11 o'clock that and found him alive then; nor of making any statements on last Friday, or on last Saturday.

Joseph Miller—Am foreman for the Messrs. Gorm, the excavating business; know Hall and Spiers; on the last of June, lived at the Albion Inn, on Broadway; on on that day was in Spiers' house from about 1 to 4 or 5 o'clock; Spiers was there all that time; Hall was there when I went away. Know Norah Maloney; was at her house three or four months since; heard her say that she believed Spiers had robbed her, and she would have revenge upon him some day; from what I have heard of Norah, I think I would not believe her under oath.

Wm. Berry—Kept a house on Montgomery street, nearly opposite Hall's place; know him and Spiers; on Sunday night was at home from 8 to 11 o'clock; I heard no cry of murder, &c. that evening; from what I have heard of Norah Maloney, I would not believe her under oath; had only heard people say that Norah was a loose character.

Capt. C. A. Howard—Know Big Norah and "Peg Leg" (Mrs. Fawcett) by character; I would not believe either of them under oath.

John Davis—Live with Mr Berry, on Montgomery st., about six fathoms from the butcher's shop. On Sunday evening I was sitting at the front door, outside, from 7 until 10 o'clock, smoking a pipe, as is my custom of an evening; I heard no cry of murder or robbery; saw nothing unusual at Hall's house, over the way; did not see any man carried out of that house; am somewhat hard of hearing; heard some noise that night a little way up the hill.

Edward Hilliard—Know Big Norah in Sydney in 1849; she was bar-maid at the "Liverpool Arms"; her character was bad in Sydney, and is not of much account; would not believe her under oath; she was married in Sydney to Joseph Bowden; I know that they lived together four days.

E. Gallagher—Saw Norah Maloney on Monday, June 2d, after the inquest was held on the body of Brewer; she stated to me that on going to close her door, she saw somebody throwing the man out; she said her impression was, from the size of one of the parties, that it was John Spiers; I do not recollect that she said that Hall was one of them.

It being 10 o'clock, the Court adjourned until this morning at 9 o'clock.

July 29

Herald 7/29

Herald 7/29

Court of Sessions.

A. Campbell, Judge; H. S. Brown and E. McGowan Associate Justices.

The People v. *James Burns*, alias *Jemmy-from-town*.—The defendant was put upon his trial, on the charge of stealing a trunk of clothing from Mr. E. H. Breed on the 22d of May last; the same offence for which Richard Plunkett, *alias* Robinson, was tried as an accomplice, on Saturday, and acquitted. The following jury was empanelled: Messrs. S. W. Hatch, Jas. Harper, F. A. Hussey, H. Templeton, F. Gassett, H. Allen, F. L. Jones, J. B. Roberts, W. B. Stoutenburg, W. H. Crowell, C. H. West, J. L. Pool.

H. H. Byrne conducted the prosecution; W. Higby, Esq., for the defence.

Mr. Breed—Testified that the trunk was stolen on the night in question, and identified the contents at the Station House.

Mr. Stoutenburg—One of the jurors proved their value to be over $100.

Officer Card, together with Officer O'Donnell, arrested the prisoner and Plunkett on the morning of the 22d of May, at about 2 o'clock, in Broadway street; found a number of articles, clothing, &c., secreted on their persons; afterwards found the trunk on the hill; it was a large heavy trunk, requiring two men to carry it; it was found about two squares from Mr. Breed's house, whence it was taken; the place was shown in the house from which it was removed; two pistols were found on Burns; thinks they were loaded; the trunk was so full of clothes and so heavy that one man could hardly have carried it to the point where it was found; both Burns and Robinson had a bundle of clothes in their hands and some articles stuffed in their bosoms. (A number of keys, chisels, forceps, etc., were produced by the prosecuting attorney, which the witness said looked like those usually found on thieves, but did not recollect having taken them from the prisoner.) Burns was examined by the Recorder, and remanded to prison to await his trial on the charge; he was there but a short time when he broke jail. Has known the prisoner for a year, and his association has been with those generally recognized as thieves. Robinson, when the two were arrested, said to Burns, "Now you'll pay me?" Burns replied that he would, but said he had no money at the time.

John O'Donnell, sworn.—Was a policeman on the 21st of May last; was one of the officers that arrested the prisoner; about 3 o'clock on the morning of the 22d of May, witness and officers Card and Ellcard met Burns and Robinson carrying bundles of clothes, stopped them and asked them where they got the articles; Burns said he got them from his washerwoman; saw a pair of shoes in Robinson's pocket; Officer Card took them out; the other articles in their pockets were placed in witness's handkerchief, and the prisoners were taken to the station house. The clothing consisted of a quantity of fine shirts, a dress coat, pants, a razor, soap, pencils, etc. Burns said he thought he could show where the trunk was from which they got the things; he said it was somewhere on the hill; the officers separated to hunt for it, and Burns kept saying they were not far from it, as it was near a church that he seemed to know very well; afterwards met Mr. Card, who said he had found the trunk; Mr. Breed's name was on the clothing found on the prisoner and in the trunk. Took a pair of pistols from Burns; understood Burns to say he got them out of the trunk; thinks those produced in Court are the same taken from the prisoner.

Wm. H. Hays, sworn.—Was in prison the night of Burns' arrest; prisoner gave witness a silver knife saying that he took it from the trunk with the other things, and the man to whom the trunk belonged had said that all he cared about was the knife.

Cross-examined.—Never have had any difficulty with prisoner; showed the knife to a policeman; Burns said he had broken open a house, taken a trunk from it out on the sandhills and removed two bundles of clothes from the trunk. He said he had given the clothes to another man to carry for him. He further said he wouldn't stay long in such a prison as that. Witness was in prison on a charge of stealing some money from a Mexican in Pacific street; he was innocent of that charge and had been acquitted by this court; the real man that stole that money was Burns (this last answer was ruled out as inadmissible evidence).

By a Juror—The knife shut up; both handle and blade were silver; thinks there were two letters on the blade.

Mr. Breed, re-called.—Among the articles stolen from witness was a silver fruit knife with his initials in it—just such a knife as was described by the last witness.

For the defence.

Richard Plunkett—Was carrying a bundle of clothes for Burns at his request. Burns said if they met a policeman he should give up the things to him, otherwise he would take them to the station-house. Burns said here are some things; he told witness that two men had run off and left the trunk. Witness had been drinking during the day pretty hard, and does not recollect much that occurred that night; Burns used to live next door to witness; had no acquaintance with him.

Arguments were made by the counsel, and the Court instructed the jury that they might punish the prisoner if guilty, by imprisonment or death.

The jury were out a short time and returned with a verdict of "guilty," fixing the punishment at ten years' imprisonment.

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Courier 7/29

Recorder's Court.—Before the Hon. R. H. Waller.

Drunk and disorderly—Catharine McMann and Holland Dore, discharged.

Fast riding—A number of parties were brought up and fined $20 each for fast riding.

Peddling—M. Buckopker, fined $10.

Joe Doe and J. L. Nutting were fined $10 each for representing as officers.

James Cockthorne, for resisting an officer was fined $20.

Thos. Davis, charged with an assault, was held to bail in $500 to keep the peace.

Orrick Johnson; for an assault and threats was fined $10.

The Poisoning Case.

In the District Court.—The trial of this case was resumed yesterday by the examination of the following witnesses for the defence.

Thomas Waylor.—Knew Norah Maloney in Sydney; her general character is bad.

John Nelson.—Know Hall; was at his house on Sunday between 3 and 4 o'clock; went out and returned a little after nine; remained there until the body was discovered and carried out the light; had been there about an hour; it was between 11 and 12 o'clock that we saw the body.

The original report of Dr. Burns on the examination was introduced, and also some prescriptions and writings of not the best orthography in the world, which Dr. Rogers testified to be unscientific in their character.

John C. Shepherd.—Have known Mrs. Fawcett fifteen or sixteen months; she has had a very bad reputation; I would not believe her under oath.

The testimony for the defence was here closed.

The following witnesses were called by the prosecution, as rebutting testimony.

Mr. Matthewson.—Who testified that he had seen the diploma of Dr. Burns, from the College of Glasgow.

Dr. Gibbons.—Did not consider the report made by Dr. Burns as much of a literary production, but considered it correct in the conclusions drawn from the facts stated.

Recorder Waller.—From what I have heard of Mr. Thorpe, from members of the Police department, I do not consider him on a par with men in general, with regard to veracity.

Mr. Lindenberger.—The reputation of Thorpe is bad in the Police department.

Marshal Crocker.—The reputation of Thorpe for veracity, among the members of the Police, is bad; I think I heard him say that he had seen Brewer at 1 o'clock that Sunday night, and that he was not then dead; am not certain.

The Court here took a recess until 7 o'clock, P. M.

— Bronson.—Have known Norah Maloney by character for six or seven months; her character in respect to truth and veracity is good.

Other witnesses, summoned for the prosecution not being present, the defence called the following witnesses:

Jackson Moses.—Have known W. A. Thorpe for four or five years; first knew him in Cincinnati, Ohio; his reputation for truth and veracity is good; never heard it questioned before to-day.

Col. J. B. Weller.—Have known W. A. Thorpe for fifteen years; have never heard his character for truth and veracity questioned; never heard the subject discussed, would not hesitate to believe him under oath.

Dr. Rogers.—Have known Thorpe for about fifteen months; never heard his character for veracity brought into question, before this afternoon in court.

Capt. McKenzie.—Has known Thorpe for six months; never heard his character for veracity questioned.

Defendant's counsel wished to introduce other witnesses on this point, but the Court refused to hear more than four, the limited number of witnesses in this respect.

J. R. Matthews.—Have known Norah Maloney for about 15 months; I never heard her character for veracity questioned, and would believe her as soon as any other woman in the State, of her class; I think I would believe her under oath.

The evidence was here closed, at about 9 o'clock, and after considerable discussion as to the order in which the counsel should address the jury, the Court ruled that the District Attorney should open the argument, by stating the points on which he relied. The latter replied that he would then make his whole argument at once, and proceeded so to do, and at 12 o'clock, before he had concluded, the Court adjourned until this morning.

Returned 7/30

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We find in the *Republican* the following card in relation to Stuart's accusation of the Sheriff of Monterey:

July 31

Sir.—We have read with much pleasure the letter of Mr. Phillip Roach, in the San Francisco *Herald* of July 19th, in regard to the statement made by Stuart, respecting the character of Mr. William Roach, Sheriff of Monterey. We heartily coincide with the letter, and would state, that we have known him for a long period, as an upright and honorable gentleman. He was one of the first settlers in Stockton, and was always universally and deservedly respected. His character is without a blemish, and no charge to his dishonor made against him, until the villain Stuart thought fit to state to the Vigilance Committee that he had been bribed in the sum of $700. Now, we ask any reasonable man, if there is the appearance of truth in this statement?—when Stuart states that Roach knew that the bribing party had the immense sum of $21,000! Is it at all probable, that Mr. Roach would sacrifice the reputation he has hitherto enjoyed in California, for the paltry sum of $700!

It is a well known fact, that Mickey Lyons, (who was hung in Stockton,) spoke falsely whilst the rope was round his neck.

The public ought in justice to the accused, to suspend their judgments when the character of a man, who has borne so honorable a reputation, is at stake.

Nelson Taylor,	William Ward,
John Heyland,	F. Q. Brown,
John Murphy,	Henry S. Morton,
Sam'l Ferguson,	Sam'l H. Catts,
James Lynch,	Wm. Atherton,
C. B. Williams,	Michael Connelly,
C. H. Thurston,	Daniel P. Clark,
Richard Wall,	Geo. W. Shoemaker,
Elbert Weekes,	Monroe T. Robertson.

705

Clarke, Wm. of James Town W
Description of Demecio

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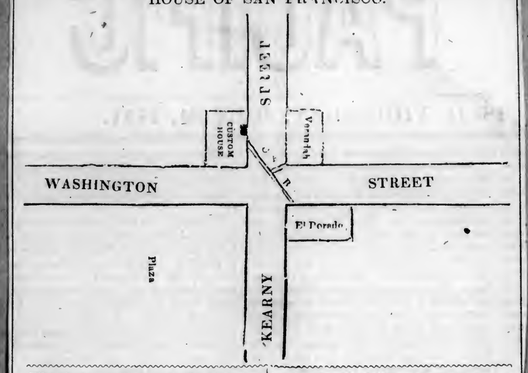
The Supreme Court and the Vigilance Committee.—A writ of habeas corpus was issued from the Supreme Court yesterday morning, to the Sheriff of the County, ordering him to take into his possession the body of the man Stuart, said to be illegally held in custody by the Vigilance Committee. The writ was sued out by Frank M. Pixley, Esq., the City Attorney, and is returnable to-day.

Pacific Star July 31

July 31

PROPOSED PLAN OF STUART & CO. TO ROB THE CUSTOM HOUSE OF SAN FRANCISCO.



The above cut illustrates the plan that was proposed to rob the Custom-house in this city as developed by the confessions of Stuart implicating himself, Morgan, Whittaker and others.

It was the intention of the gang to lease or purchase, if necessary for the accomplishment of their purposes, the Verandah at the corner of Washington and Kearny streets, and dig a tunnel or passage way under the ground in the direction A, then continue the same *drift* at the same time in the direction C, under the vaults of the Custom House, and B, in the direction of the El Dorado. When all was completed, the money in the vaults of the Custom House were to be abstracted, conveyed along the lines A and C into the Verandah building. It was then their intention, which proves the deep, damned villainy of the project *to close up entirely the passage A*, and the passage B leading to the El Dorado being left open, would naturally throw suspicion upon the occupants of that establishment, while the real felons would escape. This whole "project" establishes the cunning of the villians. It was a deep laid scheme, but fortunately inoperative.

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CITY NEWS.

July 31

Completion of the County Prison.—We are gratified to learn that the Committee of Vigilance have added to their other claims upon the confidence of the community by taking in hand the task of completing the County Prison. It is estimated that $15,000 will be sufficient for the purpose, and place at the disposition of the authorities a prison strong enough to defy all attempts at escape on the part of the prisoners. This sum they have undertaken to raise. The Committee consists of about 500 active members, and each one of these has pledged himself to obtain from ten of his friends a subscription of $3 each; or in other words, each member undertakes to raise $30 towards making up the required sum of $15,000. This can be easily done—for where is the man in this community, be he ever so poor, who would not contribute such a mite for the accomplishment of so desirable an object; one too, in which every man has an immediate personal interest.

The money when obtained, of which, from the energy already displayed by several of the members, there is an immediate prospect, will be placed in the hands of our excellent and indefatigable sheriff, Col. J. C. Hays, to be employed by him for the object indicated. The thanks of the community are due to the Committee for the good work they have undertaken. Such an effort on their part shows that they are willing to assist the law in every legitimate way, and do not run counter to its provisions except in cases of dire necessity.

C-A 77

August 1

CALIFORNIA COURIER.

JAMES M. CRANE .....EDITOR.

FRIDAY, AUGUST 1, 1851.

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

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JOHN S. EDWARDS.....*Monterey.*
CHAS. K. CULLEN.....*Los Angeles.*

WHIG STATE TICKET.

For Governor.
PEARSON B READING, of Shasta.

For Lieutenant Governor.
DRURY P. BALDWIN, of Tuolumne.

For Justice of Supreme Court.
TOD ROBINSON, of Sacramento

For Attorney General.
WM. D. FAIR, of San Joaquin.

For State Comptroller.
ALEXANDER G. ABELL of San Francisco.

For State Treasurer.
J. M. BURT, of Butte.

For Surveyor General.
WALTER HERRON, of San Joaquin.

For Congress.
E. J. C. KEWEN, of Sacramento,
S. F. MOORE, of Tuolumne.

☞ **Particular Notice.**—The members of the Executive Committee of the Young Men's Whig Association are requested to meet at the office of Capt. Travers, corner of Sansome and Commercial streets, at 8 o'clock, on SATURDAY EVENING. Punctual attendance is requested, as business of importance will come before the Association.

By order of the Chairman.

☞ Post and Picayune, please copy. aul a

☞ **Notice to the Public.**—Dr. A. J. LASETER is authorized to procure subscribers, advertisements, and ob work for The California Courier Office. His receipts will be good for all payments made. Dr. Laseter is a gentleman of high respectability, and we take great pleasure in recommending him to the favorable notice of our friends.

☞ **Our Steamer Edition**—containing an unusual amount of local and mining intelligence, Oregon' Sandwich Islands, and South American news will be ready for delivery at the "Courier" counting-room, THIS MORNING, at 7 o'clock.

Price, in wrappers, FREE OF POSTAGE, 25 cents.

Events of the past Fortnight.

Since the sailing of the last steamer, nothing of startling importance has transpired in our State. The prompt and decided action of the Vigilance in this city, has had the effect to drive from our midst the organized bands of desperadoes who have for a long time preyed upon us. Many of them have been caught and punished, others transported, and others again turned over to the civil authorities. The latter have found out that the people are not disposed to submit to the course of proceedings which have characterized them for the past year, and they are now exercising their judicial authority in a manner more to public satisfaction. This was the great object sought for by the Committee, and we apprehend they will shortly suspend operations for a time. Their action has had a most beneficial effect for our city and State. Confidence in our social and business transactions is daily strengthening, and ere long will be as strong as ever.

Captain Wakeman—Sailing of the Independence, &c.

Yesterday afternoon Long Wharf was crowded with an immense throng of spectators, far greater than we ever witnessed at the sailing of any steamer from this port. The announcement that a beautiful flag was to be presented to Captain Wakeman by his friends in this city, brought out a large crowd. At half past three o'clock, the committee of presentation appeared on the quarter deck of the Independence, when Mr. Woodworth, the chairman, made the following most appropriate speech, at the same time presenting the flag to the Captain.

CAPT. WAKEMAN:

SIR—Your friends and associates, citizens of San Francisco, a multitude of whom you now see here assembled, have seen fit to confer upon me this honor, and make me the happy medium to convey to you their fervent expressions of kindly feeling and brotherly affection. In expressing to you the sincere and honest promptings of every heart now throbbing around you, it becomes likewise my pleasing duty to present to you in their behalf this slight testimonial of their kind regard and their just appreciation of your manly virtues and your modest worth. Accept it then, Sir, in the spirit which has prompted its award. It bears in itself no real intrinsic value, but I know it will possess in your eyes a worth inestimable, coming as it does directly from the hearts of those who love you.

This flag, designed by your friends as your private signal, bears for its leading motto a sentiment deemed peculiarly appropriate for one placed in your responsible position, and a sentiment which should be a guiding motto through life for us all. This, with the motto of our golden State the combined in union on the flag, which is now entrusted to your keeping with confidence by your fellow citizens, who know of no one more capable of defending it. The pleasure afforded your friends in thus having an opportunity of expressing to you their feelings of esteem and affection is somewhat alloyed by the existing necessity which obliges us for a time to part with you; but we trust soon to have the happiness of again welcoming you amongst us.

Allow me the pleasure also, Sir, to offer you my hearty congratulations on this happy occasion and to express to you the warmest assurances of my individual regard.

This speech was frequently interrupted by the applause of the crowd assembled, and at its conclusion we saw that the fresh water was about to start from the eye of the "old salt." Captain W. gracefully apologized for his inability to reply in a suitable manner, at the same time introducing a substitute in the person of Mr. Perrine, who most handsomely acquitted himself by a speech, of which the following is the substance:

MR. CHAIRMAN—The beautiful flag presented by you on behalf of the citizens of San Francisco to myself, for my private signal, calls forth feelings which I cannot find words to express. Suffice it to say, that I feel proud of the honor conferred upon me. I never in my whole life have done an act for the sake of reward; it is the purpose of human life to discharge our relative duties without such expectation. Both by sea and land, I have endeavored to play my part conscientiously. I shall ever bear in mind with pleasure this estimation of my character, and trust that in all my acts I may deserve it. As the beacon light to the mariner when nearing land, to guard his frail barque from danger, so may this testimonial prove to me as a beacon when dangers or temptations beset me. It will serve me, if ever permitted to retire from the busy scenes of life, to remember with gratitude the citizens of San Francisco. Although placed in command of the steamer Independence, and consequently obliged to plough the waves of "Old Ocean," still I am with you. I humbly hope, winds proving propitious, and no ill betiding me, to exhibit ere long your gift, MY SIGNAL, at the fore top-mast head of the Independence, as she enters the Golden Gate of the bay of San Francisco. In the meantime, I wish you much peace, happiness and prosperity. May we oft meet again.

At the conclusion, the new flag and all the bunting of the ship was run up, and a salute from the ship's guns fired. Long, loud and prolonged cheering for the Captain, his boat, &c., &c., took place. A letter of thanks to Capt. Wakeman from the Vigilance Committee was then read.

The banner we have heretofore described. It is beautiful in its design and execution. Its manufacture is the handi-work of MRS. J. W. STILLMAN, and might be envied by any lady. The painting and gilding was done by that fine artist and Prince of good fellows, John S. Eagan.

The Independence left the dock in fine style, crowded with passengers, and carrying the good wishes of the assembled thousands, who vociferously shouted their "God speed" as the last line was cast off, which held her to our shores. Courier Aug

The Coloma Difficulty.

We are indebted to Messrs. Harmon & Springer, of the "El Dorado News," for the following account of the transactions at that place on the 28th ult:

"NEWS" Office, COLOMA, July 29th.

Yesterday this place was the scene of a deal of excitement, which made our quiet little town present quite a warlike appearance.

It will be remembered that a difficulty has existed for some time past, between the Coloma Damming Company and the Tunnel Company, on account of the latter backing water on the claim of the former, who previously to their commencing operations, purchased the right of tearing away the dam of Sutter's old mill for mining purposes.

The Coloma Company sued the other for trespass, which case was submitted to his honor Tod Robinson, some ten or twelve days ago, who, after an investigation, decided that within ten or twelve days the sheriff should tear away so much of the Tunnel Company's dam as would let off two feet of the back water.

Yesterday being the last day allowed the sheriff to act, he accordingly proceeded in the morning to execute the order of the court, but was prevented from so doing by demonstrations of resistance made by the tunnel Company.

Col. Rogers, who deserves great credit for the praiseworthy manner in which he acted, and his unyielding determination to carry out the law, caused a possee of about a hundred men to be summoned, who in a very short time made their appearance in the streets, armed with pistols, bowie-knives, shot-guns, rifles, muskets, &c., ready to sustain him in executing the order of the court. In the meantime, however, Col. Rodgers, in order to enable him to carry out his object more effectually, proceeded immediately to Hangtown for an additional force, to co-operate with the posse sumomned here. In a few hours a sufficient force was on hand well armed, and ready to give their aid. But before their arrival the Tunnel Company had dispatched a messenger up to town expressing their willingness to submit to the order of the court.

We are truly glad that the matter ended as it did; for we are convinced from the cool, collected and determined manner of the sheriff's posse, that had a conflict ensued, it would have ended seriously to both parties, and that no quarter would have been shown on either side.

DIED.

In this city, 28th inst, Mrs. Charlotte G. Pagan, aged 30, wife of John Pagan, and daughter of the author of "Jemima Redman," of Erie co, N. Y.

On board the steamer Sea Bird, on her passage up from Panama, Mr R. G. Bartlett, and master Culver, both natives of New York.

Courier Aug 1

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1851

Courier 8/2

THE PRESENT GRAND JURY.—The labors of this body will cease to-day. They have performed an immense amount of work since they were organized, much more than was ever done by any similar body in California. Drawn together at a time when the city was convulsed by the agitation and excitement in consequence of the discoveries made by the Vigilance Committee, their duties were not to be envied, but were of the most intricate character. A more intelligent, upright, persevering or discriminating body never sat as an inquest in California or any other State. They have devoted their whole time to the performance of duty, and left nothing undone to further the ends of justice. The duty has been an arduous one, but the members have the satisfaction of knowing that their labors meet with public approbation. We hope the new jury will carry on the good work already commenced.

We cannot let the opportunity pass to express what we believe to be public sentiment in regard to the Court of Sessions. Instead of staving off and protracting the trial of criminals who stood indicted, that Court has promptly taken up and disposed of all cases which have come before them. Although we may differ from it in its conclusions, yet we give the Judges credit for their promptness. The times required it, and they felt it.

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T. BELCHER KAY.—There being no bill found against this person, he was ordered to be discharged by the Court of Sessions, yesterday morning. There can be no excuse for his detention by the authorities, and he will accordingly be relieved at the earliest moment. If the Vigilance Committee have had any idea of investigating his case, an opportunity is now afforded, as the restrictions and authority of the law no longer extend their parental care over his personal security.

FRENCH THEATRE.—This unique temple of Thespis opened last evening to a highly respectable audience, among whomwe noticed some of our most prominent families. The interior is exceedingly neat, and the [illegible] which [illegible] one presents a good opportunity of seeing the stage. The pieces were well selected and went off admirable. We have not time or space to enter into details, and as a full [illegible] had, we cannot particularize, being entire strangers to the whole company. In our next number we shall notice more fully.

COMMON COUNCIL.—[illegible]

August 2

August 4

In conclusion the Grand Jury return thanks to the Chief Justice and his associates composing the Court of Sessions, for their courtesy and patience on their almost daily meetings.

Kingsbury Root,	Geo. Endicott, Foreman
F. A. Ball,	W. B. Peake,
Jno. McCurdy,	Beverly C. Saunders,
Francis Fanlon,	C. L. Tuffs,
D. A. Shepard,	E. Tichenor,
J. D. Farwell,	Harvey Dickinson,
William M. Hogg,	B. C. Horn,
C. L. Ross,	W. E. Lyndall,

At the conclusion of the report, the District Attorney moved the court that the able document just read be accepted and placed among the archives of the court.—The court so ordered, and Judge Campbell returned the thanks of the court for the faithful and able manner in which the Grand Jury had discharged their duties, devoting thereto more of their time and attention than any previous Grand Jury coming within the observation of the court. He also deemed it proper to state that the court dissented from a portion of the report, which it was not necessary for him to designate. The Grand Jury were then discharged, and the court adjourned *sine die*.

The August term commences on Monday next.

Herald Aug 4

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August 5

Courier 8/5

REPORT OF THE GRAND JURY.—Previous to their adjournment last Saturday, the late Grand Jury made an able report to the court. We are sorry we cannot give it entire, but make the following extract:

Their labors have employed them 24 days, during which time they have examined 90 criminal cases, which clears the calendar; and of which, 4 were for murder, 12 for assault with intent to kill, 3 for assault, 3 for arson, 3 for robbery, 31 for grand larceny, 6 for burglary, 3 for bigamy, 1 for forgery, 2 for highway robbery, 2 for swindling, 4 for bribery, 2 for abduction, 1 for passing counterfeit money, 1 for perjury, 1 for conspiracy to rob and murder, and 11 for sundry other charges. The result of which has been the finding of 44 true bills, the ignoring of 23 bills, and the dismissal of 13 cases. Upwards of 200 witnesses have been examined in the above cases.

The report further states that many bills were ignored for the reason that the witnesses had left. They report the jail as secure, but insufficient in capacity, Sheriff Hays and District Attorney Platt are mentioned in terms of commendation. They find the Hospital in good condition. The financial state of the county is represented as deplorable. In regard to the Vigilance Committee, the Jury deplore the necessity which caused its organization, but pay that body a deserved tribute for the motives that prompted such an expedient. The blame, if any, is laid to the tardy administration of justice by the courts, upon which the report comments with merited severity. The Court of Sessions is thanked for its attendance to business.

At the conclusion of the reading of the report Judge Campbell made a handsome speech to the Jury, thanking them for their industry, and faithful discharge of duty.

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ble to a portion of them as is that of any
in this city, to the discharge of these public duti...
The public join in the [illegible] passed upon them
by the Court, which they hope to report to those now
called upon for that duty.

Herald Aug 5

INDICTED.—The late Grand Jury presented on Saturday, two bills of indictment against J. J. Arrentrue; one for conspiring with several others, on the 2d of February last, to attempt to murder a man at the mines, name unknown, with intent to rob him; the other for unlawfully aiding Wm. Watkins, after his sudden disappearance from the Station House, when confined there on the charge of burglary, to escape, by furnishing him with a pair of boots worth $10, and $25 in money.

RESIGNATION.—Robert J. Ridley yesterday presented to the Court of Sessions his resignation of the office of

August 7

Herald 8/7

Another Excitement.

It was whispered around on Tuesday night and early yesterday morning, that business of vital moment had been lately engaging the attention of the Vigilance Committee; that they had been sitting in solemn conclave once more in judgment upon the life of a fellow being. It was generally believed that Adams, the noted and detected burglar, was the individual in the investigation of whose crimes they were engaged. Early yesterday morning could be heard from almost every little knot of talkers on the street, prognostications of another excitement, perhaps a collision. Accordingly, when the Monumental bell commenced about 10 o'clock to toll the well known signal for the assemblage of the Committee, hundreds rushed in anticipation of a scene to the rooms of the Committee in Battery street. Shortly afterwards the members of the Committee were seen converging from all quarters of the city, making their way into their place of assemblage. In the meantime conjecture ran wild among the crowd congregated without as to the object of the gathering. But it was pretty well agreed among the professed "knowing ones," that somebody was to be tucked up—they rather thought it was Adams. In the meantime dire was the commotion among the city authorities. A noted law and order supporter was seen tearing through the city in search of the Mayor, and to the uninitiated everything seemed to betoken a scene of fearful excitement. But soon all anxiety was removed and the devouring curiosity of many of our people satisfied by the announcement from the committee room that nothing of importance was to be done, whereupon many left the spot. Shortly afterwards the Committee seemed to have adjourned. The Chief of the Vigilant Police came forth with Adams in his custody. Deputy Sheriff Caperton accompanied him. A portion of the Committee and a number of citizens who received fresh accessions at every turn, formed the escort. They proceeded through the principal streets, the crowd every moment swelling, and many were impressed with the belief that Adams was being led to execution. But the Committee, with a foresight and moderation that must wring commendation from its fiercest opponents, had decided to surrender the criminal to the constituted authorities, to undergo trial in accordance with the recognised forms of the law.

They had spent their time, means and energy in capturing the fugitive—in collecting the evidence of his guilt, and with everything prepared ready to the hand of ormal justice, had determined to give him up for trial and sentence. To such a course all must accord the meed of praise. Those strongest in their denunciations of the Committee heretofore, as step by step the grounds of their opposition have been removed, have retreated from point to point, until one of the charges most harped upon has been the detention of this very man Adams. The persons to whom we allude, declared that the Committee effected a show of moderation and respect for the law by surrendering Ainsworth and several others against whom the law had no charge, no evidence, and upon whom it could get no hold, while Adams, against whom an indictment was pending for an offence in the actual commission of which he was caught, was withheld, to be tried and disposed of according to their own system of jurisprudence. This charge is now scattered to the winds by the surrender of Adams.

Hardly had he been lodged in the County Jail by the Chief of Police, before an order was issued by Judge Campbell to have him brought before him. This was done, and the Court appointed T. Jefferson Smith, Esq., as his counsel, and made an order that he be arraigned to-day. His trial will come off almost immediately. He will be quickly disposed of.

It is understood that he has made a confession, corroborating many of the statements of Stuart, both as to facts and individuals, which will be published in due time.

The Committee had, at an early hour in the morning previously, surrendered J. Arrentrue into the custody of the Sheriff. Two indictments have been found against him by the Grand Jury, one for a conspiracy with intent to murder, and another for assisting a prisoner to escape. Judge McHenry is his counsel, and Friday is fixed upon as the day upon which he is to plead

THE SURRENDER OF ADAMS.—It will be seen in another column that the burglar Adams has been surrendered voluntarily by the Vigilance Committee into the hands of the Sheriff. The moderation of this step is just what might have been expected from the whole course of the Committee,—and their firmness in the execution of Stuart was scarcely more commendable. Where are now the awful predictions of those who foretold that though temperate in the use of power for a time, the Committee would become intoxicated with authority and degenerate into licentiousness?—and again, where are those who predicted a certain collision with the authorities? The Committee have treated those authorities from the first with contemptuous indulgence, and they would not at any time have permitted themselves to be forced into a collision with them. We trust the authorities will exhibit a sense of the kindness of the Committee by at least a show of doing their duty for the future.

ders.

JACK ARENTRUE.—This person who has been in the hands of the Vigilance Committee for some time, and who has afforded considerable food for town talk, was yesterday brought up before the Court of Sessions. There are two indictments pending against him—one, for assisting a prisoner to escape, and the other for a conspiracy to rob and murder. He was allowed until Friday to plead—many of his witnesses being remote and cannot be procured for several days. Judge McHenry appeared as counsel for the prisoner.

VALUABLE PUBLICATIONS.—We neglected to notice the receipt of "Blackwoods" and other valuable publications from Messrs. Burgess, Gilbert & Still upon the arrival of the last steamer. The above firm are fully supplied with the latest editions of all the standard works, latest papers, stationery &c., which they dispose of at a reasonable rate. Their establishment is on the west side of the plaza.

GREAT EXCITEMENT.—Yesterday morning about 10 o'clock, our citizens were aroused by the tolling of the bell of the Monumental Engine Company on the Plaza,—the well-known sequel for a speedy convention of the Vigilance Committee. In a moment the streets were thronged with persons rushing down to Battery treet.—all anxious to see another execution. What added to the excitement was the fact that rumors were afloat that some important arrests had been made, and summary punishment inflicted. After the crowd had increased to several hundreds, and had patiently awaited some action for half an hour, a man with a white hat and bearded like a pard, majestically arose on the head of a barrel and informed the multitude that the Committee had adjourned for the day, and that they might as well all go home. This satisfied a large portion of those assembled, who quietly went away, but many thought it a ruse on be part of the Committee, and quietly took seats in boxes and barrels in hopes that something interesting might turn up. The Mayor, Marshal and other officers of our city government, came down in a body, and immediately the object of the Vigilance Committee was apparent. The notorious Adams, who was implicated in the burglary of Col. Stevenson's premises, and who has several times escaped from custody, was handed over to the legal authorities. A crowd numbering several hundred accompanied the prisoner to the County Jail. Adams appeared to be much reduced in flesh, and suffering severely in constitutional debility. The Committee have delivered John J. Arentrue to the Sheriff, and he was yesterday arraigned upon two indictments. The action of this body in thus delivering these persons to be tried by the legally constituted authorities, is a wise and judicious move and which cannot fail to meet the approbation of all

Pacific Star Aug 7

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August 8

THE HERALD.

Friday Morning, August 8, 1851.

CORRECTION.—We see it stated that the burglar Adams was delivered to the custody of the Sheriff, Marshal and police. He was surrendered into the custody of Deputy Sheriff Caperton, and in company with that officer, the prisoner was escorted to the jail, by a deputation of the Committee. The Marshal and police had nothing to do with the affair. It is needless to say that no demand was made on the committee by the authorities or by the Sheriff for the body of Adams.

CONSOLATORY.—The Anti-Vigilance Committee organ has graciously signified its pleasure now that the members of the Committee have evinced a readiness to act as auxiliaries to the legal authorities, that the body may still retain its organization. It consents that the Committee should act as a Detective Police. It is to be presumed therefore that the Committee will not disband.

The Vigilance Committee.

We learn that some astute individuals have argued from the surrender of Adams to the custody of the Shoriff, that the Vigilance Committee is dissolved. By others, such a consummation is devoutly wished for; but we feel pleasure in stating for the information of the citizens, that the Committee have not dissolved, and furthermore that they have not fixed upon any point of time in the future at which their organization shall be disbanded. They have still much important work to do, and past experience shews they are not men to do things by halves. They have already broken up the powerful organization of thieves and cut-throats that infest our city. They have made themselves felt by that class, but they have yet to make themselves felt by the treacherous officials who have long abused the public confidence. They have not surrendered to the law. The law was in the gutter. The Committee have picked it up and are now guiding its tottering steps little by little. When it has become sobered and reformed—healthy and vigorous—the Committee will permit it to resume its entire functions, but not till then. The Committee have not succumbed to the law; and furthermore, if in the opinion of the body a necessity should arrive to-morrow for the exercise of all the powers they ever claimed, they will act precisely as they have acted heretofore.

We rejoice to learn that the Committee have for some time past devoted much of their attention to the Judiciary. They have already elicited much useful and interesting information on this subject, and a further prosecution of their inquiries cannot fail to be of much benefit to the community.—The truth is, the Committee are now in a position to effect more good than they have yet accomplished. Their labors heretofore, it is true, have been crowned with wonderful success, but there is still an ample field for their exertions.

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Bonner 8/8

MURDEROUS ASSAULT.—The Stockton Journal contains an account of the cowardly assault made upon Mr. Robb by Samuel Purdy, the Locofoco candidate for Lt. Governor. If the statement be true, and we have no reason to doubt it, the honorable candidate deserves the severest punishment. It is time these affairs were stopped by a strict enforcement of the laws.

Bonner 8/8

HORSE THIEF RECAPTURED.—Bill Quinn, the notorious horse thief, who escaped from the prison brig some time in April last, was recaptured on Wednesday evening by officer Morse, at a Sydney dance house called the White Swan Tavern, on Ohio street. He was sentenced to two years imprisonment for horse stealing, and at the time of his escape, had served but a few weeks.

August 9

A HANDSOME COMPLIMENT.—The ladies of San Francisco are about to present this evening to the Vigilance Committee a splendid banner, as a testimonial of their gratitude and approbation of the labors by which the committee have restored peace and safety to the city, and security to the lives and property of its inhabitants. The banner, which is of blue silk, is still in the hands of the artist. On one side it bears the following inscription, in characters of gold:

The Vigilance Committee of the City of San Francisco
Instituted June 8, 1851.
For the protection of the lives and property of the citizens and residents of the city of San Francisco—Const., art. 1.

And on the reverse:

Presented to the Vigilance Committee of the City of San Francisco, by the ladies of Trinity Parish, as a testimonial of their approbation:
"DO RIGHT AND FEAR NOT!"
August 9, 1851.

Around the inscription is emblazoned a gorgeous border of oak, olive and fig leaves, emblematic of strength, peace and plenty, and the banner is otherwise decorated with the arms of the United States and other appropriate designs.

This beautiful present comes with peculiar grace from that portion of the community whose happiness specially depends on a well ordered state of society, and who can therefore best appreciate the wonderful change effected by the committee within the last two months. The gentle sex are by nature opposed to strife and violence, and consequently would not be likely to approve unrelenting and unnecessary harshness in suppressing crime; and although the committee may well be content with the approbation of their own consciences, it must nevertheless be a source of great gratification to them to know that their course is not only vindicated by the pulpit and the press, but commands likewise the warm sympathy and kind encomiums of the ladies of San Francisco.

Herald
Aug 9

ANOTHER ATTEMPT AT ARSON.—Two attempts were made on Saturday evening, to set fire to the California street wharf. A meeting of the citizens was held last evening to take stringent measures to capture the perpetrators, and if taken, they will either be hung or burned alive.

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August 11

CITY MATTERS.

MOST MAGNIFICENT PRESENT.—On Saturday evening a splendid and elegant banner was presented, through a committee, by the ladies of Trinity Parish, to the Vigilance Committee. In point of design and execution, we have never seen it equalled. Its dimensions we cannot accurately state, but presume it to be from seven to eight feet in width by from eight to ten in length. It is made of the most superb and costly fabric, having a blue ground upon one side and a lilac on the opposite. The lettering is most admirable. The whole banner is heavily fringed with gold, and some estimate may be formed of its magnitude and splendor, when it is known that independent of the labor bestowed upon it by the ladies, its cost was nearly $1,000. On one side is the following inscription: "Presented to the Vigilance Committee of the City of San Francisco, by the Ladies of Trinity Parish, as a testimonial of their approbation. 'Do right and fear not.' August 9th, 1851." On the reverse side is the following, surrounded by a chaste and elegant wreath of oak and fig leaves: "The Vigilance Committee of the City of San Francisco. Instituted June 8th, 1851, for the protection of the lives and property of the citizens and residents of San Francisco."

Benjamin S. Brooks, Esq., in behalf of the Committee from the ladies, presented the banner, making a most happy and pertinent speech. He said he was not allowed to make an oration on the occasion. The ladies, whom he was most proud to represent on the occasion, simply desired him to present this token of their regard, accompanied with expressions of the gratitude they felt for the great good accomplished by the Committee. They now felt a security as wives, as mothers and daughters, which they had never fel before. Their reliance for protection consisted in the peace and good order of society. Never had this city been so free from crime as at the present time. They attributed this happy result to the action of the Vigilance Committee, and hence this testimonial.

Col. David S. Turner acknowledged in a handsome manner, on behalf of the Vigilance Committee, the receipt of this testimonial from the ladies. The Committee felt proud of approbation from such a quarter. Their duties had been most arduous, but the ladies of Trinity Parish might rest assured that they would be continued, so long as the necessity of the case should require. For himself and his associates, he begged to assure the fair donors that the motto on the banner should hereafter, as it ever had been, be their motto. "Do right and fear not."

Courier 8/11

consisting of Boots, Shoes and Brogans, Clothing, Hats, Watches, Jewelry, &c.

Also, to the sale of Hutton & Co., consisting of Segars, Groceries, Provisions, &c., &c., to take place at 10 o'clock.

Aug 11

☞ At a meeting of the late Grand Jury of the July term, on the evening of August 9th, 1851, B. C. Sanders, Esq. was called to the chair, and Kingsbury Root, Esq., appointed Secretary.

The object of the meeting having been explained, viz: to take into consideration certain statements made by Judge Parsons in his "motion" before the Court of Sessions. The following was unanimously adopted and ordered to be published in all the papers.

The undersigned members of the late Grand Jury, deem it due to themselves to correct a few errors, wilful or otherwise, of the honorable Levi Parsons, Judge of the Fourth Judicial District, made by him in his motion before the Court of Sessions, to strike out certain portions of said Grand Jury's report.

The assertion that the names of but two witnesses were endorsed on the indictment of Hall and Spiers is correct. The assertion that but two were examined, and that they had "listened to outside evidence," is false; and they believe that the honorable Judge knew it to be so when he uttered it—it having been explained to him by one of the jurors previous to his visit to Sacramento; that by some mistake (easily made in the press of business) the names of the other witnesses were accidentally omitted. He also stated that he had received a note from the Grand Jury, disapproving of a certain or certain jurymen then trying the above case. This statement is wilfully and unqualifiedly false. No communication having been sent the honorable Judge by the Grand Jury, either officially or individually.

GEORGE ENDICOTT, Foreman.

C. L. Tuffs,	B. C. Sanders,
H. F. Cutter,	Francis Panton,
B. C. Horn,	J. D. Farwell,
D. A. Shepard,	William Hogg,
F. A. Ball,	E. Tichenor,
H. Dickenson,	W. E. Syndall,
Wm. B. Peace,	C. L. Ross,
John McCurdy,	

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August 11

LAW INTELLIGENCE—Aug. 9.

United States District Court.

O. Hoffman, Jr., Judge.

Not in session to-day, the court being in process of removal to its new rooms on Merchant street.

District Court—L. Parsons, Judge.

The People vs. *Samuel Gallagher*—Indicted for the murder of Lewis Pollock on the night of 22d June last.

Another venire for jurors having been returned the jury was finally completed as follows: G. H. Howard. Philo White. Isaac Bluxome, Jr., Samuel Adams, D. J. Oliver. John W. Stirling. George Mellus, Hector Donnelly. John W. Rider, Jacob S. Shultz, H. B. Davidson. James Findla.

Elisha Cook, Esq., appeared as associate counsel for the prosecution.

The District Attorney having presented the case to the jury, proceeded to call the following witnesses for the prosecution:

Mary St. Clair, sworn—On the evening of June 22d was in my house in Merchant street; have known defendant since September last: saw him on the evening of the 22d of June; I was in my room when he came to the house; went to the door and Mr Gallagher was there; asked him not to come in as persons had gone to bed; said he wished to ask or speak something, and I stepped back and let him come in; he came in and halted, seeing Mr. Pollock in bed, and said "Pollock, I understood you talked about me;" Pollock answered, "quite likely;" said Gallagher, "I understand you said to-day, I was a coward;" Pollock said, "I did;" Gallagher called him a liar; Pollock then rising up said, "you have a pistol;" Gallagher said, "I have;" he then either went out or was put out the door; Pollock got up and pulled the door open two or three times; the third time he succeeded in getting out; as he went out I heard the report of a pistol; when I went out Pollock was lying in the hall on his face; my room was in the second story, at the head of the stairs; my door is about two feet from the head of the stairs; when Gallagher first came, I was in my room, at my bureau drawer; can't say what time it was; somewhere about 10 o'clock; it was the day of the last fire.

Cross-examined—There was a door at the head of the stairs, betren the hall and the street; it had been removed that day; Gallagher was in the room only a few moments; when he saw Pollock he appeared surprised; persons very often stepped into the room; Pollock opened the door with his left hand and had his right hand raised; he was apparently in a great passion; the room was often used by persons as a sitting-room; I think this was the first time Pollock was ever in the house; I had loaded fire-arms in my bureau.

Mr. Pollock was in bed when Gallagher entered the room; he was undressed and in bed with Miss Hurley; Mr. Pollock had been there a few moments; he had nothing on but his shirt; I saw nothing in Gallagher's hand; saw no weapon that evening in the hands of any one; was in my room when I heard the report of the pistol. The door was pushed to by Mr. Peoples; I opened the door as quickly as I could, and went towards Mr. Pollock; there was a crowd in the hall; did not notice any one in particular; Pollock fell with his feet toward my door; did not see Gallagher when I came out; did not hear him make any remark; did not hear Pollock speak; he was apparently in a great rage when he went out the door; had his right hand raised; when Gallagher fir t came into the room there were present Mr. Pollock, Mr. Peoples, Miss Hurley and myself.

Re-examined by prosecution.—Mr. Gallagher had been at the house in the early part of the evening; he was in the same room talking with Miss Hurley; he stayed there a short time; Miss Hurley had been living at Miss Mary Dennison's, on Washington street, and had been burned out that day.

Jane Hurley sworn.—Mr. Gallagher opened the door and came into the room where Mr. Pollock and myself and Mr. Peoples and Miss St. Clair were, and said to Mr. Pollock, "I understand you have called me a coward." Mr. Pollock replied, "I did." Mr. Gallagher then said, "You are a lying son of a b—h." I then ran into the next room; I heard the report of a pistol soon after I left the room.

When Gallagher came into the room Pollock was in bed; Pollock was on the back side of the bed; when I left the room Pollock was getting out of bed; Gallagher was about three feet from the bed; nothing was said in my presence about pistols; we had not been in the room more than five minutes when Mr. Gallagher came to the door. No communication was made me while in the room, in regard to Gallagher. Mary Robinson came in and spoke to me; I was in bed at the time. The first time I saw Pollock that day was in the morning at Miss Dennison's; afterwards saw him on the Plaza, when he called Mr. Gallagher a coward; this was during the fire; Pollock said to Gallagher on the Plaza, "Work, God d—m you—I used to like you, but do not say more; you are a coward." I begged of Mr. Pollock to hush, and Mr. Gallagher said nothing, but left. I did not know what led to the remark of Pollock; heard Pollock call Gallagher a coward again, about an hour afterward, on Stockton street; Mr. Gallagher walked off as if he did not hear the remark.

Cross-examined.—Saw Gallagher as soon as he came in the room. He appeared surprised at seeing Pollock. I saw no pistol in his hand; if he had any I could not fail to see it; knew that Pollock and Gallagher had been acquainted for a year before, and were on very good terms.

Re-examined by District Attorney—Never knew of their having any falling out before this last difficulty; they were both on friendly terms with me.

The court here took a recess of twenty minutes.

Mary Robinson, sworn.—Was in the house of Mary St. Clair on the evening of June 22d; was standing in the parlor door with my back toward the hall; heard loud talking, and turned around to see what it was; knew Mr. Gallagher's voice; saw Mr. Gallagher standing in the hall at the head of the stairs; the room door was closed; some person inside was trying to get out; did not hear what was said inside; first I heard Gallagher say was, "God damn you," or "God damn it;" can't tell which. the door was pulled a little way open from the inside and slammed to again; the door was then opened again a little way, and I heard Mr. Pollock say, "you have a pistol: Mr. Gallagher replied, "I have;" the door was then pulled from the inside again, and Mr. Pollock came running out, saying, "I don't care for your pistol, God damn you;" he came out in a great passion, with his right hand up, and flew at Mr. Gallagher; Gallagher said something, and put his hand against Pollock's shoulder to push him away; Pollock did not step back when Gallagher pushed him, and the pistol went off; Mr. Gallagher, when Pollock came out, had retreated back to the partition, and he had to step one side to prevent the body falling on him; Pollock fell, and his head struck the partition; as the body fell, Mr. Gallagher let his hand fall down to his side, and said in a faint voice, "I've killed him;" I screamed, and some person came up the front steps and said to Mr. Gallagher, "consider yourself my prisoner;" Gallagher replied, "I do;" Mr. Gallagher was then taken down stairs; the body was carried into Miss St. Clair's room; I was the only one in the hall beside Gallagher and Pollock; I did not see in whose hand the pistol was, the flash came toward Mr. Pollock, and from the side where Gallagher was; I saw Gallagher before on Washington street, at Miss Dennison's, during the fire; saw them again on the Plaza during the fire; heard Mr. Pollock say on the Plaza to Mr. Gallagher, "Work! God damn you! that's all you're fit for; I used to like you, but don't now;" Mr. Gallagher made no reply; did not see them together again till evening; Mr. Pollock had been in the house but a short time; he was there at supper after dark; saw Gallagher during the afternoon on Virginia street; did not hear Gallagher mention Pollock's name.

Cross-examined.—There was no light in the hall, excepting what was reflected from the parlor lamp; am sure there were no others in the hall but Pollock, Gallagher and myself.

Mary Dennison—Was at Miss St. Clair's house at about 9 o'clock on the evening of the 22d; saw Pollock there, who had just come in; Gallagher was not there; had seen them both in the morning during the fire, when they were assisting me to move; heard no conversation and saw no exhibition of ill-will between them; when I left Miss St. Clair's that evening, I met Gallagher on Kearny street; stopped and had a talk with him on private matters, did not hear him speak about Pollock during the day, nor did I know of any difficulty between them.

Charles Talbot, sworn—Was in the parlor of Miss St. Clair's house on the night of the 22d; heard loud words in the hall; went out, and found myself in the rear of a person undressed; saw another opposite him, with a brown California hat on; I saw a pistol in his hand, aimed at the undressed person; crossed over and put my hand on the left shoulder of the person who had the pistol; the person in undress fell; something was said before the shot was fired, by the person firing it; do not recollect what it was; I recognize the defendant at the bar as the man who fired the pistol; the deceased was called Pollock; several persons came up and took hold of Gallagher; I left him and went back to the parlor; found my foot and pants covered with blood; I then went home; when Gallagher fired he was about two feet from Pollock; soon after Pollock fell, I saw Miss Robinson calling for a physician; she was near the door; saw no weapon in the hands of Pollock.

Cross-examined—I was about two feet from Pollock when Gallagher fired; his back was toward me.

Wm. Peoples, sworn—Was at Mary St. Clair's on the night of June 22d; was in the room where Mr. Pollock and Miss Hurley were in bed together; Mary St. Clair was also in the room; Gallagher came in the room; Miss St. Clair asked him not to come in, as the people had gone to bed; Mr. Gallagher remarked to Mr. Pollock that he understood that he had been talking about him; Mr. Pollock replied "Likely I have." Mr. Gallagher said he understood he had called him a coward; Pollock replied that he did; Gallagher said "You are a d—d lying son of a b—h; I then took hold of Gallagher, and shoved him out of the door, and shut it to. Mr. Gallagher opened the door again to come in; by this time Mr. Pollock had got up and got to the door: I saw Gallagher's pistol in his hand, raised up, and I shut the door to; as Mr. Pollock got up, he said to Gallagher, "You've got a pistol." Gallagher replied, "I have and will shoot you;" Mr. Pollock went out, and I shut the door to, and immediately heard the report of a pistol; I saw no more of Mr. Gallagher till next day; I went out and found Pollock lying on the floor dead; the wound was near the left eye; Pollock was in his shirt; I saw no weapons about him; saw the pistol when Mr. Gallagher first entered the room; he had his hand on it, and I saw the butt, the pistol appeared to be held in his hand, under the coat.

Cross-examined.—When Gallagher called Pollock a lying son of a b—h, he immediately got out of bed; did not hold the door to prevent Pollock from going out; did not understand Gallagher to say "if you advance on me I'll shoot you;" I was perfectly sober; Pollock was a gambler.

The Court then took a recess till 7 P. M.

Evening Session.—The Court convened at 7 o'clock.

John Able, sworn—Have known the defendant about two years; on the evening of June 22d was at Miss St. Clair's in a room fronting the street; I was in bed when I heard Gallagher's voice, as he came up the steps; didn't understand the first words he said; the first I understood was hearing Gallagher say to Pollock "if he did he was a d—n lying son of a b—h;" I heard a noise in the room like persons scuffling; the next I heard was Pollock saying that Gallagher had a pistol, and said, "I don't fear it." Gallagher replied, "I have, and I will shoot;" a few seconds afterwards heard the report of a pistol; heard a body fall and some one remarked "he has killed him;" some person asked Gallagher what he had done; cannot swear positively what Gallagher replied; think Gallagher said in reply, "I've shot this man;" Gallagher was then arrested by some one and taken away; saw the body a few minutes afterwards, lying in the hall; saw no arms about the person; I know Gallagher's voice well; when he first spoke to Pollock I thought there would be a difficulty.

The case for the prosecution was here rested, and the defence called as their first witness, Charles Doane, who was objected to by the prosecution, on the ground that he had been convicted of a felony, viz: an assault with intent to kill. There being no law produced, so providing, the court overruled the objection.

I was passing down Merchant street on the evening in question to see if the fire was out; as I passed Miss St. Clair's, I heard a noise up stairs; the door being open, I looked up and heard the words, in Mr. Gallagher's voice, "keep back, I tell you. keep back;" I paid no attention to it, thinking they were moving furniture, and passed on next door; just as I stepped in, I heard a scream, and ran up into Miss St. Clair's house; saw Pollock lying on the floor; did not see Gallagher; I am certain it was Gallagher's voice I heard; have known him nearly a year; I knew Pollock.

James Maloney, sworn—Saw Mr. Gallagher about an hour after the difficulty. He had been taken to the Committee Room, where I found him; knew the deceased well, he was a much stronger man, I should judge, than Mr. Gallagher; have known Gallagher three years; have always known him as a peaceable man.

Maj. A. B. Eaton, sworn—Have known the defendant since he was five or six years old. His uniform character as to peace and quiet has always been good; this is the first instance of a quarrelsome disposition being displayed that I have ever known.

The deposition of *Lieut. Gibson* was read. Lieutenant Gibson testified he had known him since 1843, and had always known him to be a qu et and peaceable man; knew him in Mexico, where he gained the esteem of his brother officers.

S. W. Haight testified that he had known defendant about two years; also knew the deceased; Pollock was much the stronger man.

J. C. L. Wadsworth testified to the same.

John Tinker, sworn.—Mr. Gallagher was in the habit of carrying a revolver three or four months ago.

Robert Simpson and Henry C. Beals testified to the uniform good character of the defendant for many years past.

The Court then adjourned till Monday morning, at 9 o'clock.

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HERALD.

ing, August 11, 1851.

August 11

Judge Parsons and the late Grand Jury.

In the *Alta California* of Saturday, we find the following report under the head of Law Intelligence:

Levi Parsons, Judge of the Fourth Judicial District, came into the Court of Sessions, and upon a notice that he intended making a motion, proceeded to address the court. The judge stated that the Grand Jury for the July term of the Court had travelled out of their proper sphere of action, and had acted in an impertinent manner. They were to receive the law from the court, and not promulgate it to the court. In their report they had made some improper and impertinent remarks in regard to the court over which he presided. The judge further stated that the Grand Jury had found an indictment in a very improper manner in the case of Hall. That by the bill it appeared that but two witnesses had been examined, one of whom testified that the body of Brewer had been thrown out of the house of Hall by the defendants, and the other that the body had been found—and yet upon this testimony the Grand Jury found an indictment for murder by poisoning. The judge charged the Grand Jury with having listened to outside evidence, and stated that after the trial had been in progress two or three days, he received a note from the Grand Jury, stating that there was a Sydney man on the Petit Jury who were trying Hall, and demanding his removal. The judge then moved that the following portion of the Grand Jury's report be stricken from the records of the court, as improper and impertinent.

"When we recall the delays, the insufficient and, we believe with much truth it may be said, the corrupt administration of the law; the incapacity and indifference of those who are its sworn guardians and ministers; the frequent and unnecessary postponement of important trials in the District Court; the disregard of duty and impatience while attending to perform it, manifested by some of our Judges having criminal jurisdiction; the many notorious villains who have gone unwhipped of justice; lead us to believe that the members of that association have been governed by a feeling of opposition to the manner in which the law is administered an those who have administered it rather than a determination to disregard the law itself."

The subjoined reply to the assertions of Judge Parsons has been handed us by the members of the late Grand Jury for publication.

At a meeting of the late Grand Jury empanelled for the July term, held on the evening of August 9th, 1851, Beverly C. Sanders, Esq., was called to the chair, and Kingsbury Root, appointed Secretary.

The object of the meeting having been explained to wit: to take into consideration the statement of Judge Parsons made before the Court of Sessions, in regard to the report of the Grand Jury made to that court, the following statement was unanimously adopted by the meeting and ordered to be published in all the papers in the city.

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BEVERLY C. SANDERS, Chairman.

C. L. Tuffs,	George Kendcott,
H. F. Cutter,	Francis Fanton,
B. C. Horn,	J. D. Farwell,
D. A. Shepard.	William M. Hogg,
F. A. Ball,	E. Tschenor,
Harvey Dickenson,	W. E. Lyndall,
Wm. B. Peake.	C. L. Ross.
John McCurdy.	all

Ceased its Functions.—The delivery by the Vigilance Committee of Adams and Arrentrue into the hands of the constituted authorities at San Francisco, marks the close of the distinct existence of that body, which has through a season of infinite difficulty and danger, moved with such moderation, firmness and consistency, as to commend its actions to the grateful admiration of the people of California. In regard to Adams, the evidence of his guilt, was deemed conclusive, and so we believe in the case of the other prisoner. We hope the action of the Court may justify this evidence of restored confidence.—*Sac. Trans.*

The *Transcript* is in error. The Committee has no intention to dissolve its organization.

Popular Justice.

Editor Herald:

One of the most startling anomalies of this very anomalous country is the attitude at present held and maintained by associations in various parts of the State in assuming and exercising jurisdiction over crime. But not less singular than this fact in itself, is the tone of private and public discussion in relation to it. The Vigilance Committee of San Francisco was assailed fiercely enough at the outset of its career, and enlisted in its defence supporters as able and zealous as they were numerous. But the arguments pro and con seemed to resolve themselves in the words illegality and Expediency. The opponents of the novel course generally addressed their adversaries (through all varieties of style, temper and breeding) somewhat thus: "However pure your motives, however necessary your stringent measures, you are warranted by no law, your acts are without foundation in right; therefore when you take human life, though it be the life of an open and notorious foe of society, you do a fearful wrong, you undermine the edifice of social order, you commit murder." On the other hand the advocates of the system seemed content with answering: "law or no law, this course is just, because it is necessary."

Thus both parties seemed to assume or grant that no known principle of the jurisprudence of mankind justified the acts of the Vigilance Committee, that their responsibility must rest wholly with the individuals composing that body, and that no vested popular right, well defined and sanctioned by precedents innumerable could be adduced in explanation of their open violation of the written law.

Both parties seamed to forget or purposely to overlook the great, the sacred, the indisputable right of insurrection. We believe that the existence of this right has never been acknowledged in any written constitution, although its formal recognition has been proposed to a national deliberative assembly. But who will deny that it exists under all forms of government however popular, however despotic, whether based on specific charters or immemorial custom, bill of right, or articles of confederacy. Who will deny that it exists in the presence of its perpetually recurring exercise both abroad and. (as we now contend) in our own midst at the present moment. This right stands towards civil government in the same relation that the appeal to arms, the dernier resort of diplomacy, occupies in regard to the comity of nations.

When a government makes a treaty with another, no stipulation enters into the contract to the effect that should either party fail to fulfil its engagements the other should have a right to blockade its ports, bombard its towns and destroy its commerce. This is nevertheless very clearly understood. So is the right of insurrection, although when we frame a constitution and elect officers to carry out its provisions we do not choose to state in so many words, that should the document prove worthless, or its legal guardians negligent in supporting the same it is our determination to take the power out of their hands into our own, viz: into those hands where it was lodged previously to a part of it being delegated to representatives.

If, then, a much injured people cheated and swindled by a corrupt administration, oppressed by bad laws, though of its own making, or in any manner disgusted with the operation of a system of government, though of its own choosing—if such a people have a clear and indisputable right to arise in their might and rid themselves of the hateful yoke, will it be seriously questioned that this very right has been exercised in its plenitude by us, merely because no civil wars, no b rricades, no fearful street battles have attended the event, whilst in other lands those sad circumstances invariably mark the birth of revolution. The lack of these in our insurrection, only proves how nearly unanimous we are in it. since, although the movement was carried on by a very small number of citizens in the midst of a large and spirited population, no serious opposition was ever made against it. A few individuals, some for the sake of observing the forms of official station, others from motives which the public well appreciates, attempted to stem the current, or record the protest under which they yielded to it; but these isolated efforts however energetic and even sometimes (from purity of intention) meritorious, made no impression on the onward course of things;—the great mass of the population eloquently though silently acquiesced.

Now, what difference does it make whether the standard of insurrection be borne by a countless and excited multitude, or by a few individuals in the midst of apathetic throngs who silently endorse their acts. If the deliberate infliction of death by irresponsible individuals without the sanction of a regularly organized tribunal be murder, and it can be proven that a body of men have repeatedly inflicted death in our midst without such sanction, yet openly and in the sight of all, then are all the inhabitants of this city accessories before the fact to various deliberate murders. The distinction between our guilt and that of the committee, accomplices and principals, is one of those problems whose hair-splitting solution we will leave for the consideration of the first young men's debating society that may arise in our midst. Our exculpation as accessories depends on that of our principals, and that depends on the sole fact that we are in a state of insurrection brought about by the stringent necessity of the times.

Yet it must be allowed that ours is an imperfect insurrection. It has not been carried to its remote consequence. Our people, so justly celebrated for its skill in government, does not seem to understand that branch of it—probably on account of want of practice. Others, under similar circumstances would have accomplished the affair in a much more thorough manner, would have snatched all power from previously existing authorities, and on good proof of corruption having crept into the administration of justice, doubtless would have hoisted the faithless stewards *a la lanterne*, which luminous act need have excited but little regret, especially if, through any association of words, it could have suggested the idea of providing our dark streets with a more permanent system of lanterns.

This and much more would have been done by more thorough adepts in the science of insurrection. What have we done? We have committed various acts of insurrection: in assembling in numbers to accomplish by force acts not sanctioned by our written laws, in taking a large share of criminal jurisprudence into our hands without warrant, and in spite of the regular tribunals having competent cognizance; in nullifying legal process: in establishing a court whose jurisdiction is bounded by its own discretion. But although we have erected a new engine, we have not broken the old one. fancying it might still be good for something; the more's the pity, if we are to judge from recent developments. We have left the regularly established functionaries in the enjoyment of the greater part of their power, and of the whole of their salaries; for we had a tenderness for them and hoped they would do better. In short, we did not carry our insurrection to its full scope. The future will show if in this we did wisely, and whether some of the devoted individuals who in behalf of all have performed the leading part of a useful task, may not have personal cause to regret that our insurrection was left incomplete, that a more thorough popular demonstration did not equalize and distribute responsibility. Time will come when past danger will be forgotten together with past devotion and services. Technicalities however will survive together with individual rancor and malice. Popular support and sympathy will die away, and then ——— Cuidado.

Herald August 11

August 11

CORONER'S INQUEST—PROBABLE MURDER.—A man named Robert Frankish, a gardener, living just beyond the Mission road at the other side of the bridge that crosses the salt marsh, informed the Coroner on Saturday afternoon that the body of a man was lying in the bushes not far from his house. The Coroner started for the spot, and found the body indicated, some distance from the road, and within a few hundred yards of Frankish's house. On examination it was found much decomposed, evidently having been dead several days. The man was lying on his face and presented so dreadful a spectacle that many present were sickened at the sight. On turning him over it was found that his throat was cut in a most frightful manner, almost severing the head from the body. There was also a gun or pistol shot wound in the left temple, ascending into the brain. There was a bullet hole in his hat, just where the hand is. Near him was lying a small Colt's revolver, three barrels of which had been discharged, and a knife, the blade of which was covered with blood. He was without shoes, and on a search being made they were found at some distance from the body, and there were indications that it had been dragged to the spot where it lay.

A jury was empaneled and Frankish stated in his testimony that he first saw the body on Sunday afternoon, the 3d inst., but thought at the time that it was a drunken man asleep. On Thursday last, having gone out to shoot a coyote he saw it again. Thinking it strange to see a man lying in the same position so long, he approached him and observed his heel exposed. This frightened him and he returned to the house and informed his companions of what he had seen. They advised him not to go near it again, but to inform the Coroner immediately, which he did not do however until Saturday, two days afterwards. No other witnesses could be found to throw any light upon this mysterious affair, and the jury returned a verdict "that the deceased came to his death by a pistol-shot in the left temple at the hands of some person or persons to the jury unknown."

Every circumstance tends to the conviction that the man was most foully murdered. He could not in the range of possibilities have inflicted both of the wounds upon himself, as the murderer doubtless wished it to be believed by leaving the discharged revolver and bloody knife beside the body. If he had cut his own throat in the savage manner witnessed, then he could not and would not have shot himself, and if he had first shot himself in the style that was done, he never could have afterwards nearly severed his head from his shoulders. Moreover, the gun shot wound was high up, and took a descending direction, which would seem to prove that it could not have been inflicted by himself. There was no clue about him from which his name could be ascertained. He was a stout built man, about five feet eight inches in height, apparently about twenty-two years of age. He had on slate colored pantaloons, a blue and black plaid monkey jacket, and a light colored California hat. His hands were perfectly clean—not a drop of blood was upon them, as must inevitably have been the case if he had cut his throat. A number of sealed letters were found upon his person, all dated at Salmon river, which had probably been given to him to deposit in the Post Office. Among them was one to S. H. Sawyer, Appandese county, Centreville, Iowa. Another from Jas. J. Forman to Mr. B. Forman, Sacramento, dated Salmon river, July 13th. Another to Miss Laura Hilfard, Troy, Walworth county, Wis., and another to Mr. Alfred Hibard at the same place, from M. B. Dodge. Also one to S. E. Cook, Adrian, Michigan, signed F. W.

It is probable that some clue of his name and fate may be obtained from the writers of these letters. The letters, knife, pistol, &c., are in the hands of the Coroner. The authorities should use their best endeavors to unravel the mystery that seems to shroud this dark transaction.

Herald 8/11

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Courier 8/12

PLEAD GUILTY.—George Adams, who stands indicted by the Grand Jury for burglary, and plead not guilty in the Court of Sessions on Thursday last, came into court yesterday and asked leave to withdraw his plea as not guilty, and plead guilty to the offence charged in the indictment.

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CAUGHT.—The man Thornley, who broke jail in Sonora, where he was confined on a charge of murder, was caught at Los Angeles and brought up yesterday on the Ohio, in custody of Deputy Sheriff Blair.

Judge Campbell's Opinion.

In the matter of the application of the Hon. Levi Parsons, to strike from the File of the Court of Sessions a portion of the Report of the Grand Jury for the Special July Term.

On the 11th day of July last, the Court called the attention of the Grand Jury to the fact, that on the day previous a person named Stuart had been unlawfully put to death by an armed and organized association, in the city of San Francisco. The jury were charged that it was their duty to investigate the matter, and aid in bringing the offenders to justice. Upon the last day of the term, the jury came into Court, and presented in the form of a report, a summary of their proceedings. In referring to the charge of the Court, they expressed their conviction, that Stuart had been put to death in open defiance of all legal forms and requirements, and then proceeded to examine and comment upon the causes which, in their opinion, tended to create that spirit of disobedience to the constitution and laws, which had been so signally and openly exhibited. Upon this subject the jury said:

"When we recall the delays, the unsufficient, and, we believe with much truth it may be said, the corrupt administration of the law; the incapacity and indifference of those who are its sworn guardians and ministers; the frequent and unnecessary postponement of important trials in the District Court; the disregard of duty and impatience while attending to perform it, manifested by SOME of our judges having criminal jurisdiction; the many notorious villains who have gone unwhipped of justice; lead us to believe that members of that association have been governed by a feeling of opposition to the manner in which the law is administered, and those who administer it, rather than a determination to disregard the law itself."

A motion is now made to strike this portion of the report from the files of the court, upon the ground that it is impertinent, libellous, and disrespectful, and that the Grand Jury have transcended their powers, and meddled with matters over which they have no cognizance, except through the medium of a presentment or indictment.

It will be observed that the greater portion of the remarks in question refer upon their face as much to other courts as to the District Court. All that is specially complained of in that court, is the "frequent and unnecessary postponement of trials." We do not feel called upon to express an opinion upon the truth or falsity of the accusation made by the jury. The only inquiry before us is whether they exceeded their powers. We think not. The subject of Stuart's death was a legitimate subject for their investigation, and could hardly be considered without some examination of the causes which produced so startling a result. However much we may regret that they should have deemed it necessary to speak of the courts with apparent harshness, we cannot doubt their right to do so, when tracing the causes which led to a serious violation of the law. Cause and effect are so intimately connected, that in many cases the examination of the one necessarily involves the investigation of the other.

The Grand Jury possess the undoubted power to examine into all cases of corrupt or wilful misconduct of public officers. They may find indictments, or make presentments, when in their judgment sufficient cause exists for so doing. It seems to us that, as a necessary consequence, they have a right to comment upon any apparent neglect of duty on the part of the constituted authorities, even though such neglect might not amount to absolute crime. The mismanagement of public affairs in cities or counties is frequently remarked upon by Grand Juries. The voice of warning raised by bodies so respectably constituted, and so generally free from improper influences, often produces wise and salutary reforms.

Their opinions are not always expressed in the form of indictments or presentments, in the strict legal sense of the term. In every State in the Union, they are in the habit of visiting the different public institutions, and awarding praise or censure to public officers, according to the circumstances. The records of the District Court of this county afford at least one precedent upon this subject. The last legally constituted Grand Jury that sat in that Court, at the close of the session, presented an elaborate report, containing strictures upon the public officers, far more pointed and severe than those of which the Presiding Judge of that Court now complains. In that report almost all the officers of the City and County Government were denounced, in unmeasured terms. Nor did the criminal courts escape altogether unscathed. Clearly referring to these tribunals, the Jury, at the close of the report declared that: "The facilities with which "most notorious culprits are enabled to obtain "bail, which, if not entirely worthless, is rarely "enforced when forfeited, and the numerous "cases in which, by the potent influence of "money, and the ingenious and unscrupulous "appliance of legal technicalities, the most "abandoned criminals have been enabled to "escape a deserved punishment, meets with "their unqualified disapprobation."

We are not aware that when it was presented the Grand Jury were informed that their communication was impertinent, libellous and disrespectful, or that it was stricken from the file, because they exceeded their powers.

We see no sufficient reason for departing from established precedent and well settled usage. If the conduct of any public officer should unfortunately be misrepresented, there are numerous channels through which the error may be corrected, and the truth vindicated. Though a temporary injury may be done, the faithful and upright conduct of public men seldom fails in the end to secure to them the respect, esteem and confidence of the People. If the Grand Jury have erred in the present instance, the mistake is to be regretted, but it is not in the power of this Court to correct it. Although we entertain sincere desire to extend all possible courtesy to our brethren upon the Bench, and to aid them in their efforts to promote the ends of justice and to sustain the laws, we feel ourselves constrained to deny the motion.

August 12

August 12.

Herald 8/12

Presentation of a Flag to the Vigilance Committee.

On Saturday evening the beautiful flag provided by the ladies of Trinity Parish as a testimonial of their gratitude to the Vigilance Committee, was presented to that body, on their behalf, through Mr. Brooks, who tendered it in the following handsome address:

Mr. President and Gentlemen of the Committee:

The ladies of Trinity Parish have requested that I should present to you on their behalf, the banner which they have prepared as a testimonial of their approbation, and to accompany that presentation with a few remarks to express amply and without ostentation their objects and views in making this presentation. The request which they made I acceded to readily. No more pleasing duty could be assigned to me than that of communicating to you their approbation of the organization of your society, of the objects and purposes for which it was organized, and of the conduct of this body in carrying out those objects and purposes. This presentation is not a hasty movement, it is not the production of sudden zeal or unreflecting passion; but it is the fruit of calm deliberation, of sober reflection and mature conviction. In the month of June, when this Society was in its infancy, and its fruits were fewer and its enemies more numerous than they are at present, the ladies of Trinity Parish were in the habit of meeting frequently for the purpose of preparing for a Ladies' Fair, which was afterwards held. During their meetings, a topic which attracted so much attention as the Vigilance Committee could not fail to be discussed, and it was then resolved to express their full approbation of the acts of this Committee by the presentation of a banner; and this being resolved *nem. con.*, the business was placed in the hands of a committee of gentlemen to have the painting executed. When the Fair was held, the banner was bought, then not quite finished, but the ladies at once resolved that this banner was not worthy of them nor of your association. Their idea had been misunderstood; it was too small and unimportant. It was unanimously discarded, and immediately after the Fair, they proceeded, though wearied out with their laborious exertions in their Fair, to prepare a banner more in accordance with their wishes and tastes. And, gentlemen, it is at last completed, and stands before you for your acceptance; and if in any thing it is less beautiful than might be wished, it is because it was impossible in the limited resources of our new city to make it more perfect than it is. But I feel bound to say in behalf of the lady donors, that the artist to whom the execution of this charge was entrusted, has completed it to their entire satisfaction. From this short history of the banner, gentlemen, you will perceive that, as I before said, this is not the fruit of a hasty movement on the part of the ladies, but a deliberate and well considered judgment.

The ornaments of the banner are intended to assist in expressing the confidence of the donors in this association, their reliance upon its strength and protection, and their confidence in the blessings which will flow from its existence and its action. On that side of the banner which bears the name of this association, the date of its organization and the purposes of its creation, the inscription is enclosed in a wreath of live oak, an emblem of their strength that defies the storms and tempests that howl and threaten around it;—of that calm perseverance that lives vigorously in storm and unyielding in summer, and smiles ever the same;—of that endurance which maintains duty ever the same through years of struggles and difficulties—unyielding in its struggles as unexulting in its victories. Entwined with this emblem on the one side is the fig. The emblem of home with all its pictures of quiet delight, of prosperity, of happiness, of sunny days and starry nights, of happy faces and loving hearts. Those pleasant spots which all of us hope will soon cover each hill and valley of our young but lovely and confident State. It is the emblem chosen by the olden writers, as the emblem of peace when each one might sit down under his own vine and fig tree; and this emblem is chosen because under the protection afforded by your strength and vigor and vigilance their treasures germ and flourish and they who make homes happy—they whose smiles are the sunbeams which warm and illuminate these homes,—these then must feel your protection.

On the other side the oak entwines with the olive.—Because from your strength comes peace—peace in the possession of their rights—peace from unjust decrees—the midnight assassin, the murderer and the incendiary. Under the protection of your vigilance and strength, our rights, our lives, our persons and our property is safe from rapine and violence; but what is of far more importance, and what I feel from the bottom of my heart is, that in your banded strength, our dearest treasures, our wives and children find a safe and sure protection, and the fruitful olive well denotes the forty days and forty nights God's wrath was poured out upon the earth, a deluge swept over it—the tempest hurled around it and man was devoted to destruction. The first green thing, the first token of forgiveness, of peace, of security, was the olive branch, which the dove brought back to Noah in the ark. Since that time the olive has been the emblem of peace to all nations. The eagle of our national arms, while she bears in one claw the thunderbolts of Jove, bears in her other claw the olive branch, the emblem of peace, and when we view the quiet calm which is so happily restored as the fruit of your labors, we may well entwine the olive with the oak, and the fig to denote the blessings which spring from well directed energy.

On the reverse of the banner which bears upon its more delicately tinted front, the names of those who gave the banner, and the reason why it was given, a simple wreath of varied flowers encircles the inscription. They are the flowers which make our land a blooming garden.—native American flowers, unequalled and unimpaired by any exotics. Flowers which are still somewhat scarce amongst us, but which will become more plenty since the active operations of the Vigilance Committee have restored law and order, which banded ruffians had set utterly at defiance.

Reply.

The following is the reply of the Committee on behalf of the Vigilance Committee:

San Francisco, August 10, 1851.

To Benj. S. Brooks, Esq., representing the ladies of Trinity Parish.—Sir: In behalf of the "Vigilance Committee" of San Francisco, permit us to tender to you, and through you to the ladies of Trinity Parish, our sincere and heartfelt thanks for the magnificent testimonial they have been pleased to award us. We accept it with pleasure and with pride, and will treasure it with jealous care as a sacred relic, marking one of the happiest moments of our social existence. We would thank the fair donors of this beautiful banner for their kind expressions of approbation, and would assure them they have therein afforded us a new incentive to duty, reminding us of the important and sacred nature of the task we have undertaken to perform.

The circumstances which first brought us together were peculiar and unprecedented. Our lives and property were at the mercy of the thief and murderer, who were daily and nightly pursuing with impunity their dark career of crime unchecked, unrestrained and unpunished. Our dwellings were burned around us, our friends and brothers were assassinated at our very doors, and our property stripped ruthlessly from us, without any protection from the law. We are naturally and instinctively a law loving and a law abiding people, and have those principles, inherited from our fathers, too deeply rooted ever to be eradicated. But we have also inherited another great principle, or rather we have it inherent, one of the fundamental principles of nature, and that is the principle of self preservation," which springs eternal in the human heart."

Our people submitted to repeated injustice and unheard of outrages, in the vain hope that the great majesty of the law would lend an ear to their complaints and mete out impartial and even-handed justice. They submitted with patience until patience ceased to be a virtue, and their own safety and the safety of their families demanded some prompt and energetic action.

It was at this critical moment the Committee of Vigilance sprung, spontaneously as it were, into existence. The people from whom emanate all human laws, rose in their might, by common impulse, and resolved to carry out, themselves, the true spirit of the laws by which we are governed. In pursuance of their duties, the Committee have been ever sensible of the weight of responsibility they have assumed, the delicacy of their position before the world, and have endeavored always to be guided in their deliberations by a proper sense of reason and justice.

That their exertions have accomplished much good they feel fully convinced, and they trust they may be enabled to accomplish much more.

When we look upon that gorgeous banner, and all its appropriate and expressive belongings, we do so with feelings of pride and gratification for it assures us, sir, that our honest endeavors to "do right" have merited the approbation of the community, and that our motives of action have been rightly appreciated. We ask no higher reward, and "fear not" to pursue with unremitting "vigilance" that course of justice, which under the circumstances, our own hearts and our own consciences tell us is right, expedient and necessary.

It has been said by some, who are doubtless honest in their convictions, and we do not for a moment question their sincerity, "that this great popular movement must result in some serious evil." Such thoughts are mere "air drawn daggers," and those who entertain them do not place a proper estimate upon the intelligence and wisdom of the people.

In behalf of our associates allow us again, sir, to thank your fair constituents for their beautiful present, which we shall cherish next our hearts, and also to express to yourself, individually, our sincere feelings of regard, and our admiration for the handsome manner in which you have executed the pleasing duty assigned you.

We have the honor to remain,
Very respectfully, your ob't serv'ts,
STEPHEN PAYRAN.
EUG. DELESSERT, Treasurer.
Fred'k A. Woodworth; Chas. R. Bond,
David S. Turner, G. M. Garwood.

Mr. Vi. Turner.—An error occurred yesterday in announcing this gentleman as a candidate for the office of Recorder. It should have been "subject to the nomination of the Whig party." The notice will be found corrected in this day's issue.

Arrest of Whitaker.—Sam Whitaker, whom Stuart describes in his confession as "the smartest thief in the gang," is now in custody of the Vigilance Committee. He was making his way by land to join Mrs. Hogan, in San Diego, and stopped at Santa Barbara, where he was recognized, and arrested by the authorities. He was put on board the steamer Ohio, in charge of two of the Sheriff's officers, to be brought to San Francisco and stand his trial. The Vigilance Committee heard of his arrival, and proceeded early yesterday morning on board, and carried him off to their Committee Room. They have been on the look out for him for a long time past, and have now succeeded in capturing almost every one of the gang that figures in the confession of Stuart.

Arrest of a Murderer.—Deputy Sheriff Blair arrived yesterday in the Ohio, from Los Angeles, having in charge J. Thorapin, charged with murder and breaking jail in Sonora before his trial, and for whose arrest the Governor had offered a reward.

Transcript 4/11/4

Presentation of a Flag.—Quite an interesting ceremony took place on Saturday night upon the occasion of the presentation of a handsome flag, a description of which has been previously given, by the ladies of Trinity Parish to the Vigilance Committee. Mr. Brooks on behalf of the ladies presented it. Col. Turner responded, thanking the donors, in the name of the committee, for such a token of their appreciation of the services performed by that body.

August

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Herald 12 Aug

Sacramento Intelligence.

By Last Night's Boat.

By Gregory's and Freeman & Co.'s Expresses, we received last night, the Nevada *Journal* of Saturday, and the Sacramento papers of yesterday.

The mining news is altogether cheering.

The man slung-shotted by Brown at Nevada is slowly recovering.

The first emigrant train by the Truckee Route arrived in Nevada on Thursday afternoon, in 90 days from the Missouri River. The company was from Galena, Illinois. They came through with oxen, and their cattle appeared in fine condition. They report that they found plenty of grass, and met with no difficulty from the Indians. This is the first ox-team that has crossed the mountains the present season.

The *Journal* states that parties of emigrants who have recently arrived, report that a severe shock of an earthquake was felt on the third of July, in the vicinity of the Soda Springs, and along Bear River, some 200 miles this side of Salt Lake.

Sutter's Creek, Calaveras, Aug. 9.

Probable Antiquity of Gold Mining in California.—About a mile above the town of Porterfield, or lower crossing of Sutter's Creek, Messrs. Parmly and White, while engaged in mining in a flat, at the depth of five feet from the surface, discovered a rastra or mill, such as is now used in grinding quartz. There is every appearance of this rastra having been used, as a quantity of crushed stone was found in it. Extensive veins of gold-bearing quartz and rich ravines have been found in this vicinity, near one of which, worked by Mr. Bigelow, this wonder is to be seen. There is certainly material for the curious and adtiquarian. Dr. Newton C. Cooley.

Daring Robbery.—On Friday night, the boarding house of Miss Moore on J street, between 3d and 4th, was entered by some rascal, and seven dozen silver spoons, knives, forks, etc., abstracted. This act was committed in a dwelling house situated in the most public part of the city.

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Arrest of Whittaker.—This notorious character, who has for a long time eluded the vigilance of the authorities, has at last been caught. He was taken last week in the neighborhood of Santa Barbara, and was brought up yesterday on the Ohio, and delivered into the keeping of the Vigilance Committee. Thus, one by one the gang of villains who have been so long preying on our community, are being ferreted out and apprehended, and we trust they will be wholly broken up. It will be recollected that Whittaker figures largely in the confessions and statements of Stuart and Hetherington. Mrs. Hogan's boarders are being very rapidly collected together, and summarily dealt with. Whittaker was brought up in the custody of Deputy Sheriff Hearn from Santa Barbara.

Courier 8/12

August 12

Berdue, *alias* Stuart.—The history of this man for the past six months has certainly been a most singular one. Shortly after his arrest last winter on the charge of robbing Mr. Jansen, he was on the point of being hung by a mob. He was subsequently tried, found guilty, and sentenced by the court here to fourteen years imprisonment upon that charge. Under a requisition from Yuba, he was then taken to that county, tried and found guilty of murder. As if by an interposition of Providence, his very counterpart in name and appearance was arrested here, before his sentence had been passed upon that charge, who confesses himself the murderer and the robber. Judgment is suspended until this is fully ascertained, and now we find in the last Marysville Herald, that he has been released so far as the charge of murder is concerned. His sentence here still stands, and can only be revoked or annulled by the interposition of Executive clemency. The Marysville Herald truly says: "Thus has been disposed of, one of the most strange and extraordinary occurrences ever before known in criminal jurisprudence."

Courier 8/12

CITY MATTERS.

GRAND LARCENY.—A young man named Wm. S. P. Haff, was brought up yesterday morning before Recorder Waller, on a charge of stealing two carpet bags containing money and articles of value to the amount of $500 from a Mr. Simms, of the Isthmus Hotel, in Sansome street. The property was found in Haff's trunk several days after the occurrence of the theft, and the evidence against him being conclusive, he was committed to the Court of Sessions for trial, and in default of $2000 bail was locked up.

"OLD GUARD."—An antiquated looking French gentleman named "Louis Leopold" was up in the Recorder's Court yesterday for stealing a pair of shoes, and upon being asked by his honor what he had to say to the charge, he stated that he had served twenty years in the French army under Napoleon, and did not come to California to steal shoes. He was discharged.

REVENGE.—A rather indifferent specimen of humanity, answering to the name of George Scott, was brought up before the Recorder yesterday, for burniug the clothes of Mrs. Eliza Jones. Mrs. Jones made her appearance in Court, attired in a blue crape shawl, yellow silk hat with feathers and white veil. She appeared to be very much distressed about something, and was unable to refrain from tears. From her evidence, it appears that the defendant and herself have lived together nearly seven years, as man and wife; without, however, the sanction of the law. Some time last week Eliza, having become tired of George, took unto herself another and better looking man named Jones; whereupon, as might naturally be expected, George got piqued, and out of revenge, set fire to the lady's wardrobe. The Court having no jurisdiction in the matter, defendant was discharged.

GALLAGHER'S TRIAL.—The jury in this case were unable to agree up to 3 o'clock yesterday afternoon, and was accordingly discharged. The District Attorney is making efforts to commence a new trial on Monday next, in the same Court before Judge Hopkins.

NEW AUCTION AND COMMISSION HOUSE.—By reference to our advertising columns, it will be seen that our friend Mr. R. J. Preston has opened his Auction House in Sansome, near Jackson street. Persons who wish to do business in his line can safely entrust it to his hands. His long experience in this line fully enables him to do justice to all.

THE CANVASS YESTERDAY.—We were gratified as well as amused at the numerous instances of good nature and good feeling which prevailed among the various candidates yesterday. There was no quarrelling, nor anything which could mar the generally expressed determination to have the election go off fairly, and honestly, and peaceably. In fact, some of the candidates for prominent offices were observed riding around together, visiting the various polls, in a manner indicative of the utmost good will and feeling. This is as it should be. Let our friends bottle up their wrath for the contest in September, and then shower it upon the Locofocos without stint or limit.

GALLAGHER'S CASE.—The result of this trial is well calculated to create surprise and astonishment among our citizens. That a man under the circumstances detailed, could be considered as not guilty of murder seems strange. We would not prejudice the public mind, by any means, but simply call attention to the fact that the man Pollock was at the time in the occupancy of a room to which Gallagher had no right of access whatever, and which he was forbidden to enter. That contrary to this injunction he persisted and did forcibly enter the room, and that he commenced a quarrel with the deceased, which ended in his death—with all these facts staring a jury in the face, it seems strange that a verdict of disagreement should be returned. It is not pretended that Pollock struck at, or menaced the defendant, unless a naked, unarmed man remarking to one who was armed that he was "not afraid of him" was a menace or threat. And yet such appears to be the state of affairs in our city, such appears to be the value attached to human life in our courts of justice, that a conviction cannot be procured. The jury who sat in the case, we believe to be upright, honorable men, and no doubt have acted conscientiously, but with the evidence staring us in the face, we must be permitted to differ with them. Taking into consideration the usual delays, disagreements and new trials, the defendant may safely calculate on going clear.

Col. Courier Aug 13

August 13

a number of valuable articles, together with money and gold dust amounting to about $500, from the Isthmus hotel on Sansome street, the property of Mr. Simms. Held to bail in $2000, and committed to the Comrt of Session for trial.

Geo. Scott was brought up on complaint of his mistress, Eliza Jones, for burning a lot of her clothing. Discharged.

Louis Leopold, for stealing a pair of shoes, was discharged.

No less than 18 persons were brought up on citations for violating an ordinance in relation to licenses.

A number of drunk and disorderly, and fast riding cases were disposed of by fining and imprisonment.

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the globe.

My last despatch gave to the readers of the *Herald* an account of the hanging at midnight of a man named Jenkins, by the Vigilance Committee, for stealing $200. A similar scene was witnessed on the 12th inst. A man named Jim Stewart, a Sydney convict, the leader of a gang of desperadoes, was arrested by the Committee for robbing a house, and, notwithstanding the officers of the law attempted to get possession of him, he was kept in custody until tried, convicted, and sentenced to be hung the same day. The signal bell was sounded, and the populace rushed by hundreds to the building of the committee. At the hour appointed for the execution, Stewart was brought, strongly pinioned, and guarded by about 300 members of the committee, walking eight abreast, each armed with a revolver. He was taken to one of the public wharves, followed by thousands, a rope adjusted to a tackle and crane erected for hoisting good, and in less time than I have been occupied in describing the scene, he was swung between heaven and earth in full view of the assembled multitude. So solemn was the scene, that each head of that immense throng was involuntarily uncovered. No attempt was made to rescue him, nor was there any other feeling manifested than that of entire concurrence. The execution took place about two o'clock in the afternoon.

Previous to paying the forfeit of his crimes, Stuart made a full confession of the crimes, and gave a brief history of his life. The details of which the fact that he was the leader of the most dispersate gang of villains that has ever preyed upon community. Highway robbery, housebreaking, pocket picking and murder, were prominent in the catalogue of crimes which have characterized the operations of the gang for the year past; and implicated in the commission of these offences were members of the city police, and others who had maintained a respectable standing in the community. Their part was to point out the operation to be accomplished, and share the plunder with the more desperate. Already one police officer, at least, well known in New York, is in the hands of the Vigilance Committee; and pursuit is being made for several residents mentioned in the confession of Stuart.

Herald 8/13

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...ca Coll...
...ast, of Wisconsin, was ... 10th ult., by some members of the ... in San Francisco. He had, it appears, robbed a tent on the Middle Fork of the American River of $2300.

CALIFORNIA COLLEGE.—A number of the public spirited citizens of the State having undertaken the organization of a college in California, application was made to the Supreme Court in their behalf, by Annis Merrill, Esq., for an act of incorporation, in accordance with the law which confers that power upon the Supreme Court, when it shall be shown that a *bona fida* subscription to the amount of $20,000 has been raised for that purpose. In the present instance a subscription list to the amount of $37,600 was presented, accompanied with proof of the ability and willingness of the subscribers to comply with their undertaking. The Court, this morning, granted the application, and ordered that the petitioners be incorporated under the style of the "President and Board of Trustees of the California Wesleyan College."

A man named Berdue is under sentence of death in Marysville, for the murder of a Mr. Moore, which murder, Stuart, who was hung by the mob, confessed he did. Berdue, though innocent of this murder, is nevertheless under sentence of fourteen years' imprisonment for a murderous assault on Mr. Janson.

WELLS & Co.—This extensive banking firm has at length resumed operations in their extensive fire-proof brick building, on the corner of Clay and Montgomery streets, San Francisco, which has been rebuilt since the fire of May last, which completely gutted it, destroying, among other portions of its contents, all the books of the company.

THE VIGILANCE COMMITTEE.—By a notice in another column, it will be seen that the Vigilance Committee intend maintaining their rights to search the houses of persons suspected of having been guilty of theft, or other crimes.—*Alta Californis*

THE BURNED DISTRICT.—Two weeks ago, yesterday, says the Alta California, this city was visited with a destructive fire, which carried sorrow to many hearts, and laid that portion of San Francisco in ashes. The elasticity of the American people has never been better exhibited than here. The ground, which a fortnight since was burned over, has in a great measure recovered from the effects of the fire already. Clay and Washington, the more business streets, have been almost entirely rebuilt, and houses in them is no brisk as before. The musical sound of the saw and hammer has been heard in all parts of the district, and in a short time the marks of the conflagration will be entirely obliterated.

THE NEW STYLE OF DRESS.—The new style of ladies' dresses has already been introduced into San Francisco. Mrs Cole, who has a ladies' dress store on Clay street, next door to Messrs Kelsey, Smith & Risley, has received the patterns, and not only has a figure in the window with the dress on, but wears one herself in the store. It is really very pretty, and in every way superior to the style of dress at present in vogue. Mrs Cole's dress consists of green merino, fitting well to the figure above the waist, and reaching below the knee some three or four inches. Below this are loose, flowing trowsers of pink satin, fastened below the ancle. There is a strong probability that the style of dress will be very generally adopted in San Francisco.

ARRIVALS FROM SYDNEY.—The barque John Porter, which arrived in harbor on Thursday last, 10th inst., from Sidney, with about fifty passengers, was boarded almost immediately after she dropped anchor, by several of the Vigilance Committee, who remained there about twenty four hours, making a strict inquiry into the character of these men. The examination proved satisfactory to the Committee, with the exception of one man, who is now in custody at the committee room, and will be sent back by the first vessel.

THE STEAMERS.—The low rates of passage to Panama, has had the effect to crowd the steamers which sail to-day. At two of the offices yesterday, people were informed that there was not a berth [illegible]
Alta Californis
San J[illegible]

Phil. Ledger Aug 14

August 14

...TIC

...VIRTUE LIBERTY & ...

...20. PHILADELPHIA, THURSDAY, AUGUS...

LEDGER AND TRANSCRIPT.

Philadelphia, Thursday, August 14, 1851.

TWO WEEKS LATER NEWS

FROM CALIFORNIA.

ARRIVAL OF THE PROMETHEUS.

ONLY 27 DAYS FROM SAN FRANCISCO.

$500,000 IN GOLD DUST.

Great Excitement at San Francisco—Progress of Lynch Law—More Hanging.

The Steamship Prometheus arrived at New York yesterday from San Juan de Nicaragua, the new route to California, by way of the river San Juan and lake Nicaragua. She brings $500,000 in gold dust, and 360 passengers from California.

The advices from San Francisco are to the 15th of July, two weeks later.

The Steamship Pacific had arrived at Panama with $800,000 in gold dust.

We are indebted to Mr. Bennett, of the firm of Bennett & Co., Tailors, of this city, for late California papers, brought by him to this office, and also to Adams & Co.

We find the citizens of San Francisco much excited in regard to the action of the Vigilance Committee, who appear to be hanging up individuals without much ceremony.

A man named Stuart was executed on the market-wharf on the 11th ult., by three self-constituted executors of the law. Judge Campbell, of the Sessions, had charged the Grand Jury in reference to this usurpation of law, and called upon them to indict the persons belonging to the Vigilance Committee. The newspapers are severe upon the Judge. It is evident that without their ono xarage-ment, the illegal excesses which have been perpetrated would never have been committed.

[From the Alta Californian, 12th ult.]

Intense Excitement!

Stuart Hung by the Vigilance Committee on Market Street Wharf—His Confession—Immense Multitude Present—Five Hundred of the Vigilance Committee on Duty at the Execution.

About 9 o'clock yesterday morning, the 11th inst., the tapping of the bell of the Monumental Engine Company's house on the Plaza, attracted the attention of our citizens, known as it was, to be a signal of the Vigilance Committee. People soon began to throng down in the direction of the committee-room, and it was reported that James Stuart was to be hung. The bell tolled for about half an hour, when a number of guns were fired from a brig in the harbor, and it was observed that many of the vessels had their flags displayed; and it was afterward learned that the Committee had ordered this. By 10 o'clock two or three thousand persons had gathered, and appeared to be [illegible] with the expectation of seeing something done. The Committee, in the meantime, were coming and going, and it was evident that [illegible] progress inside. Everything was conducted quietly over, with so much secrecy that [illegible] but very few, if any, outside knew what was going on; and many, after waiting for hours, went away with the supposition that nothing would occur. About half-past 9 o'clock the doors of the Committee-room and Monumental Engine House were thrown open, and the procession which Stuart had been informed by the Committee that he would be hung in, was formed. The procession was then sanctioned this proposition. The news spread, and in a few minutes about half past 9 o'clock Stuart was brought down stairs, and for a moment or two was lost to view, when he appeared on the platform, supported by nearly a thousand of our most respectable citizens, our oldest, best known and most influential merchants, [illegible] of every description. [illegible] rope in it, with which he was pinioned, [illegible] down Stuart's back, and the noose was placed around his neck, and not as at the execution of Jenkins, the rope was [illegible] hung from the yard-arm of the brig lying in the harbor, but was fastened to a beam projecting from the window of the second story of the building, and [illegible] with the [illegible]

Cont. on column 3.

...ounds, in a great measure, the future peace, order and tranquility of the community.

[From the Alta California, July 13.]

Preservation of the City.

It is an established fact that San Francisco will become, if not the most wealthy, the first commercial city upon the Pacific coast of North or South America. Her natural position, so near the entrance to a great inland sea, the energetic character of her inhabitants, her great commercial facilities, the agricultural resources of the country which surrounds her, and the certainty that the mines of gold are literally inexhaustible, all combine to render sure her success. Indeed, had it not been for the six terrible fires which have destroyed her with almost periodical regularity, at intervals during the last eighteen months, her limits would now be twice their present extent, her population twice its present number, and her wealth three fold what it is.

But, notwithstanding all this is well understood and admitted, there is no denying the fact that the last fire has staggered the confidence of many, too many, in this city's stability and prosperity. Not that the actual loss in money by the last fire was so great as to cause this feeling, but this disastrous marrying occurs upon the total destruction in the beginning of May, has tended to create a melancholy and moody conviction that the city is doomed. Nor is it wondeful that men, while gazing on the smouldering ashes of their homes should feel thus.

* * * *

Some in the depths of their ruin have contemplated removing to other cities, in the hope that they will there be more secure. This seems almost folly. Every other business place in California is built of like combustible materials with San Francisco; and though, in their infancy, other places may escape as did San Francisco itself, yet the moment they become densely populated they will be almost equally liable to destruction. Others have thought that a plentiful supply of water, perfect fire apparatus, a good fire department organization, a corps of sappers and miners to blow up buildings, and an efficient and active police to keep back the crowd, would produce comparative security. But this is not enough, though absolutely necessary. What is wanted, and what will alone save us, is a substantial and indestructible character of architecture.

That there are great difficulties in the way of accomplishing this is apparent to the most shallow observer. But what of that? California is a country of obstacles—a country where opposing elements have been met and surmounted as they have been no where else in the world. If there be but faith left, the way is open to accomplishment, and our city can rise from the ashes and desolation which entombs it, not only securely fortified against future ruin, but more beautiful, more majestic and more wonderful than ever.

Summary of Events.

A Spanish woman was hung in Downieville, in the Sacramento Valley, for murdering a man named Cannon, on the 7th ult.

In Sacramento, Marysville, Stockton and elsewhere, the citizens have felt themselves compelled to act in their own behalf, the laws having proved inadequate in themselves, and their administration by the properly constituted authorities [illegible]

[illegible] been executed for offences of a criminal character in this city and in Stockton. The recent excitement in this city produced a temporary suspension of [illegible] among those who entertained opinions adverse to the action of the Committee [illegible] wedding. His Honor, Mayor [illegible] issued a proclamation, desiring all [illegible] Vigilance Committee [illegible]

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...to prosecute the [illegible] this firm not to [illegible] legal gentlemen declared [illegible] this suit "and all others [illegible] they may be employed [illegible] duty and to the end [illegible]

But this is not all. [illegible] cured a writ of habeas [illegible] of Stuart, said to be in [illegible] Committee. The writ [illegible] judicial power in the State, and the [illegible] ...gonism with the constituted authorities. Such proceedings are neither generous, wise, nor necessary. They betray, rather, a disposition to breed civil disturbance, in obedience to the dictation of some improper motive. While the courts, the police and the legal fraternity shall have displayed one quarter of the energy in ferreting out and punishing criminals which the Vigilance Committee have done—and when they shall have accomplished one-eighth of the good—it will be high time for the loud-mouthed votaries of "law and order" to claim the restitution of prisoners into their hands.

But this is a serious dilemma, nevertheless. It is one that has been foreseen, and will no doubt be met by the Vigilance Committee in that cool, calm and deliberate manner which has distinguished all their acts thus far.

Judge Campbell's Charge.

Judge Campbell charged the Grand Jury, on the 12th ult., as follows:

We are informed that yesterday a man by the name of Stuart was taken by an organized association, to the Market street wharf in this city, and there hung. That a large force guarded the wharf to prevent the success of any attempt which might be made by the public officers or citizens to vindicate the law and to rescue the deceased. This outrage took place in open day. It is wholly without excuse or justification.

The question has now arisen, whether the laws made by the constituted authorities of the State are to be obeyed and executed, or whether secret societies are to frame and execute laws for the government of this country, and to exercise supreme power over the lives, liberty and property of our citizens. Whether we are now to abandon all those principles which lie at the foundation of American law, and are the birthright of every citizen; which from the earliest period of American history up to the present time, have ever been cherished by the good, the wise and the great. Are the people willing to throw away all safeguards which the experience of ages has proved necessary;—to trample the laws and constitution under foot;—to declare that law is inconsistent with liberty;—and to place life, liberty, property and reputation at the mercy of a set of society?

If such be the disposition of the people—if the Spanish Inquisition is to be revived here with all and more than all its former terrors—if without, or in defiance of all legal process, by the mere order of a committee, men are to be arrested, secretly tried and suddenly executed; if the tap of a bell is to be the signal for hundreds of armed men to assemble together instantly, and to execute in open day their unlawful and treasonable designs,—it is time for every man who values his life, safety and honor, to abandon the city which he has built, and seek some new home, where he may hope to enjoy the blessings of liberty under the law. But if, on the other hand, we have not quite forgotten all the principles upon which our government was formed; if we believe that the constitution and laws of our country should be reverenced and obeyed, that public order and tranquility should be preserved; if we believe that persons accused of crime should have an open, public and impartial trial by a fair jury of unprejudiced citizens and should have a reasonable opportunity of making their defence—of employing counsel and summoning witnesses; if we believe that the good name and reputation of our citizens is to be protected from a secret scrutiny where accusations are made under the influence of fear by persons of questionable character; if we believe that our houses are to be protected from unreasonable searches, without color of authority: if, in short, we are friendly to peace, law and order, and opposed to anarchy, it is our solemn and bounden duty to take immediate and energetic measures for the suppression of the spirit of reckless lawlessness, which overrides the laws and sets the constitution at defiance.

Every person who in any manner aided, [illegible] encouraged in taking Stuart's life, or counseled his death, is unquestionably [illegible] under. It is your sworn and solemn [illegible] cannot evade without [illegible] fail to investigate [illegible] Public [illegible]

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LYNCH LAW.—SAN FRANCISCO, JULY 14, 1851.—The steamship Commodore Stockton, left San Francisco on her first trip to Panama, on the 12th of May, carrying 160 passengers and $200,000 in gold dust. The Columbus left on the 13th for Panama, and the California on the 14th. The most startling item of intelligence, which I send by this steamer, is the Lynch law excitement at San Francisco, which was participated in by a large proportion of the most respectable citizens. Before the smoulder-ing ruins of the recent extensive conflagration had been fairly covered, a man named Logan was detected almost in the very act of [illegible] a large hotel on Long Wharf, and, being arrested [illegible] the populace [illegible] to the number of several [illegible] should be placed in [illegible] for, preparations were making for storming the [illegible] the prisoner was taken out the back way, and [illegible] a place of safety, beyond the reach of [illegible] attempt as well as the frequent [illegible] of the hands of justice of the dangerous villains who infest San Francisco, so exasperated the property holders that they assembled privately to the number of 100 or 200, and enrolled themselves as a "Committee of Safety," for the protection of the citizens, the detection of criminals, and the faithful execution of the law, pledging their "lives and property" for the faithful performance of whatever duty or act should be determined upon by the majority of the Committee. Bye-laws were adopted, officers chosen, and a building selected for holding meetings and the trial of criminals. The Committee numbered amongst its members, bankers, tradesmen, auctioneers, and, in fact, almost every profession and calling, except lawyers. An organization was hardly perfected before a terrible instance of their determination to punish crime was presented to the citizens. On June 10th, a Sydney man, named John Jenkins, *alias* Simpton, was detected in carrying off a safe from an office on Long Wharf, San Francisco, and, after a struggle, was arrested in his boat. He was immediately taken before the Committee of Safety, consisting of one or two hundred citizens, tried, found guilty, and sentenced to be hung within an hour. A minister was sent for, who endeavoured to administer consolation, but whose efforts were evidently disregarded by the hardened convict. At 2 o'clock at night he was taken to the public Plaza by the Committee. The man walked to the gallows smoking a cigar, and had dropped the stub before he was launched into eternity. The rope was adjusted about his neck by Captain Wakeman, well remembered in New York for having run away from that city with the steamer New World, while the Sheriff's officers were on board. Immense excitement prevailed at San Francisco when the steamer sailed, and immense gatherings had been held on the Plaza, participated in by both those in favour of and against the hanging. There was much feeling manifested towards the "Inquisition," as it [illegible] like that of the Eternal City before the [illegible] was conducted with great secrecy, far [illegible] been anticipated from the numbers em-[illegible] made for the hanging, though the [illegible] tragedy are well known, and are [illegible] populace seem [illegible]

August 15

THE HERALD.

Friday Morning, August 15, 1851.

NOW READY, (Postage Free,)

The Second Edition of the DOUBLE-SHEET HERALD for the Steamers of August 15th. It contains the usual amount of Mining News; Law Intelligence; Marine Report; a Review of the Market and Prices Current.

To be obtained at the counter, or from any of the following agents: Bonnestell & Williston, Burgess, Gilbert & Still, Marvin & Hitchcock, Cooke & Lecount, and Kimball (the Noisy Carrier.) Price, (postage free,) **25 cents.**

The Gallagher Trial—Charge of Judge Parsons.

The case of *The People against Samuel Gallagher*, recently tried before the District Court, most forcibly illustrates the misfortune of having a judge on the bench ignorant of law and easily biassed by extrinsic circumstances. From the moment a jury enter the box, their minds are in some sort in the hands of the judge. They take a solemn oath to decide according to the law and the evidence. In ninety-nine cases out of a hundred they take the law from the judge, and unless his error be so palpable that none can fail to perceive it, it must infuse itself into the deliberations of the jury and influence their opinion. The evidence is precisely that amount of testimony of which the court permits the introduction, shaped and modified by the judge's ideas of what should and should not be permitted to go to the jury; and thus a judge possesses the power to a great extent, be the jury ever so intelligent and conscientious to eventually control their verdict. No more conscientious or intelligent jury ever tried an issue in California than that empanelled in the case to which we refer, and yet that their view of the law governing the case was moulded by the Judge's charge there can be no question. That Judge Parsons exhibited in this charge and throughout the trial a total ignorance of law we shall proceed to prove to the satisfaction, we believe, of every lawyer:—and whether or not, under all the circumstances the judge was not biassed by extrinsic circumstances, we shall leave the public to determine.

The first point to which we invite attention is as follows:

"If the jury find defendant acted under fear or passion; if they find one moment intervening between the provocation and the killing for reason to resume its sway, they must come to the conclusion that there was malice, and find the defendant guilty."

This charge was given twice with much impressiveness of manner. The law leaves it a question for the jury to decide whether time enough elapsed between the provocation and killing for reason to resume its sway;—and in one case read at the trial, it appeared that the defendant ran three-quarters of a mile after the provocation, before the killing, and yet it was adjudged manslaughter.

"If they come to the conclusion," says the Judge, "that as deceased advanced on defendant, that although defendant may have been of less physical strength than deceased, and in a state of nervous excitement so as to have produced an uncontrollable fear; if there was an opportunity for defendant to have avoided a conflict, they must come to the conclusion that there was malice on the part of defendant and find him guilty."

Can it be true in law or ethics that one acting under uncontrollable fear is acting with deliberate malice? Is it not absurd to attribute one and the same effect to two such opposite causes?

"It is not enough that defendant thought himself in danger; a reasonable and disinterested man in the examination of the facts must come to the conclusion that it was necessary for defendant to do what he did to protect his own life or save himself from great bodily harm—and that bodily harm means a maiming of the limbs or some part of the body and not a mere beating or chastisement."

The very opposite doctrine was held by Judge Catron now of the Supreme Court of the United States, in the case of *The State* v. *Granger*, reported in 5 Yeizer. To illustrate: A man presents a pistol at another and that other kills him with a knife: it is then ascertained that the pistol was not loaded; according to Judge Parsons the man who killed was guilty of murder with malice, for it is not enough that he thought himself in danger:—it must have been in the estimation of "reasonable and disinterested persons *necessary* to do what he did to protect his life or save himself from great bodily harm."—Bodily harm is not so confined in its meaning as Judge Parsons would have it. It is to be taken in its ordinary acceptation according to the use of language.

"Character may be of consequence in a minor case of larceny, but when a defendant is charged with an offence so atrocious all sink to the common level, and character is of but little importance."

The authorities say, to constitute murder, there must be malice prepense, the dictate of a wicked, depraved and malignant heart and "fatally bent upon mischief." Now, when it was proved in this case by so many respectable witnesses of the highest standing, that from his infancy Gallagher was anything but wicked, depraved or malignant, but sons allow the prisoner twelve witnesses and limit him to that number on this single point? So much for Judge Parson's knowledge of law.

As another remarkable feature in this charge we would call attention to the fact that the Judge twice recited to the jury the evidence of Peoples, the witness whose testimony was most adverse to the prisoner, and was in part contradicted by two other witnesses—and did not mention or refer to any other testimony. He commented on this witness' evidence against the prisoner, and on none in his favor;—and being requested to do so in a charge asked by counsel he endeavored to throw discredit on the testimony favorable to the prisoner. But the most extraordinary circumstance connected with this singularly tried case, is the fact, that after midnight when almost every body had retired to rest, the judge went in to the jury and again charged them without the presence of the prisoner or either of his counsel. What he did charge them will possibly never be known, for it is not probible the jury will ever relate it; but granting that his advice was required, and that the advice given was sound and unexceptionable, is it right that he should give it in the absence of the prisoner's counsel? We state confidently that this fact alone would set aside before a higher court any verdict the jury might have rendered, and it is impossible Judge Parsons with all his ignorance of law, did not know this fact. Of the motives which influenced him in this most unwarrantable course we leave the public to judge;—but as the charge entered into the deliberations of the jury, we think the universal sentiment will be that Samuel Gallagher had not a fair trial.

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Statistics of Crime in San Francisco.

In continuation of our series of articles, exhibiting monthly the state of crime in our city, we present the number of offences that have been brought before the Recorder from the 15th of July to date—one month. All parties arrested on any charge whatever appear before him as an examining magistrate, before being sent on for trial to a higher tribunal.

The following table will exhibit at a view the cause of arrest, and the disposition of the case by the Recorder.

The whole number of arrests made, and cases examined since the organization of the Recorder's Court, is 3,769.

For the past month the case stands as follows:

Charge.	*Number.*	*Fined.*	*Discharged*
Drunk and disorderly	87	41	45
Fast riding	21	14	7
Fighting	16	9	7
Nuisance	5	—	5
Threats against life	2	1	1
Assault and battery	22	9	12
Grand and petit larceny *	31	3	20
Violating City Ordinances	68	22	45
Discharging fire arms	3	2	1
Suspicion of horse stealing	6	—	6
Suspicion of murder	2	—	2
Desertion	3	—	3
Obtaining goods under false pretences	1	—	1
Burglary	1	—	1
Peddling	6	6	—
Representing an officer	4	3	1
Stabbing	2	—	2
Suspicion	5	—	5
Total	285	110	164

*Four sent to the Court of Sessions for trial, and four imprisoned in County Jail for thirty days.

Fines were imposed in the 110 cases to the amount of $1497, but they were not always paid.

The average number of cases per day for the last month, has been 9. The large number discharged, 58 per cent. of the whole, is due to a variety of causes—the proof was insufficient—the offender was poor and could not pay a fine—expressed contrition, or extenuating circumstances appeared. As usual an immense proportion of the offenders were under the influence of rum—thus the three classes of drunk and disorderly, fighting and assault and battery include 125 cases.

It will be perceived that a great number of cases of violation of city ordinances occur. This is not of itself an offence, and should hardly have been classed as such. It comprehends those persons doing business without a license or keeping open house after midnight. Not an offence of a higher grade than grand larceny occurs, and in only four instances was there sufficient evidence to send the culprits to a higher court for trial. The present exhibit evinces no diminution in rowdyism during the past month; men have still continued to brutalize themselves by getting drunk, but in the higher grades of crime there is a manifest change for the better. Only four cases, and those for larceny, in a month, to be tried by the Court of Sessions and District Court! It is unprecedented. There have been no burglaries, no robberies with force, no shootings or murders, which in the days of Sydney rule used to crowd our calendar. We congratulate our citizens upon this improved state of affairs, and we congratulate the Vigilance Committee for having most materially contributed to bring it about. Could we but have a treadmill or something more disagreeable, to which to consign the disgusting, loathsome drunkards and rowdies that infest our city, our Recorder's office would almost become a sinecure, and San Francisco boldly challenge the world to show a more orderly and virtuous population. As it is, those abroad will see that life and property are now as secure in our city as in any other in the world of the same population.

RECORDER'S STATISTICS.—We are indebted to Jas. G. Pearson, Esq., the gentlemanly Clerk of the Recorder's Court, for the following statement showing the number of cases which have been brought before the Recorder during the month of July:

Whole number of cases before the Recorder's Court for the month of July, 244.

Discharged	140
Fined	92
Committed	10
Bound to keep the Peace	2
Total	244

Grand and petit larceny, 27; drunk and disorderly 76; assault and battery, 19; violating city ordinances 53; breach of the peace, 21; resisting officer, 6; passing as an officer, 2; peddling, 6; desertion, 4; swindling 4; horse stealing, 5; suspicion, 4; threats against life, 3; assaulting females, 2; insane, 2; riotous, 2; stabbing, 2; larceny and forgery, 1; burglary and larceny, 1; shooting, 1; nuisance, 1; assault with intent to kill, 1.

The whole amount of fines collected during the month was $1163.

S F Herald Aug 19

LAW INTELLIGENCE—Aug. 18.

United States District Court.

O. Hoffman, Jr., Judge.

Otis Webb et al. vs. Steamship Antelope et al.—Further testimony was heard in this case, which was again adjourned over until to-morrow.

R. A. Wilson vs. Brig Ocean—The Commissioner's report in this case was confirmed.

District Court.—Judge Hopkins, presiding.

The People vs. Samuel Gallagher—Motion to admit the defendant to bail, under Sec. 7, Art. 1, of the State Constitution, which provides as follows: "All persons shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident or the presumption great;" defendant's counsel urges that the failure of the jury to agree raises such a doubt as to entitle the prisoner to bail. The motion was argued before Judge Hopkins, who overruled it—holding in the first place that the finding of the Grand Jury was a proof that "the presumption was great;" and, secondly, that the killing being established and the jury being charged that the prisoner was entitled to all reasonable doubts in their minds, upon which they failed to agree, there must still remain that great presumption of guilt meant by the constitution.

Superior Court.—Before Judge Smith.

Peter Metcalf v. P. Argenti and F. A. Atkinson.—A new venire being returned, the empannelling of a jury was proceeded with, as follows:

Theodore Payne, not a member of the Vigilance committee—accepted.

John Vandewater, challenged by plaintiff for cause, as being a member of the Vigilance committee; plaintiff's counsel urging in support of the challenge that that body had adopted and published a resolution declaratory of their right to search, and furthermore, to be responsible for each other's acts. Also, that by a resolution and a committee, they had notified plaintiff's counsel to dismiss this proceeding. After some considerable discussion, the Judge ruled that he would not set aside a juror from the simple fact of his being a member of the committee, but he would allow to counsel the widest latitude in their examination of the jurors, to ascertain whether there existed any bias in their minds. Plaintiff's counsel then asked and procured to be issued, subpœnas, for the sub-committee, who had waited upon them, to prove their statements above made, in relation to a cause of bias. The court suggested that they might examine in the meantime, other jurors.

Isaac A. Stevens, not a member of the Vigilance committee, just down from the mines, and knows nothing about the case—accepted.

Henry J. Beers, set aside for opinion.

E. W. Crowell, is a member of the Vigilance committee, and was directed to stand aside, to await the result of the examination of the witnesses sent for. Judge Burritt objected to this course, as allowing plaintiff to select from the panel jurors not belonging to the committee; and by general consent, the court took a recess until the return of the subpœnas.

The subpœna being returned, *Mr. Wm. Sharron* was called to the stand as a witness; am a member of the Vigilance committee; believe that Argenti is a member; don't know Atkinson; recognize as the constitution of the association, that published in the *Herald*; do not know who is the regular appointed secretary; do not know who is number 67; don't know who signed No. 67 to the publication in the *Herald* of July 9th; was present at a meeting held on July 7th, when myself and others were appointed a committee to wait upon Messrs. Lockwood, Tilford & Randolph, in relation to the suit of Metcalf *vs* Argenti et al., to request those gentlemen to discontinue that suit; I went with this committee.

Cross-examined—When the above resolution was passed there was probably 100 members present; my impression now is that all present were not in favor of it.

W. F. Bromley—Have been a member of the Vigilance committee since its formation; recognize article 4th of the constitution published in the *Herald* of June 13th; I was one of those who waited upon Messrs. L., T. & R.; I went in place of Mr. Brinley, I think; know that there was a resolution passed of the purport of that published in the *Herald*, dated July 8th; think this was after complaint had been lodged against Metcalf. (The resolution is the one claiming the right to enter upon the premises of any person, where they have good reason to believe that offences have been committed, which it was the object of the committee to investigate and punish, &c.)—Mr. Argenti lodged the complaint against Metcalf, before the committee; this was the executive committee, who alone were in session that night; they went out to search accordingly, and make arrests if necessary; the business of the executive committee is to make the examination of all parties brought up. This search was made by the executive committee as a body. Mr. Vandewater was not present.

J. F. Spence—Signed the constitution of the Vigilance committee as published; do not know who is secretary; was present when the resolution was offered to send a committee to Lockwood, Tilford & Randolph; it did not pass, a majority being opposed to it; after the meeting adjourned, some twenty or thirty being present adopted this resolution and appointed the committee; I served upon it as a substitute for Mr. Middleton, who could not go.

Stephen Payran—Am a member of the Vigilance committee; and believe that to be the constitution published in the *Herald*; know nothing of the resolution in relation to the right of search; Mr. Argenti complained before our executive committee, while in session one night, that he had reason to believe that Metcalf had in his possession goods stolen from him; and after adjournment we went to make a search. We have no secretary now. The records are probably in the possession of A. J. McDuffie, Sergeant-at-Armes.

A subpœna *duces tecum* was here issued for Mr. McDuffie.

A. J. McDuffie—Am the Sergeant-at-Armes of the Vigilance committee; have not the records in my possession, and don't know who has; I have charge of the room.

A subpœna was then issued for W. C. Graham, and it was agreed that other jurors summoned should be called.

Nicholas Lecount, not a member of the Vigilance committee; no opinion; in some cases have been opposed to, and in some in favor, of the acts of the committee—accepted.

G. Bendixsen, not a member of the Vigilance committee; no opinion—accepted.

E. F. Newton, not a member of the Vigilance committee; have a decided opinion—set aside.

James Duane, not a member of the Vigilance committee—accepted.

A. Allers, not a member of the Vigilance committee—accepted.

H. A. Dupuy, not a member of the Vigilance committee—set aside for opinion.

D. B. Merritt, not a member of the Vigilance committee—set aside for opinion.

L. Figuero—same as above.

Charles Beers, not a member of the Vigilance committee—accepted.

M. Prag, not a member of the Vigilance committee—accepted.

David C. McCarthy, not a member of the Vigilance committee—have expressed myself opposed to some of the acts and doings of that body—challenged peremptorily by the defence.

T. Converse, not a member of the Vigilance committee. I think the proceedings of that committee are justifiable—accepted.

C. Schenck—set aside for opinion.

Albert Day, not a member of the Vigilance committee—have approved of the acts of the committee, with two exceptions—I have a bias in their favor—set aside for opinion.

Nathaniel Gray, not a member of the Vigilance committee. I believe they have done a good work—set aside for implied bias.

E. H. Parker—set aside for opinion.

Theodore G. Palmer, not a member of the Vigilance committee—am prejudiced in their favor—set aside for cause.

Wm. B. Maxson, not a member of the Vigilance committee—accepted.

Without concluding the examination of the competency of Mr. Vandewater, the jury was completed, as follows:

J. R. Morgan, Philo White, Theodore Payne, Isaac A. Stevens, Nicholas Lecount, G. Bendixsen, James Duane, A. Allers, Charles Beers, M. Prag, J. Converse, Wm. B. Maxsen.

The pleadings in the case were then read to the jury, after they were sworn, and it being near 5 o'clock, the court adjourned until to-morrow morning at 10 o'clock.

Recorder's Court—R. H. Waller, presiding.

Moses Bennett was fined $25, John Smith, $10, and John Briggs, Crabbe alias Boot Black, and Robert Thompson, $5 each, for drunkenness and disorderly conduct.

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August 19

LAW INTELLIGENCE—Aug. 16.

District Court.—Judge Hopkins, presiding.

Dore & Ross v. M. Hogan.—Action for goods sold and delivered. Upon the report of J. D. Galbraith, referee, judgment was rendered in favor of plaintiff for $518.

Geo. W. Scribner v. Steamer McKim.—Action for supplies furnished. Judgment was rendered on the report of Galbraith, referee, for $683 86.

George Murray v. Steamer Endora.—Action for one month and three days' services as chief engineer. Judgment was rendered, on the report of Galbraith, referee, in favor of plaintiff, for $341

John Phorr v. C. S. Wood.—After hearing arguments of counsel, the court dissolved an injunction heretofore ordered in this case, restraining H. Saunderson from paying to any person rent for the Mansion House, it appearing that Saunderson was the lessee of H. Haseltine.

Taylor & Beckh for plaintiff; J. Clarke for defendant.

A new trial was ordered in the case of F. B. Folger *v.* B. R. Buckelew.

Mary L. Swan v. Moses L. Swan.—Upon the report of a referee, a decree of divorce was entered in this case on the ground of abandonment.

Superior Court.—Before Judge Smith.

Peter Metcalf v. P. Argenti and F. A. Atkinson.—Action for $20,000 damages; the complainant alleging that the defendants, at a late hour of the night of July twenty-eighth, with a great multitude of people, forcibly and in a riotous and disorderly manner, broke and entered the house of plaintiff while himself and family were in bed, forcibly compelled his wife and daughter to get out of bed; that they forcibly broke open numbers of trunks, boxes and drawers, throwing about, breaking and damaging furniture, and for the space of an hour making therein a great noise, riot and disturbance, &c. The defendant Argenti answered by a general denial. Atkinson further answered that the acts complained of were done in a peaceable and quiet manner and with the consent of plaintiff.

The trial of this case was taken up to-day, at 2 o'clock. Messrs. Lockwood & Randolph appeared for the plaintiff; Messrs. Holmes & Lippitt appeared for Argenti, and E. G. Austin and Judge Burritt for Atkinson.

A venire for 14 additional jurors being returned, the Court proceeded to empannel a jury.

F. Phillips, was not a member of the Vigilance Committee; but had formed an opinion that defendants were right. Set aside for cause.

A. Scheper, was not a member of the V. C., and had formed no opinion. Accepted by plaintiff, and peremptorily challenged by the defence.

Defendants here claimed the right of four peremptory challenges, each, which, after considerable discussion, the Court denied.

J. R. Morgan, not a member of the V. C.; no opinion. Accepted.

F. Adams, not a V. C.; no opinion. Question—"Do you believe that the defendants as members of the Vigilance Committee have a right to enter and search a house without cause?" objected to and allowed. Answer—"I believe that they had a cause; I think the Vigilance Committee is right." Set aside for cause.

J. Wilbur—Am proud to say that I am able to present a character that entitles me to a membership of the Vigilance Committee; I have come to no direct conclusion in relation to the case. Challenged peremptorily by plaintiff

R. H. Elam, not V. C.—Have no opinion on this case. Excused for cause.

George O. Whitney—not a V. C. Excused for cause.

James W. Young, V. C.—If I thought the law wrong and the rules of the committee right, I would rather lean to the latter. Excused for cause.

L. Longfield, not a V. C.; but think the defendants right. Excused for cause.

J. Goldstein, not a V. C.; have an opinion. Excused for cause.

J. Myers, not a V. C. Challenged peremptorily by the defence.

Philo White, not a V. C. No opinion. Accepted.

D. S. Lord, not a V. C.; have formed an opinion. Excused for cause.

P. F. Corning, not a V. C.; have an opinion. Excused for cause.

Charles W. Crosby, not a V. C.; no opinion. Accepted

C. Campbell, is a minister. Excused.

J. S. Leavitt, not a V. C.; have an opinion. Excused for cause.

Marion McNulty, not a V. C.; have an opinion as to the propriety of the organization of the association; that no self-constituted body have the right to act in opposition to the law. Excused for cause, on the challenge of defendants.

F. F. Emory, excused, having formed an opinion.

Sordis Price et al. v. W. F. McLean.—Action for lumber sold; tried and taken under advisement.

Higby for plaintiff; Brown, Hunt & Tracy for defendant.

Court of Sessions.

A. Campbell, Judge; H. S. Brown and E. McGowan Associate Justices.

Was not in session on Saturday.

Recorder's Court—R. H. Waller, presiding.

J. Maguire and the proprietor of the Commercial Restaurant were fined $10 each, for keeping open after midnight.

A number of persons were fined $10 each, for having no license.

Andrew Aggardia was fined $50 for assault and battery.

FORD'S CLAIM.—The *Sonora Herald* states that Mr. E. Linoberg has purchased four-fifths of the Louisiana Company's quartz mining claim at Sandias, better known as "Bill Ford's." The four shares brought $4,000.

Herald Aug 18 1851

JEALOUS.—A fellow was brought before the Recorder, yesterday, on complaint of his wife, for getting drunk and kicking up a row in the house. He stated that his wife was in the habit of entertaining other gentlemen in his absence, and he thought he had a right to kick up a muss about it. He was required to give bonds to keep the peace towards his lady.

PICK POCKETS ARRESTED.—Three graceless young scamps, named William Miller, Charles Moore and George Atkins, were arrested on Sunday, charged with having picked the pockets of a drunken sailor on the Long wharf. They endeavored to palm themselves off as boatmen, but were unsuccessful, and will probably stand a chance of getting a ducking when they get out of limbo, for daring to assume the profession. They will be examined before the Recorder to-day.

Courier 8/19

DEATH OF CAPT. SIMMONS.—Capt. Simmons, of the ship Johnstone, for stabbing whom Dr. Kennedy, the Surgeon of the ship was arrested some days ago by the Vigilance Committee, died yesterday afternoon at the Hospital Kennedy had asserted that Simmons stabbed himself with a small knife that was found on his person, but the physicians report the wound as eight inches in depth and two in length, showing that it must have been caused by a large knife. Simmons, we are informed, stated on his death bed that Kennedy had stabbed him.

THE ADELPHI.—We are glad to see the success which this establishment meets with in full audiences every night. The performances, varied by the vocal comicalities of Dr. Robinson, and the dancing of the graceful Josephine, appear to be well appreciated, by those of our community fond of this means of relaxation from the daily cares of business.

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LAW INTELLIGENCE—Aug. 19.

United States District Court.

O. Hoffman, Jr., Judge.

Return day of process.

In the following cases, judgment by default was entered against all other parties than those appearing: United States *vs.* 36 barrels of Muscal; Raphael Owego et al. *vs.* ship Ellen Brooks.

Sanchez Brothers vs. Brig Eliza—Commissioner's report confirmed, and an *venditioni exponas* ordered to be issued.

In several cases of the United States *vs.* divers vessels of spirits, forfeited for a violation of the revenue law, it was ordered that the proceeds of the sale in the registry of the court be distributed according to law.

Otis Webb et al. vs. Steamship Antelope et al.—The trial of this case was resumed by the introduction of the master of the vessel as a witness, and objection being made as to his competency as a witness it was argued by the counsel and taken under advisement.

Superior Court.

Chief Justice Murray; Associate Justices Smith and Norton.

P. Metcalf vs. F. Argenti & F. A. Atkinson—The jury being present, the plaintiff proceeded to examine the following witnesses:

Alice Metcalf—Will be 21 years old next September; am daughter of plaintiff; have resided here 18 months; our family consists of my father, mother, two brothers and myself; we live in Geary street; the first time I ever saw Argenti was the night of Wednesday after the June fire; he came to the door and demanded admittance, saying that they had fifty men there; for they suspected we had stolen goods in our house; father said to them, wait until I get a candle; he opened the door, and they rushed in; I came down stairs and found the room full of men; my father called to me to come and open the drawers for the lady—some woman they had brought with them; I went into the room and saw her with one of the drawers open; she had a piece of lace out which my mother had bought some months ago, and said, "Argenti, Argenti, here is a piece of lace I bought to make some sleeves with;" Argenti came in rubbing his hands, saying, "go on," to the lady. I replied that I had both sleeves and caps of the same stuff; she replied, it must be of the same sort then; she then opened another drawer, saying, "here are white shirts, I want linen shirts;" there were in the drawer some shirts, men's shirts, some of them linen; she looked at some vests, and said, "I have lost some gentlemen's clothes;" she then opened another drawer with white shirts in it; these were shirts washed by my mother, which she was not to take home until Monday.

In another room, where my mother was in bed, some of the men ordered her to get out of bed, which she did; they then opened my father's tool chest, in which there was a white bed quilt, this woman saying that she had lost one like it; she also turned up the mattress of the bed on which my mother had been lying; she and Atkinson then went up stairs, with father and myself, where there were some boxes of a Spaniard on storage; upon their demand, my father broke open the boxes; [illegible] their box, belonging to a man [illegible] and the lady said "that she [illegible] boots,"—the box was opened, and [illegible] any of the books as here. In the Spaniard's [illegible] stairs, there were clothes—in one of them $700 in [illegible] there was a handkerchief in one of them which [illegible] claimed; they went to the laundry, back of the house, where my brother and another man slept; the door was opened, and they searched a couple of boxes and bundles of clothes brought into ward; the woman examined these, but did not claim any. She did not appear timid; she was a Captain; always the leader of the crowd.

Cross-examined—We came from Sydney in January, 1850; we had resided there nine years; we came from Manchester, England; my father was a carpenter; worked as such in Sydney; we came over here in the ship Maria, having a cabin by ourselves, there not being much carpenter work for father to do here. my mother and myself have to wash; he is not a teamster. never having driven a team except on the Sunday morning of the fire. when his driver had left him; he keeps a public house, simply a bar-room; has kept it 12 months; the house is near the Mission road and is not much frequented; mostly by Chilenos who lived near there, cutting and selling wood. Mr. Burns and Mr. Hogan are our nearest neighbors; we don't have any intercourse with them. On the Sunday night of the fire, I heard my father say that he had done some hauling for which he had not been paid. During the search there was no noise or hollooing; no breaking of furniture; my father and myself assisted them in making the search; when they were leaving, one of them turned to my mother and said he would be glad to help her out of bed another time; she had nothing but her night clothes and a shawl on her.

Direct examination resumed—These persons were armed with pistols, exposed to view. This lady handled the clothes rather roughly at first, but got cooler afterwards. My father's habits here have been industrious and sober; most of the time at home; he built the house we live in; two houses for Mr. Burns. We make from $70 to $100 per week for washing.

Plaintiff's counsel offered in evidence the emigration papers of himself and family from England to Sydney, which being objected to, were not admitted; also a declaration of intention to become an American citizen.

Benito Senda, Chilieno—Have known Metcalf about a year; know Camo, who had a trunk at Metcalf's house on storage, (one of those broken open;) myself and Camo were in the habit of depositing money with him; we had money there on the 28th of June last; have been in the habit of sleeping at his house sometimes; and also of eating there—in company with some other of my countrymen.

James Wilcox proved the correctness of a plan of Metcalf's house.

The case for the plaintiff was here rested.

Mr. Austin, for the defence, then proposed that he be allowed preparatory to the introduction of the testimony of the defence, to make a statement of the nature of the defence upon which they intended to rely, and owing to his indisposition, asked that the court adjourn until to-morrow morning, stating that their testimony would be brief, and closed during the day. All parties consenting thereto, the court adjourned until 10 o'clock to-morrow morning.

District Court—Judge HOPKINS, presiding.

The People v. John Spiers, indicted together with Richard Hall, for the murder of the Indian Frank Brewer

LAW INTELLIGENCE.

SUPERIOR COURT.—Justice Smith, presiding.

Peter Metcalf vs. Argenti, et al.—Suit for damages to the amount of $20,000 sustained by plaintiff's house being entered by members of the Vigilance Committee in search for stolen property. After the Jury were sworn and empanneled, the first witness called to the stand was

Alice Metcalf, daughter of plaintiff and aged 21 years; resides in Geary street, and knows defendants Argenti and Atkinson, and saw them in company with Mr. Mellus at her father's house the first Wednesday after the June fire; they came in with the plaintiff; Argenti said he would not for the world search such a respectable family, that where there was so much industry there could be no dishonesty. Next saw defendants following Saturday night at 1-2 past 11, they came with a large body and insisted on searching for stolen goods; they came into the house accompanied by a lady who searched the drawers; that lady pulled out a piece of lace and laid it on the table; the lady said "Argenti! Argenti! here's a piece of lace I bought six months ago to make under sleeves of." Argenti came in rubbing his hands and said "go on my dear." She pulled open another drawer and found some white shirts. They belonged to people for whom we washed; several boxes belonging to Spaniards were opened and also one belonging to a young man in the mines.

Cross examined.—Was born in Manchester, England, and went to Sydney, lived there nine years and arrived here in January, 1850.

The plaintiff's Counsel offered the affidavit of Gregorico Camo as evidence and the emigration papers of plaintiff; objected to, and withdrawn. The plaintiff's "declaration of intention" was read to the jury.

Benito Senda, sworn, testified to he and Gregorico Camo have trunks containing valuables deposited at plaintiff's house.

James Wilcox, sworn, testified to the correctness of a plan of Metcalf's premises.

Adjourned until to-day at 10 A. M.

DISTRICT COURT.—Justice Hopkins, presiding.

People vs. John Spiers, indictment for murdering Frank Brewer, by poison, on the 1st of June last. Messrs. Thomas Reynolds and Levi Markley, were the only persons yet selected as jurors.

Adjourned until to-day.

COURT OF SESSIONS—Justice Campbell, McGowen and Brown, presiding.

This court was not in session yesterday.

Pacific Star Aug 20

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August 20

EXTREMELY MODEST.—A female, who keeps a small grogery on Pacific street, the resort of the most abandoned characters, appeared in the Recorder's Court yesterday on a citation for selling liquors after midnight. Previous to the hearing of her case, a witness was being examined in a case of assault and battery, occasioned by the assailant, having become jealous of the attentions of the party assailed, to his mistress. The statements of the witness being rather indelicate for the ears of a strictly virtuous female, she requested an officer to conduct her to another apartment, until the examination was over. The officer, perceiving at once, the extreme necessity of the case, conducted her to a private apartment and kindly remained with her until the examination was terminated.

BOUND OVER.—The two young gentlemen who got into a fight about a woman on Monday evening, in Pacific street, were yesterday bound over in the sum of $500 each by the Recorder, Lincoln, the fellow who brought the girl from Manila, has taken away all her clothes, and left her almost naked at the "Surprise" tavern, on Pacific wharf.

GALLAGHER'S CASE.—Gallagher, who was committed for the premeditated murder of Pollock at San Francisco, has had his trial the past week, and the jury, being unable to agree as to his guilt, was discharged. We look upon this proceeding as a ridiculous farce. The evidence against Gallagher was clear and conclusive, and not a shadow of doubt existed. The proof was positive that he shot Pollock, and we cannot see how a jury could gainsay it.—[Sonora Herald.

RECORDER'S COURT.—Before the Hon. R. H. Waller.

B. C. Taylor was brought up on several charges for entering rooms, in the Eureka Hotel, and picking the pockets of the boarders while asleep, and also on a charge of stealing a gold watch, valued at $200. He was committed to the Court of Sessions for trial.

John Lincoln and John Wincoop were bound over in the sum of $500 each, for fighting about a woman.

John Mayhew was sent to the city prison fifty days, for kicking up a muss and assaulting officer Byrne with a broadaxe.

A colored man, named Chas. Clardon, was up for stealing $5 from Pat Jemerson. Discharged.

26 persons were up for violating the license ordinance.

The usual number of persons were fined for being drunk and disorderly.

The fines collected amounted to $110.

...aken away by

...anything like an ad-
...scenes as they occur-
...ge which seemed to agitate
...rong who silently witnessed the
It was evident that the action of
...committee met with universal approval.
...ne manner in which the Governor had gained
possession of the criminals,—the almost cer-
tainty that unless taken charge of by the Com-
mittee, they would escape punishmeat—and
the facility with which Executive clemency can
be secured, all combined to impress our com-
munity with the absolute necessity of the pro-
ceeding. That these two men deserved this
fate, no one who has read their own confessions
will deny. That they would ever have receiv-
ed any punishment at the hands of our civil
authorities is exceedingly doubtful, judging
from the manner in which Kay was spirited
away.

Many exaggerated reports are in circulation,
in regard to the manner in which Whittaker
and McKenzie were retaken. We have heard
from good authority that no blame should attach
to the officers in charge of the prisoners. They
were overpowered, and resistance on their part
would have been useless. The prisoners were
in the area of the jail, where divine service
was being performed by the Rev. Mr. Williams.
A person came to the door and requested ad-
mission, which Mr. Lambert refused. The door
was then thrown open, and the officers seized
and held fast, while the prisoners were being
removed. It was done very rapidly, scarcely
occupying twenty seconds. Three shots were
fired, the first from an officer on guard on top
of the jail, and the other two from other per-
sons. No one was injured by the shots. When
the prisoners were taken out of jail, they were
immediately put into a carriage which was in
waiting, and driven to the committee rooms, a
large number of persons following in full chase.

After the prisoners had hung sometime, Sam.
Brannan, Esq., was called for, and addressed
the assemblage in a style which did him great
credit. During its delivery he was repeatedly
interrupted by the applause of his hearers.
We are sorry we cannot give the substance of
his remarks, which were most appropriate.
After he had concluded, the crowd called on
Dr. Robinson to address them, which he did,
fully sustaining the action of the Committee.

Stephen Payran, Esq, briefly addressed the
assemblage from the door of the committee
room. He was requested to have the banner
received by the committee from the ladies ex-
hibited to public view, and in reply stated that
last week he would have been ashamed to ex-
hibit it, but now they could do so with pride.
The banner was then brought forward.

Nobly have the committee sustained them-
selves and retrieved their well-earned reputa-
tion for VIGILANCE. Let them go on, and not
cease their efforts until they have rid our com-
munity and State of all the scoundrels, high
or low, that exist in it. We sincerely trust,
however, that they will act with the greatest
moderation and discretion. We hope soon to
see the day when the necessity for their organ-
ization will no longer exist.

Do not copy 228

306

Not necessary 77

+ P.J. 303

Herald August 26

THE EFFECT OF THE
news of the rescue of Wh
zie, through the Governor
the Vigilance Committee,
understand, of bringing a
back to this city. A ge
that seven men were h
morning, a short tim
hung, that they co
and that the Vigilan
down. In two hou
were not to be f
to be on their
the country
vessel.

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RESIGNATION OF JUDGE BROWN.—We no-
ticed the resignation of this gentleman in yes-
terday's paper. He has published his reasons
for this course, which were embodied in a let-
ter to Judge Campbell. The Court of Sessions
has exhibited a commendable and unusual de-
gree of industry, and we regret that Judge B.
should have deemed his resignation proper for
any such reasons as he alleges. We give his
letter entire:

"Since I have been a member of your hon-
orable court, I have done what I conceived to
be my duty, at least, fearlessly, and have at-
tempted to do it legally, justly; and since the
extension of the criminal jurisdiction, as your
honor well knows, I have spent much of my
time, greatly to my detriment in a pecuniary
point of view, in attempting to peform my duty,
not receiving sufficient to procure the means of
subsistence.

"Notwithstanding scores of criminals, have
been tried, convicted and sentenced, the crimi-
nal calender nearly cleared, yet the people,
without the form of law, arrest, try and exe-
cute their fellow men. Twice, yea thrice, has
this been repeated, while the Court was doing
all in its power to arrest crime and bring of-
fenders to justice. On each of these occasions
the cause assigned has been the inefficiency
and weakness or corruption of the courts. Now
if the people have lost all respect for those who
fill judicial places, believe them corrupt, capa-
ble of being seduced by glittering gold—or, if
they expect that courts acting under the so-
lemnity of an oath, can wilfully violate the
first principles of law, and disregard testimo-
ny, then I hold that it is the duty of the mem-
bers of the various courts to resign their posi-
tion, that new ones may be placed in their
stead in whom the people have confidence, or
elect those who have no conscientious scruples
in punishing those who may be charged with
crime, whether convicted legally and in accor-
dance with the testimony or not.

"After the scenes of yesterday, coupled with
the avowals as to the cause, as they appear in
our public prints, I would not longer occupy
the position I have had, for the untold wealth
of California.

THE SUPPOSED MURDER.—The colored man
who was found dead near the Mission road, on
Tuesday evening, and upon whose body an inquest
was held by the coroner, has been ascertained to be
a man named Thomas, formerly from Missouri, and
at the time of his death in the employ of Mr. Ten-
broeck, of the Mission Dolores. From the circum-
stances attending the case there can be no doubt
but that the person was foully murdered. About
the time that this colored man disappeared, a mem-

Pacific Star
Aug 21

nitmates

Bancroft records that the same
H. S. Brown was a member of the
Committee of 1856, Popular Tribunals, II,
113, 178 & Index.

or Ex Com St. II 113.178

P.J.I. 330
but not in its place

Do not copy 228

300

Governor Mc Dougal was somewhat complacent over his easy victory,
and he took advantage of the occasion to issue another proclama-
tion addressed to the citizens of California. which is reproduced
in facsimile on page 000.
The proclamation also
appeared in the pages of
August 26th city papers, even in
Texas

Do not copy

reproduced

This appeared even
in the papers most
friendly to the
Committee, but its
force was somewhat
impaired by the
close juxtaposition
of the following

CARD

Herald

Copy

67

77

not in
Pol. Tri.

Not. P. T.

...County
Judge of Superior Court.....Alexander.....
County Judge.....Henry H. Byrne.
District Attorney.....Henry H. Byrne.
They adjourned to meet to-night at 7½ o'clock.

WHIG NOMINATIONS.—The following nominations were made last evening by the Whig County Convention:

County Assessor.....W. Orrick.
County Treasurer.....— Johnson.
Sheriff.....H. H. Gray.
Public Administrator.....A. W. Taylor.
District Attorney.....W. H. Clark
County Judge.....John Sherrie.
Judge Court of Sessions.....Judge Campbell.
Coroner.....C. Humphries.
The Convention adjourned to this evening.

Proclamation by the Governor.

Whereas, an armed and organized body of the citizens of San Francisco county has, in defiance of the Constitution and laws of this State, assumed to exercise the powers of the courts of criminal jurisprudence, and to pass and carry into effect extra-judicial sentences of death—and whereas a spirit of opposition to the officers of the law, while engaged in the execution of their duty has been openly and publicly manifested; and there is reason to believe that further attempts may be made to interfere with the regular administration of justice in said county; and especially to take from the custody of the sheriff certain prisoners now confined in the jail of said county—

Now, therefore, I, John McDougal, governor of the State of California, do hereby call upon all good citizens of said county to unite for the purpose of sustaining public law and tranquility, to aid the public officers in the discharge of their duty, and by all lawful means to discountenance any and every attempt which may be made to substitute the despotic control of a self-constituted association unknown and acting in defiance of the laws, in the place of the regularly organized government of the county. And I hereby call upon all public officers to be active, vigilant, and faithful in the performance of their trusts, and to resist to the utmost of their power all efforts which may be made to subvert the laws and trample on the constitution.

And I hereby warn those who are disposed to resist the legal authorities, that they cannot do so without involving the community of which they are members in all the horrors of civil war, subjecting life, liberty and property to the most fearful sacrifices.

The government is determined, at all hazards, to sustain the constitution and laws; public peace can only be secured, and public liberty can only be maintained, by a strict adherence to that feeling of subordination to the law, and respect for its ministers, which have heretofore characterized the American people.

The attention of all citizens is requested to sections 36 to 50, of "An act to regulate proceedings in criminal cases."

It is earnestly hoped that no necessity will arise calling for the execution of those provisions, and that the good sense and calm reflection of all good citizens will induce them to refrain from committing any acts calculated to destroy the peace and order of the community, and to bring the authorities into conflict with any portion of the people.

JNO. McDOUGAL.
Governor of California.

San Francisco, Aug. 20th, 1851.

A Card.

SAN FRANCISCO, August 20, 1851.

We, the undersigned, do hereby aver, that the present Governor, McDougal, asked to be introduced to the Executive Committee of the Committee of Vigilance which was allowed, and an hour fixed. The Governor, upon being introduced, stated that he approved the acts of the Committee, and that much good had taken place. He hoped that they would go on, and endeavor to act in concert with the authorities, and in case any Judge should be guilty of mal-administration, to hang him, and he would appoint others, &c.

C. J. SCHENCK.
GEORGE J. OAKES.
ISAAC BLUXOME, Jr.
S. PAYRAN.

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THE HERALD.

Tuesday, August 26, 1851.

The Withdrawal of the Rifle Regiment from Oregon.

A correspondence has recently taken place between Governor Gaines of Oregon and the Secretary of War, relative to the removal from that territory of the regiment of Mounted Rifles. The Governor expresses surprise and disappointment at this step, taken as it was without any warning, and while he and his colleagues in the Indian Commission were in the midst of a most important negociation by which they hoped to accomplish the paci- ation of the fierce Indian tribes which have harrassed the whites with impunity.— oval of the troops will, in the Gover- , exert a most pernicious influ- savages, and, as the safety of r population is sadly jeo- egard his prosentiment Governor implores oration of the Rifle dient, that a force iveness, and if d men, as the assigned for ticable mc- g hi

Continued

not be spared to keep the savages in ... The excuse alleged for the withdrawal of the Mounted Rifles, is the existence of a treaty stipulation with Mexico, binding the government of the United States to restrain the incursions of hostile Indians on the northern frontier of that republic. So that the lives of the Mexicans of Chihuahua are more precious in the eye of the department than the lives of American citizens in Oregon; for the Secretary declares that although what Governor Gaines says is doubtless correct. ... presence of the Rifles "may be *useful* ..., it was *indispensably necessary* in ..." For the defence of the Texas frontier it is well known that the Rangers are fully competent, and indeed if the wishes of the people of that State were consulted, their own mounted men would be mustered into service as a temporary force for the suppression of Indian hostilities. In Oregon, on the contrary, at a distance from the department, where there are scant and insufficient supplies, and where the people have other things than war to occupy their entire time, the presence of the military was absolutely necessary.

The whole course of the Secretary of War towards the troops and the people on the Pacific has been of a similar character; and we can only hope that Mr. Fillmore may soon provide himself with another Cabinet officer. Mr. Secretary Conrad does not appear to have intellect sufficient to enable him to drill a squad of raw militia, much less to control a most important department of the executive government.

The Jury in the case of Metcalf against Argenti and Atkinson.

EDITOR HERALD—As there appears to be an erroneous opinion on the position of the jury in the above case, at the time of their discharge, we think it not improper to state the facts as they occurred:

When the jury first consulted on leaving the court, they stood eight for defendant and four for plaintiff on the question of trespass or no trespass. Half an hour afterwards, one of the four changed, and for ten hours the jury stood nine for defendant and three for plaintiff. ... the jury were seven hours out, one of the three ... instruction from the court upon the question ... a person "has the right to enter upon the pre- ... with the consent of the occupant o ... purpose of making a search." The Judge ... his jury that "if the consent refers to the ... the consent refers also to the search, he has ... right to enter and search." This instructio ... make any change in the standing of the jury. ... about eleven hours they were discharged. W. ... that the minority would at any tim ... to a verdict of nominal damages, if the ... had been willing.

THEODORE PAYNE, Foreman.

Resignation of Judge Brown.

Judge H. S. Brown, yesterday morning, sent in his resignation of the office of Associate Justice of the Court of Session. Later in the day, he sent in the following letter, assigning the reasons of his resignation:

SAN FRANCISCO, August 25, 1851.

HON. ALEXANDER CAMPBELL:

DEAR SIR—Since landing in my resignation this morning, many inquiries have been made of me as to the cause of my so doing. In order to save repeated and unnecessary explanations, I take this method of informing those who may have the curiosity to know.

Since I have been a member of your honorable court, I have done what I conceived to be my duty at least, fearlessly, and have attempted to do it legally, justly and since the extension of the criminal jurisdiction, as your Honor well knows, I have spent very much of my time, greatly to my detriment in a pecuniary point of view, in attempting to perform my duty, not receiving therefor sufficient to procure the means of subsistence ...

... the way of our merchants.

THE BLOODY-MINDED COMMITTEE.—George Mellus, F. Woodworth, Isaac Bluxome, A. J. Ellis and John F. Spence, members of the Vigilance Committee, yesterday went into Court and made application founded on their affidavits of their belief in his innocence, for the discharge from custody of Thomas Berdue, convicted some time since of assault on Mr. Jansen, and sentenced to fourteen years' imprisonment. An unfortunate resemblance to Stuart has been the cause of this man's many troubles, and the history of his two narrow and extraordinary escapes from death is at least as strange as anything in fiction. He was rescued from the jaws of death the last time by the revelations elicited by the Vigilance Committee, and we learn that he feels grateful to that body for their agency in his escape. We trust a purse will be made up for him, and that she will be permitted to carry out his intention of leaving the country. He has had a hard and eventful fate since his arrival, and he will be glad to depart.—His entire innocence of the crimes laid to his charge, we regard as being amply and abundantly proved.

CASE OF BERDUE.—James Berdue was tried and convicted in the District Court some months ago, of an assault with intent to Kill, committed upon C. J. Jansen. The jury affixed his sentence at fourteen years imprisonment; but before sentence was passed upon him by the court, he was removed to El Dorado county for trial on a charge of murder, of which he was also convicted. Owing to the revelations of Stuart, the real murderer, made in this city simultaneously with the conviction of Berdue at Marysville, a new trial being granted, a *nolle prosequi* was entered and he was discharged from that prosecution, and brought to this city some two weeks since.

Yesterday, an order being made by the District Court, transferring the case to the Court of Sessions, Berdue was brought into the latter court, accompanied by his counsel, Calhoun Benham, Esq., who read to the court affidavits sworn to by G. Mellus, J. F. Spence, J. Bluxome, Jr. and F. A. Woodworth, to the effect that they had heard James Stuart and Samuel Whittaker, now deceased, confess that they were participators in the assault on Mr. Jansen, in which neither Berdue or Windred were implicated. Upon these affidavits Mr. Benham moved the court, under the power granted to it by statute, to discharge the prisoner. No objection was made by the prosecution, and the court, after remarking upon the extraordinary circumstances and resemblance between the prisoner and Stuart, which had led to his conviction in two cases of crimes committed by the former, directed the clerk to enter an order for his discharge, stating the reasons thereof.

Mr Janseo, who was present, came forward and declared his readiness to return to Berdue the money taken from him at the time of his conviction, and the court, upon information that the unfortunate man was now without means, suggested the propriety of a subscription for his benefit, which was immediately set on foot by those assembled in the court room.

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August 25

THOMAS BERDUE.—There is perhaps, no individual in this State who has passed through such scenes and undergone such trials, as the person above named. Some few months since he was arrested in this city upon the supposition that he, with another person, had assaulted Mr. Janson with a sling shot, and robbed him of his money. Our citizens well remember the tremendous excitement caused at the time, and the bare chance by which he escaped with his life. It seems as if it was an interposition of Divine Providence that an outraged and excited populace had not metod immediate punishment to this truly unfortunate man. He was tried by a fair and impartial jury who found him guilty of the charge, and sentenced him to an imprisonment for the term of fourteen years. From here he was taken to Yuba county and tried for the murder of Sheriff Moore. The result was a conviction, and his sentence death. The evidence in both cases was plain, positive and direct, and went uncontradicted to the jury. The proof of personal identity was fully established as far as the testimony of honest, but erring mortals could go, and but for the elicitation of strange and undreamed of circumstances, this person would, upon the mistaken judgments of witnesses have given up his life in expiation of a crime, which he was as innocent of as a babe unborn. By mere accident, the real culprit, the perpetrator of these hellish crimes was arrested, plead guilty to these acts and many others as heinous, and paid the penalty with his life. The confessions made before the Vigilance Committee have fully exonerated Berdue as to his participation in those crimes, and he now stands a martyr to the fallability of the judgments of honest, but mistaken mortals. There are, perhaps, but few cases on record of such a singular and extraordinary case. It demonstrates plainly that we cannot be too cautious or prudent, when the doom of a fellow-creature hangs upon the doubts of personal identity. This tragedy has finally been concluded and Thomas Berdue again walks our streets an innocent, but injured man. He was ordered to be discharged yesterday by the Court of Sessions. His manacles were loosened, and he once more makes his appearance in our midst in a manner that cannot but excite the sympathy of all. The law cannot recall its steps or make any reparation, but a liberal community will do what is in their power to aid this unfortunate person. The members of the Vigilance Committee and many others of our citizens, with a praiseworthy liberality, are raising a subscription to aid him, and give him a new start in the world, and make such reparation as lies in their power.

A DAY OF TROUBLE.—Last Sunday was a day full of events, and one that will long be remembered by many. The excitement caused by the execution of Whittaker and McKenzie, produced a feeling with many of dispute and quarrel. Arguments were heard on all sides, discussing the propriety of the action of the Vigilance Committee, and in many cases the feelings of the parties were carried to such an extreme, as to end in blows. We heard of no less than a dozen chairs and as many heads broken

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on Sunday night, all resulting from the excitement caused a few hours previous. Yesterday morning all was again perfectly quiet, and the transactions of last Sabbath will soon be forgotten, and remembered only as part of the history of our city.

GEORGE ADAMS.—This notorious person was yesterday arraigned upon an indictment for grand larceny before the Court of Sessions. The crime charged is that he stole over a hundred dollars in gold coin from Daniel Wilder on Angel Island. Mr. C. S. Mount was assigned as counsel for the prisoner and he was allowed until to-day to plead. Adams is now serving out a sentence of ten years for his participation in the burglary of Col. Stevenson's premises. He looks pale and dejected, and seems as if the trials he had lately undergone, had completely broken his spirit.

RELEASE OF BERDUE.—We understand that Frederick Woodworth, George Mellus, Isaac Bluxome, Jr., John F. Spence, Esqs., and one other, made an affidavit yesterday before Justice McGowan, of the fact that Berdue was innocent of the charges for which he has been tried both here and in Marysville. These affidavits were based upon the evidence of Stuart and Whittaker. There were seven others also, we believe, who have testified the same thing. A *nolle prosequi* has been entered in Berdue's case, and he is now at liberty. C. J. Jansen gave Berdue his money, $300, and also a handsome present. There were others who made him presents. We are gratified that poor Berdue has been liberated, and that justice has fallen upon the guilty parties. The two men, Whittaker and Stuart, who robbed and attempted to kill Mr. Jansen have received a just reward. They will no longer thieve from, or murder, their fellow men.

ELECTION NOTICE.—We would call especial attention to the election notice of the Board of Supervisors, which will be found in another column. In addition to the other officers mentioned in the proclamation of the Governor, there must be elected by the qualified voters in each district of the county outside of the city, and in each ward of the city, a Board of Judges of Election, consisting of one Inspector and two Judges; and also one Supervisor in each District without the limits of the city. The election will take place on the 3d of September.

A VILLANOUS ASSAULT.—Mr. A. C. Russel, one of the editors of the Picayune, on Sunday, was most brutally assaulted by three men on the Mission road. When coming into the city on horseback, and just before he reached the toll gate, these rowdies, without the least provocation, commenced striking him with loaded whips and their fists. He was knocked clear off his horse by one of them. By the interference of Col. Wilson, he was enabled to put a stop to their assaults. Mr. R. does not know who they were, and what was the cause of their attack upon him. Such cowardly rascals ought to be severely punished.

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Col Courier
Aug 26/51

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August 28

From Sacramento.

Gregory furnished us the papers last night.

The Transcript publishes a long letter from John McDougal, exculpatory of his conduct in reprieving Robinson.

Both the Sacramento papers approve the action of the Vigilance Committee in hanging Whittakér and McKenzie.

The races, advertised to be run over the Brighton course, beginning on the 18th of next month, will surpass any thing of the kind that has ever yet come off on this side of the mountains. The celebrated racers, Black Swan and Ito, are to meet.—[Transcript.

SERIOUS CHARGE.—Two persons were arrested yesterday evening for being concerned in the robbery of a man who was found a few days since near the Slough, at the foot of 7th street, with his head severely cut, and his person so bruised as to seriously endanger his life. He is now somewhat recovered, and has, we learn, identified these men as the ones who robbed him of $500.—[Union.

We were pained to learn that a gentleman who had heretofore stood high in this community, as an honest and upright citizen, was convicted yesterday, in the Court of Sessions, of embezzling a large sum of money.—[Union.

INCENDIARIES.—It appears that some of these rascals have got it to the mines. The hay-yard of Mr. Mackley, of the St. Charles, at Shasta, was fired on the 15th inst, which did $15,000 damage before it was arrested.

Courier 8/28

RECORDER'S COURT.—Before Hon. R. H. Waller.

Chas. L. Vallean, Benj. Ogden, and Henry A. Wakefield were fined $25 each for a breach of the peace and contempt of court.

Edward Wainwright, assaulting his wife, bound over to keep the peace in $500.

John Smith, suspicion of larceny, discharged, no witnesses appearing.

John Gardiner, threatening life, bound over in $500 bonds.

About thirty persons were fined for violating the license ordinance.

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August 27

METCALF V. ARGENTI AND ATKINSON.—We stated yesterday on what we considered good authority, that all the jurors in this case were for an acquittal of defendants except three.—This statement was contradicted by some of the city press. Mr. Theo. Payne, who was foreman of the jury, has made a statement sustaining our assertion, from which we copy:

"When the jury first consulted, on leaving the Court, they stood eight for defendants, and four for plaintiff, on the question of trespass or no trespass. Half an hour afterwards, one of the four changed, and for ten hours the jury stood nine for defendants and three for plaintiff. When the jury were seven hours out, one of the three asked instruction from the Court upon the question whether a person "has the right to enter upon the premises of another with the consent of the occupant or owner, for the purpose of making a search." The judge instructed the jury that "if the consent refers to the entry and the consent refers also to the search, he has the legal right to enter and search." This result did not make any change in the standing of the jury, and after about eleven hours they were discharged. We may further state that the minority would at any time have consented to a verdict of nominal damages, if the majority had been willing.

THEODORE PAYNE, Foreman."

Yesterday the counsel for the plaintiff asked the Court for leave to amend his complaint, so as to lay the damages at $50,000 instead of $20,000.

Courier 8/27

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August 29

gers in bathing along with a number of friends, and [illegible] with the cramp, he struggled and called for help, but [illegible] only "fool-ing," and thus perished. His body was recovered a few minutes after it disappeared, but life was extinct.

IMPORTANT ARREST.—It is rumored that the Vigilance Committee have succeeded in arresting the individual Turner who is supposed to have been connected with the murder of Frank Brewer on the 1st of June last. Two persons have now been tried for this same offence, both of whom we conceive were neither principals or accessories to the charge. If such is the fact that he has been arrested, the Committee will have it in their power not only to give him his deserts, but to entirely to disabuse the public mind from any suspicion which may have heretofore arisen as to the persons tried for the offence.

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August 27

From Stockton.

We are indebted to Todd & Co. for Stockton papers.

The Journal says:—"Judge Stakes addressed an enthusiastic meeting of the whigs at French Camp, on Saturday last. The Judge has sought on all occasions to come in contact with his political opponents, but they have as invariably avoided all expression of opinion on subjects that are intimately connected with the welfare of the country."

Hon. W. D. Fair has been in town for several days. He started yesterday morning for Mokelumne Hill. The Locofocos made an attempt after it was known that he had made an appointment out of town, to get him to stop and hold a public discussion with old Col. Weller. The Democracy know his popularity and fear his presence in the country. The Col. silently exclaimed, after he was informed Mr. Fair had left, that "it was WELLER as it was!" He knew and feared our candidate too much to seek the dubious glory of a public discussion with him.—[Journal.

The Journal publishes the following, received from Reynolds & Co.'s Express, under date of the 26th:

Quite an excitement in town to-day caused by the Vigilance Committee arresting and trying a Mexican for the crime of stealing a mule. After a patient hearing he was condemned to receive 25 lashes on the bare back, which were carefully and quite energetically administered.

An American, named William White, from the city of New York, got into a dispute with a Mexican to-day and was stabbed, in his attempt to flog the greaser. He is not dangerously wounded. White was in liquor. The affray occurred in the upper part of the town.

☞ We would call the attention of the public to the extensive sale of very desirable goods, by Martin Schultz & Co., this morning.

Cal Courier
Aug 29

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Aug 30

☞ An English vessel, with a large number of passengers returning to Sydney, went to sea yesterday. When the pilot that took her out was leaving, the passengers broke out into fierce denunciations of everything American, and the Vigilance Committee in particular. They threatened to hang every American they could catch in Sydney!

Courier, 8/30

August 27

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Morning Post vs. The Vigilance Committee.

The *Morning Post* for a long time past has been endeavoring to bring our city into disrepute abroad, (for here where the circumstances are understood its attacks are harmless,) and cast discredit upon our citizens, in consequence of the course which a dreadful necessity compelled them to adopt in order to rid us of the band of robbers and assassins that once rioted in our midst. The following communication on the subject, from a gentleman familiar with all its bearings, is well written and to the point. It will amply repay perusal:

MR. EDITOR: In one of the leaders of the Morning Post of yesterday, the writer, in a vein of forced conceit, pretends to have made a wonderful discovery of an ancient document, called the "Constitution of the United States;" and publishes some interesting extracts from it for the special benefit of the Vigilance Committee. If that venerable relic of the past be not really new to the editors of that journal, there is good reason to doubt whether they have studied it with more patient thought, or felt for it as sincere regard and pious reverence as the members of that Committee, of whom they are so flippant and bitter in their abuse. Why, if the principles set forth in that instrument were engraved on their hearts, did they commend the organization of that Committee until the execution of Stuart; and afterwards vacillate between the extremes of faint praise and unmeasured denunciation? Were they, meanwhile, studying the chart of the Constitution to ascertain their whereabouts, and to understand their duty? or, were they noting in their log the veerings of the wind and the pauses of the storm, that they might trim their sails to the popular breeze and steer their partisans clear of shoals and quicksands safely into the harbor of office? The result of the "independent ticket" realized their fears and demonstrated their sagacity. The bitter malice with which, *since the election*, they have pursued the Vigilance Committee, reveals their motives and accounts for their tardy zeal for the Constitution.

But the motives of those who control the columns of the Post are of little moment. The merits of the question raised by them are more worthy of consideration. They say that, "It would appear from the doings in San Francisco, for the past four months, that Washington, and Langdon, and King, and Sherman, and Livingston, and Franklin, and Carroll, and Pinkney, and Madison, and such men, together with the people of the United States, at that time, had turned out to be very great humbugs after all, and that the greatest and 'most respectable' men, from the landing of the Pilgrims to the end of the world, may be found by inspecting the roll of the 'Vigilance Committee.'"

Oh, no, gentlemen; the V. C.'s do not regard those great patriots as "humbugs," but "most respectable men;" for they too, were once called "rebels" and "committee men." They were members of different "committees of public safety" that were formed, in those days of misrule and oppression, in every town, village, and city, from Boston to Savannah. And what were the objects of their organization? To trample wantonly upon the venerable and glorious old "magna charta?" To suspend the privileges of the writ of "habeas corpus" unless required by the "public safety?" To violate "the right of the people to be secure in their persons, property, houses, and effects?" (For all those things, the "rebels" and "committee men" were charged by the law and order party with doing.) Or, did they not seek rather, "to establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty?" While pursuing these objects they disregarded the officers of the crown, and defied the mandates of the law.

The wrongs which the people of San Francisco so long endured with patience, being local and not national, were not sought to be remedied by what is termed a revolution. The parallel between the "Committee men" of those days and these, therefore, does not extend beyond the general causes and purposes that awakened their vigilance and justified their violence. Our ancestors overthrew the English constitution, and erected a new edifice of simple but magnificent proportions upon the ruins. This edifice is an object of veneration to the Vigilance Committee. The redress of their grievances needed not the destruction of the organic law, nor the dissolution of societary bonds. On the contrary, the constitution they regard as "the ark of their safety and the Ararat of their rest;" and they see nothing, in a review of their whole course, that ought, rightly understood, to impeach the consistency and sincerity of that regard. Did Gen. Jackson violate the constitution when he proclaimed martial law in New Orleans? He annulled it for the time being, and *ad in erim* asserted the maxim of Louis, the 14th, "I am the State!" Thus, too, did the committee assert the right of self-preservation, which the constitution was formed to guarantee to us, but which they despaired of obtaining through its recognized interpreters. What is form without substance? A body without a soul—a corpse. What are the forms and technicalities of the laws when not pervaded by the living spirit of justice? They are a vile mockery—a satire upon the Constitution. And when those forms, that ought to be infilled with the warm life-blood of that Constitution, are reeking with the putrefaction of moral death—when those technicalities are made a refuge, beneath which the long-faced Pharisees of the forum invite rogues to take shelter, while honest men are turned out of doors—shall we be told that only they who practise all these iniquities in the name of law, are the true defenders of that instrument that was designed, among other things, "to establish justice?" While only those who demand its faithful administration are guilty of disobedience—those only desecrate its holy altars who would restore the purity of its worship? If a man were to discover an incendiary in the act of applying the torch to his dwelling, and deliberately shoot him down as he turned to fly, the editors of the Post to be consistent, would denounce him for violating the "supreme law of the land!" because it plainly declares, that "no person shall be dispossessed of life, liberty, or property, without due process of law;" and the lawyers, lamenting the loss of their fees, would with upturned eyes and uplifted hands, piously respond, amen! The writer would ask the honest opponents of the Vigilance committee, if a secret society of thieves, robbers, and assassins, like that of "the Garduna," which was so long the scourge of Spain, were to be organized here, and commit daily depredations upon the people with impunity—finding that impunity either in the depth of its policy, the ingenuity of its skill, or the power of its gold—whether they ought to be deterred from the adoption of such extraordinary measures of self-defence as the imminence of the danger and the magnitude of the evil seemed to demand, by the announcement that such measures could not be justified by *legal precedent*, and were contrary to *statutory enactments*? Would not they, too, join in a counter-organization, formed, it may be, contrary to the letter of the law, but for the holy purpose of exterminating a desperate band of outlaws? If such a course were plainly a *dernier resort*, the good citizen would not be frightened from his propriety by the ghost of a murdered Constitution; but find his consolation for a harsh judgment of others in the exigency of the crisis and the purity of his purposes.

What has been the result of the measures which the Vigilance Committee have adopted? for herein we shall in some measure find their wisdom vindicated. We hear of no robberies, or murders, and but few cases of larceny in these latter days; whereas, previous to this reign of terror, murders were of weekly, and robberies of nightly occurrence. We have broken up an organized band of as desperate devils as ever cursed the calendars of Newgate; we now lie down at night calm and unconcerned for our personal security; we walk the streets after dark in the worst quarters of the city without having to watch for the dagger of the assassin and the slung-shot of the robber; we "sit down under our own vine and fig-tree, and none to make us afraid." After that memorable Committee had struck terror into the coward hearts of these scoundrels, and given a salutary lesson and solemn warning to the unworthy incumbents of dignified offices, they quietly laid down the power they had assumed for the public good, retired to their own pursuits and fervently prayed that the law—the very law which it was said they had outraged—might again reign supreme, and be interpreted with even Draconian severity against all those who should dare to offend it. JUSTICE.

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CALIFORNIA COURIER.

☞ CITY OFFICIAL PRESS. ☜

THE LAWS OF THE UNITED STATES ARE PUBLISHED IN THIS JOURNAL BY AUTHORITY.

JAMES M. CRANE.....EDITOR.

TUESDAY, OCTOBER 28, 1851.

☞ **Mr. S. W. Raveley** has been appointed our agent to procure advertisements and job work, and any bargain made with him will be binding.

Committee of Vigilance in Sydney.

All Sydney is in an uproar. It appears from the article below, which we copy from the Sydney Morning Herald of the last date received, that they have formed a vigilance committee to protect them from the "incendiaries, possessors of slaves, slave-drivers, and that deadly weapon called the bowie knife, in coming there from California." It will be seen that they threaten vengeance on such Californians who may be tempted to visit that land of gold. Californians will, therefore, take warning, for if they go there, they will suffer the severe penalty of being driven back, "*holus bolus, innocent or guilty.*" Do you hear that? All Sydney is "*wide awake,*" seeking out for such Californians.

The writer defends the position of Sydney in this determination, by referring to that great international law writer, Puffendorff, and to the Lynch codes of Kentucky and California. It is some comfort, against all this wholesale demonstration against us, to know, that the principles of the great Puffendorff, and the vigilance committee principles of Kentucky and California, are respected. We regret to find that they do not appreciate the city of San Francisco, for this writer says that "just as the Stockton Factory and a New Castle store were burnt to the ground, they had intelligence that the *mushroom* town of San Francisco had undergone its fifth purification." "It is to be hoped that the people of all Australia will duly sonsider their position" in this particular, and regard our city more than a "mushroom town." This is certainly one of the most uncivil letters we have read for many days. We publish it with the hope that our people will take warning, and not emigrate to Sydney. Just read what he says:

Hunter River.

To the Editors of the Sydney Morning Herald.

GENTLEMEN: The calamitous fires that have lately occurred in this part of the colony, have aroused the attention of our community to the fact, that this land, not only of the Golden Fleece, but of gold itself, will naturally draw towards it the incendiaries of America, that portion of the globe, where not houses only, but whole cities are burnt down in "less than no time."

Just as the Stockton Factory, and a Newcastle store, were burnt to the ground, we had intelligence that the mushroom town of San Francisco had undergone its fifth purification, It is to be hoped that the people of Australia will duly consider their position, and seriously endeavor to avert those evils that are common and familiar in barbarous countries, but which may be introduced here as easily as any article of commerce.

I am happy to be able to inform you that the people here are becoming "wide awake."

You are aware that it is an acknowledged axiom of international law (see Puffendorff, &c.) that the inhabitants of every well governed country, and more especially of commercial countries, should keep themselves to themselves; and if this is not provided for by authoritative enactments, then this necessary commercial regulation should be effected by voluntary associations of the sovereign people. —See Lynch in loc. Kentuck. et Calif.

The great wealth of this extensive portion of the colony must naturally excite the cupidity of the incendiaries of California, and other less favored lands; and, therefore, our Hunter River people, deeply pondering on recent events which have taken place in the city of Newcastle and its neighboring village of Stockton; events, not less mysterious in their origin, than they are ruinous in their consequences, resolved to meet together "en masse," to consider which was best to be done; and they did meet in right earnest last Saturday night, at quarter to seven, on the cliff of Nobby, that celebrated islet, which marks the embouchure of the Hunter, and whose base is ever laved by the billows of the great Pacific.

The meeting was numerously attended, and the speakers showed a depth of learning, an impassioned flow of eloquence, exceeding any thing of the kind I ever heard, albeit I have listened to the most eloquent men of my time, in the senate, in the pulpit, and at the bar. The chief historical references were those to be found in the invaluable histories of the celestial empires of China and Japan.

The following are the resolutions, and I think they speak for themselves:

"1. That a crisis has arrived, when it behoves the inhabitants of the banks of the Great Hunter, to take active and official measures for the safety and preservation of their lives and properties; and we hereby declare our firm belief that the late disastrous conflagrations in the city of Newcastle and its neighbor town of Stockton, have been caused by incendiaries from the recently formed State of California, which it is well known is famous for its extensive fires.

"2. That the chief authorities of this great colony of Imperial Britain be earnestly requested to use their utmost exertions to apprehend the parties who committed the late atrocities, and on their arrest (as there is reason to fear that our few paltry prisons may be burned by the accomplices of these rascals,) that the villains be compelled to leave this peaceful and happy land in forty-eight hours.

"3. That no person or persons from California be permitted to land on our shores without a certificate from the British Consul (if there possibly can be such a functionary in California,) and the certificate must bear that he or they have never been incendiaries, possessors of slaves, or slave drivers, or have ever kept about their persons those barbarous instruments called bowie knives.

"4. That any vessel arriving from California having possengers, and without the necessary certificates, shall be forced to return to California with her vile cargo.

"5. That if the before-mentioned crimes should be brought home to California incendiaries, then the whole class of these barbarians shall be driven holus bolus, innocent or guilty, from this golden land.

Signed on behalf of the many thousands.
At Nobby's.
J. H. CODGER, Chairman.
ABEL NESCIENCE, A.S.S. Sec.
New South Wales, July 10.

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Daily Alta California.

By E. GILBERT & Co.

EDW. GILBERT. EDW. C. KEMBLE. EDW. CONNER.

DAILY ALTA CALIFORNIA—Is published every morning. Terms—For one year, in advance, per mail, $15.00; for six months, $9.00. Served to city subscribers at 10 cents per copy, payable to the carriers. Advertisements at 10 cents per square, first insertion, $3.00; each subsequent one $1.50.

WEEKLY ALTA CALIFORNIA—Is published every Saturday Morning Subscription—One year, in advance, $6.00; six months, $4; sent by mail to any part of the world. Single copies, 12½ cents. Advertisements inserted at $3.00 per square.

STEAMER ALTA CALIFORNIA—Is published on the first and fifteenth of each month, for the regular mail steamers, in double form, containing 48 columns of reading matter. This sheet is prepared expressly for circulation in the Atlantic States and through Europe. Yearly subscription by mail, $6.00. Single copies, 25 cents. Advertisements, Business and Address Cards inserted at $3.00 per square, each

PRINTING—Books, Catalogues, Bill Heads, Checks, Cards, Bronze and Gilt Work, Law Blanks, Custom House Blanks, and every variety of Fancy Job Printing, executed with neatness and dispatch. Paper Work, both by hand and steam, carefully performed. Book Binding of every description executed at this office.

ALTA CALIFORNIA BUILDINGS, PORTSMOUTH SQUARE.

MONDAY MORNING, NOVEMBER 10.

Crime and Juries.

The lax and uncertain manner in which the statute law of this State was administered, led to the organization of the Vigilance Committee and the results consequent thereon, and, from present appearances, that body will again have to be called into existence, ere the wholesome terror which the punishing hand of justice is supposed to hold over criminals, will have its proper effect. But two days ago, in this enlightened city, enlightened too by many sad examples, to the astonishment of a court-room full of spectators—to the astonishment of the District Attorney and Associate Counsel—to the astonishment of defendant's counsel, and, probably more than all, to the astonishment of the prisoner himself—a man was acquitted by a jury of twelve intelligent men, of a charge of assault with intent to kill, proven as plainly as the sun shows in daylight, by the most direct and positive testimony. The testimony was such that we hesitate not to say, that in any other county of our State, or in any other State of the Union, the prisoner would have been condemned, and sentenced to a just punishment. A few weeks since another man was tried for murder. The evidence against him would appear, to one uninitiated in law quibbles, of a clear and positive nature. The jury disagreed, and now, after weeks of delay, the prospect of a new trial appears as far off as ever. In the meantime, some of the important witnesses have left the city, and when the case is again brought on for trial, if a jury could not agree before, with all the testimony, they will probably acquit when it has been so materially curtailed.

The life of a criminal or his immurement in a dungeon is not sought by us. As far as these individual cases are concerned, we have no malicious or revengeful feelings to gratify; but the great principle of self-preservation teaches us that unless offenders meet with prompt and certain punishment for crime there is no public safety. If through the meshes of the law, felons escape so easily, the law is mockery, it is a nullity, and our statutes had better be converted into parchment for battle doors, than be used for hiding places for the guilty.

The principal difficulty in this city at the present time, in the way of the administration of criminal law, lies, we regret to say, in the inefficiency of juries. The Court of Sessions, before which most criminal cases are tried, has been marked for its determination to punish crime and carry out the plain intention of the law. The manner in which juries are often summoned, render them liable to be composed of very uncertain if not deleterious material. There is too much picking up of jurors in the street and around the court-houses. They should be selected from among the the stable and permanent body of our citizens, men who are interested in the welfare of our city and who have higher interests to subserve than the reception of the paltry fee given for service on the petit jury. The sheriff and his deputies have often complained of the difficulty of procuring responsible citizens to act as jurors. There is too much truth in the complaint—too much shirking from jury duty on the part of the men best qualified for it, and the summoning officers are often reduced to the necessity of picking up men in the streets, or who are found loafing about the court rooms, in order to be able to return their venires at the proper time. There are two modes of remedying this, however. Our permanent, law-abiding and order-loving citizens should recollect that the protection and enforcement of law and the punishment of criminals is a sacred duty, and one to which they should be willing, for the good of themselves, in common with their fellow-citizens, to devote a few days in the year. If, however, good men refuse to sit upon juries, let the law be strictly enforced; let them be summoned, and if they fail to appear, there is a penalty which, without a proper excuse, should never be remitted. We need, and must have, the best men of our city to serve on juries in criminal cases.

Some of our juries after they have been empanneled, seem entirely to have mistaken their power and duties, and have seemed to consider that in their hands rested the fate of the prisoner—their word was to condemn or acquit him, without regard to his real guilt or innocence. A jury when sworn to render a verdict according to the evidence of the case, should shut out all other considerations. The technical quibbles of the lawyer—the frothy appeals to the passions, or in many cases, the finer feelings—the bad logic used to justify crime—should be taken only at their par value, and the jury should in their secret council, confine their minds only to the evidence given, and make a proper discrimination between evidence and the blinding phrases that a hired counsel has declaimed to the jury. Justice, strict impartial, must needs be exercised among us, and ...ler and beautiful attributes of mercy be, for ..., laid aside in the treatment of criminal cases ... Human life, the rights of property, all ..., require that the blind goddess supposed ... the deliberations of courts and ...ies, ...d to adjust her balances and ... according to his deserts.

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THE HERALD.

Sunday Morning, September 28.

The Antitenders and the San Francisco ... Washington and the means of rapid communication there existing, ample time to lay their cases before the Secretary of the Treasury, who will exercise "an enlightened discretion" in relieving them from any hardship. This thirty days notice then will an- ...course ...tary of ...rder to remov- ...spe- ...n to ...arge ...that ...ovi- ...due ...dis- ...t de- ...part- ...r is ...apt- ...o ac- ...and ...hirty ...dis- ...llec- ...ship. ...r, so ...r re- ...rred ...tion? ...e has ...xten- ...vant-

RECORDER'S COURT.—There were thirty-one case brought up before the Recorder yesterday morning for adjudication. The picture gallery presented a strange and interesting sight—all colors, sizes and descriptions. Bloated faces, bleared eyes, matted hair, bloody noses and bruised heads were impartially distributed through the dock. There were seven cases of drunk and disorderly, all of whom were fined $5 each; one of suspicion of burglary, discharged; two, assault and battery, fined $10 each; one bound over to the Court of Sessions in the sum of $1000, one continued and two discharged; for violating the city ordinance in relation to obtaining proper license to carry on their business, seven were fined $2 50 each, seven continued and one discharged. A deranged person was sent to the station house to keep him out of danger. It is high time that our city should found an asylum for these unfortunate persons. The station house nor the prison brig are not fit places to confine such persons. Associations with criminals of all grades, or close and solitary confinement will not tend much to ameliorate their condition. In most cases of insanity, if proper care is observed, and a treatment suitable to the patient adopted, there are few but may be permanently cured. There is hardly a day passes over but some poor madman has a crowd around him on Long Wharf, who take delight at his insane actions and laugh immoderately at his incoherent and unreasonable sayings. The only course to be pursued by our peace officers is to arrest and confine them, not only for their own safety, but to prevent them from committing depredations upon others. We hope the day is not far distant when a good and permanent institution shall be established. It is a duty we not only owe to ourselves, but to mankind in general.

☞ The good steamer Mariposa, Capt Chisholm, after having undergone a thorough overhauling, will renew her trips to Stockton, commencing this afternoon at 4 o'clock. We commend this boat to those bound up.

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Pacific News Sept 2

Pardon of Charles Duane.

We take the following from the official records:

EXECUTIVE DEPARTMENT,
VALLEJO, California, Aug. 17, 1851.

The People of the State of California to the Sheriff of San Francisco county:

Whereas, Charles Duane was convicted at a term of the Court of Sessions of San Francisco county, of the crime of assault and battery with intent to kill, and sentenced to one year's imprisonment. Now therefore I, John McDougal, Governor of the State of California, by virtue of the power vested in me by the constitution and laws of said State, do direct that the said Charles Duane be set at liberty upon the receipt of this order.

Given under my hand the year and date above given
H. Bancroft Collection — JNO. McDOUGAL.
Bancroft Library Governor of the State of California

We confess we cannot understand the above order. The reason apparently given for the pardon is, that the man pardoned was convicted of assault and battery with intent to kill. We are unaware of any mitigating circumstances in the case of Duane entitling him to executive clemency, and we therefore cannot comprehend the reason for its exercise. The punishment inflicted was regarded by a majority of the community as far too small, and the reasons which have induced the Governor to interfere and rescue this man from the penalty of his transgressions, should be explained. If he had commuted his sentence, and ordered him to leave the country, it would have been different: we doubt if the community would not have been perfectly satisfied at having got rid of a character generally dangerous to the peace of the citizens; but that this man, odious to nine-tenths of the people, and therefore liable at all times to be engaged in broils and quarrels, should be let loose again at a time of intense political excitement, is indeed a circumstance that requires not only explanation but apology. We trust that for his own sake the Governor will publish whatever petitions he may have received, praying Duane's pardon.

However this be, we desire to excite against this man no undue prejudice. Let him leave town, as he has succeeded in getting out of prison. His appearance in public will not benefit him, and it is much better that he should leave forthwith. We desire not his destruction, and we trust he will have sufficient sense to withdraw forever from a community in which he is regarded but with a feeling of distrust and hatred. The Governor's pardon, though it restore him to liberty will not avail him against the popular indignation, and we therefore hope he will take good advice and depart.

MORNING, NOVEM...

Miscellaneous

FRESH ... THE UNDERSIGNED— ... the entire cargo of the bark Maria Francisca, from Bremen, consisting in part of—
40,000 lbs loaf and pulverized sugar;
3,500 lbs ground coffee, in tin boxes of 1 and 2 lbs each;
300 boxes patent sperm candles, in 25 lb and 12 lbs pkgs;
150 boxes window glass, well assorted; 4 casks shot;
2500 boxes claret, hock, &c;
250 cases champagne cholice brands, in qts and pts;
100 boxes cherry cordial, in qr and bf bottles;
150 boxes sherry and port wine;
40 casks gin and brandy; 50 bbls cement;
300 doz pale ale; 15 bbls porter. 2 00 lbs cheese;
700 demijohns, with white beans, green peas, lentils, ground pepper;
136 bags malt, 100 lbs each;
96 bags 100 lbs each, very superior oats for brewers;
479 bags 100 lbs each, barley; 63 boxes soap;
10 cases wax matches, 25 gross each;
2 cases blacking; 700 empty bars;
500 cane seat chairs; 500 doz woollen socks, knit;
2 cases guitars and accordeons;
A great variety of ready made clothing, flannel shirts, pea jackets, shirts, &c;
300 gro s clay pipes;
Regalias and cigars in great variety and very good quality;
9 case very superior Varinas canister tobacco, in ½ lb pkgs;
10 baskets Varinas canister in rolls;
125 kegs sourkrout; 60 small kegs anchovies;
1 case sewing thread, gray, black, blue and white;
12 cases containing lamps; engravings;
6 cases containing gilt mouldings;
Labels for wines, liquors and cigars;
Corks, wooden faucets; 200 reams packing paper;
And sundry other articles.
oc21-14 MARKWALD, CASPARI & CO.,
Brick building, Jackson street, above Montgomery.

NEW BOOKS AND MAGAZINES, JUST received per steamers Tennessee and Pacific—
Graham's Magazine, for October.
Gouey's Lady's Book, for October.
Sartain's Magazine, for October.
Littell's Living Age, Nos. 383 and 383.
Knickerbocker Magazine, for September.
Democratic Review, for September.
American Whig Review, for September.
Appleton's Mechanics' Magazine, for September.
London Art Journal, for August.
London Lancet, for September.
Lewis Arundel, complete; do, Part 3.
London Medical Student, or Curiosities of a Medical Experience, by Punch.
Self Deception, or the History of a Human Heart, by Mrs. Ellis.
Ralph Butherford, by Sir Admiral Fisher.
Cuba in 1841. A survey of the island, its resources, statistics, &c., from official documents in connection with the present revolt. By Alexander Jones.
Kenneth, a Romance of the Highlands. By G. W. M. Reynolds.
Willmer & Smith's Liverpool Times, three dates; London Dispatch, Bell's Life and London Punch.
Boston Traveller, Gleason's Pictorial Drawing Room Companion, Tribune, Home Journal, &c. For sale, wholesale and retail, at the Stationer's Warehouse
COOKE & LECOUNT,
oc18 Wells' Buildings, Montgomery.

GEO. N. SHAW & CO. offer for sale per recent arrivals—
50 bales gunny bags, in fine order;
100,000 cigars, various brands;
2000 lbs. Goshen butter, in small packages;
500 buckets oats; 50 doz brooms;
1000 gallons Port wine in quarters and eighths;
500 gals Scotch whiskey in 10-gal packages;
500 gals Madeira wine in quarters and eighths;
500 cases cherry brandy; 500 cases Monongahela whiskey;
100 cases Scotch whiskey;
200 small boxes fine old English dairy cheese;
50 bris Sandwich Island syrup;
5000 lbs ground coffee in tins and lb papers;
200 boxes sperm and adamantine candles;
Invoices glassware; invoices stationery;
Invoices playing cards;
50 boxes Malaga raisins in fine order. oc26-8

WINTER GOODS—Umbrellas; colored and white blankets, heavy;
Brussells carpeting, tapestry carpeting, ingrain carpeting;
Sofa rugs and church rugs;
Mousseline de laines and other woollen fabrics for ladies dresses;
Also, a choice assortment of dry goods, comprising—
Bleached sheetings, brown sheetings;
Linen dispers, damasks, sheetings, &c;
Irish linens, Turkey red cambrics;
Turkey red embossed cloth; prints and printed muslins;
Sewing cotton, in balls and reels;
Silk cravats; silk stockings for ladies;
Sewed goods, and a great variety of clothing and other dry goods, of suitable descriptions.
For sale by [oc18-1m] D. GIBB.

CARGO OF PAUL EMILE, JUST ARRIVED FROM BORDEAUX, consisting of—
100 casks red wine; 200 half casks red wine;
80 bbls red wine; 150 bbls white wine;
600 cases red wine. 2 0 cases white wine;
550 bbls A. Loubet's brandy;
1000 [illegible] A. Loubet's Burgundy [illegible]
[illegible] A. Loubet's [illegible]
A [illegible]

Cal Courier Sept 24

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City Matters.

THE COURTS.—None of the Courts were in session yesterday, on account of the elections. The regular business will be proceeded with to-day.

MODEST DEMAND.—A couple of bills were sent in to the Common Council on Monday evening last, by which it appears that the city of San Francisco is indebted to M. P. Burns, a self-styled physician, for the sum of $175, for services rendered in two cases, in both of which he was quite unsuccessful. The following are copies of the bills:

The City of San Francisco to Mathew Patrick Burns, M. D., debtor, For endeavoring, by the request of the Coroner, to resuscitate the body of Whittaker....$20

For making a chemical examination of the contents of the stomach of Frank Brewer.....$150

The absurdity of the latter demand will be seen at once, when it is considered that upon the trial of Hall and Spiers it was proved conclusively by Burns' own evidence that he is either a fool or an imposter. By the testimony of several gentlemen of the profession of this city, it was shown that many of his statements in regard to the substance found in the stomach of Burns were false. The bills were referred to a committee. They should have been thrown out the window, together with the petitioner.

FINE CLOTHING.—In another column will be seen the advertisement of Willet McCord's fashionable clothing store, on Merchant street. We take pleasure in stating that we have examined Mr. McCord's clothing, and find it to be really fine and fashionable. We would recommend those wishing to purchase anything in their line, to give him a call, as he is eminently worthy of the patronage of the public.

A NEW IDEA.—After a while, our Vigilance Committee will be looked up to as "boss and all hands,"—in fact many of the newly arrived view them in that light. The Committee, with commendable foresight, have been in the habit of examining the papers of immigrants from Sydney and other ports in the penal colonies. Occasionally they get hold of some unfortunate man who is at a loss for the "documents," and who is detained until he can produce satisfactory proof. We saw a man a few days ago of this description, who fed and lodged for a couple of weeks at their expense, and finally had been discharged on proof. He started out in search of employment, and the procurement of gold, but after a few days, not liking his success, he returned to the Committee and earnestly insisted upon their sending him back among the convicts! It was amusing to witness his pertinacity, but he was told he must procure satisfactory proof that he was a convict before they could afford him a passage at their expense.

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Morning Post vs. The Vigilance Committee.

The *Morning Post* for a long time past has been endeavoring to bring our city into disrepute abroad, (for here where the circumstances are understood its attacks are harmless,) and cast discredit upon our citizens, in consequence of the course which a dreadful necessity compelled them to adopt in order to rid us of the band of robbers and assassins that once rioted in our midst. The following communication on the subject, from a gentleman familiar with all its bearings, is well written and to the point. It will amply repay perusal:

MR. EDITOR: In one of the leaders of the Morning Post of yesterday, the writer, in a vein of forced conceit, pretends to have made a wonderful discovery of an ancient document, called the "Constitution of the United States;" and publishes some interesting extracts from it for the special benefit of the Vigilance Committee. If that venerable relic of the past be not really new to the editors of that journal, there is good reason to doubt whether they have studied it with more patient thought, or felt for it as sincere regard and pious reverence as the members of that Committee, of whom they are so flippant and bitter in their abuse. Why, if the principles set forth in that instrument were engraved on their hearts, did they commend the organization of that Committee until the execution of Stuart; and afterwards vacillate between the extremes of faint praise and unmeasured denunciation? Were they, meanwhile, studying the chart of the Constitution to ascertain their whereabouts, and to understand their duty? or, were they noting in their log the veerings of the wind and the pauses of the storm, that they might trim their sails to the popular breeze and steer their partisans clear of shoals and quicksands safely into the harbor of office? The result of the "independent ticket" realized their fears and demonstrated their sagacity. The bitter malice with which, *since the election*, they have pursued the Vigilance Committee, reveals their motives and accounts for their tardy zeal for the Constitution.

But the motives of those who control the columns of the Post are of little moment. The merits of the question raised by them are more worthy of consideration. They say that, "It would appear from the doings in San Francisco, for the past four months, that Washington, and Langdon, and King, and Sherman, and Livingston, and Franklin, and Carroll, and Pinkney, and Madison, and such men, together with the people of the United States, at that time, had turned out to be very great humbugs after all, and that the greatest and 'most respectable' men, from the landing of the Pilgrims to the end of the world, may be found by inspecting the roll of the 'Vigilance Committee.'"

Oh, no, gentlemen; the V. C.'s do not regard those great patriots as "humbugs," but "most respectable men;" for they too, were once called "rebels" and "committee men." They were members of different "committees of public safety" that were formed, in those days of misrule and oppression, in every town, village, and city, from Boston to Savannah. And what were the objects of their organization? To trample wantonly upon the venerable and glorious old "magna charta?" To suspend the privileges of the writ of "habeas corpus" unless required by the "public safety?" To violate "the right of the people to be secure in their persons, property, houses, and effects?" (For all those things, the "rebels" and "committee men" were charged by the law and order party with doing.) Or, did they not seek rather, "to establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty?" While pursuing these objects they disregarded the officers of the crown, and defied the mandates of the law.

The wrongs which the people of San Francisco so long endured with patience, being local and not national, were not sought to be remedied by what is termed a revolution. The parallel between the "Committee men" of those days and these, therefore, does not extend beyond the general causes and purposes that awakened their vigilance and justified their violence. Our ancestors overthrew the English constitution, and erected a new edifice of simple but magnificent proportions upon the ruins. This edifice is an object of veneration to the Vigilance Committee. The redress of their grievances needed not the destruction of the organic law, nor the dissolution of societary bonds. On the contrary, the constitution they regard as "the ark of their safety and the Ararat of their rest;" and they see nothing, in a review of their whole course, that ought, rightly understood, to impeach the consistency and sincerity of that regard. Did Gen. Jackson violate the constitution when he proclaimed martial law in New Orleans? He annulled it for the time being, and *ad in erim* asserted the maxim of Louis, the 14th, "I am the State!" Thus, too, did the committee assert the right of self-preservation, which the constitution was formed to guarantee to us, but which they despaired of obtaining through its recognized interpreters. What is form without substance? A body without a soul—a corpse. What are the forms and technicalities of the laws when not pervaded by the living spirit of justice? They are a vile mockery—a satire upon the Constitution. And when those forms, that ought to be infilled with the warm life-blood of that Constitution, are reeking with the putrefaction of moral death—when those technicalities are made a refuge, beneath which the long-faced Pharisees of the forum invite rogues to take shelter, while honest men are turned out of doors—shall we be told that only they who practise all these iniquities in the name of law, are the true defenders of that instrument that was designed, among other things, "to establish justice?" While only those who demand its faithful administration are guilty of disobedience—those only desecrate its holy altars who would restore the purity of its worship? If a man were to discover an incendiary in the act of applying the torch to his dwelling, and deliberately shoot him down as he turned to fly, the editors of the Post to be consistent, would denounce him for violating the "supreme law of the land!" because it plainly declares, that "no person shall be dispossessed of life, liberty, or property, without due process of law;" and the lawyers, lamenting the loss of their fees, would with upturned eyes and uplifted hands, piously respond, amen! The writer would ask the honest opponents of the Vigilance committee, if a secret society of thieves, robbers, and assassins, like that of "the Garduna," which was so long the scourge of Spain, were to be organized here, and commit daily depredations upon the people with impunity—finding that impunity either in the depth of its policy, the ingenuity of its skill, or the power of its gold—whether they ought to be deterred from the adoption of such extraordinary measures of self-defence as the imminence of the danger and the magnitude of the evil seemed to demand, by the announcement that such measures could not be justified by *legal precedent*, and were contrary to *statutory enactments*? Would not they, too, join in a counter-organization, formed, it may be, contrary to the letter of the law, but for the holy purpose of exterminating a desperate band of outlaws? If such a course were plainly a *dernier resort*, the good citizen would not be frightened from his propriety by the ghost of a murdered Constitution; but find his consolation for a harsh judgment of others in the exigency of the crisis and the purity of his purposes.

What has been the result of the measures which the Vigilance Committee have adopted? for herein we shall in some measure find their wisdom vindicated. We hear of no robberies, or murders, and but few cases of larceny in these latter days; whereas, previous to this reign of terror, murders were of weekly, and robberies of nightly occurrence. We have broken up an organized band of as desperate devils as ever cursed the calendars of Newgate; we now lie down at night calm and unconcerned for our personal security; we walk the streets after dark in the worst quarters of the city without having to watch for the dagger of the assassin and the slung-shot of the robber; we "sit down under our own vine and fig-tree, and none to make us afraid." After that memorable Committee had struck terror into the coward hearts of these scoundrels, and given a salutary lesson and solemn warning to the unworthy incumbents of dignified offices, they quietly laid down the power they had assumed for the public good, retired to their own pursuits and fervently prayed that the law—the very law which it was said they had outraged—might again reign supreme, and be interpreted with even Draconian severity against all those who should dare to offend it. JUSTICE.

☞ See Fourth Page.

...W. T. ...
...ott, John Bradley, E. H. Benon, Dabney Reddick, F. D. ...
W. Owen.

Charles Mansfield sworn—Resides at the Mission; was acquainted with Guerrero and knew the prisoner; has seen Guerrero alive on the day he was killed, the 15th of July last; it was on the plank road a little this side of Ald. Green's; was coming to the city; passed three persons, supposed to be Frenchmen; just after I had passed them, saw two persons make their appearance on the hill going toward the Mission; they were on horseback; heard some words, and saw the horses headed toward each other; heard more words, and saw the horses starting on a run; the prisoner started first; they started on a run; the other started after him; Guerrero put his whip and spur to the horse; he passed me, but before he passed me he stopped using the spur and whip and began to lean forward; after he had passed me a short distance he fell from his horse; he was 15 or 20 feet from me when he fell; he struck upon his head or shoulder, cannot tell which; there was a stream of blood coming from his ear; there was no stones or spikes on the planks where he fell; a Frenchman came up with two or three others and put a bottle to his nose; I then went down and took the horse from the prisoner; asked him several questions before he answered; I told him to go to the Mission and send Ridley or Charley Brown; he went toward the Mission; that was the last I saw of him; when I told him to go to the Mission and tell them Guerrero was dying, he asked me why I thought he was dying; when Guerrero fell Le Bras was on foot, and he was stopped by my hallooing; Le Bras did not ride back to where Guerrero lay; I did not know whose horse Le Bras was on.

Wm. Green, sworn.—Live on the Mission road; was some distance from my house when I heard of the accident; found Guerrero lying in the road; the pool of blood where he lay was about two feet square; the hill this side of where he fell is steep; from the pool of blood to the top of the hill is about 300 yards; I saw spots of blood for about 20 yards up the hill from the pool; there was no stone or spike where he fell.

Alfred A. Green, sworn.—Saw Guerrero the day he was killed; was standing on the stoop of the California Exchange when Guerrero rode up to me, leading a horse; he was perfectly sober; asked him to drink, and he refused; he asked me to tell Ridley that he had taken the horse; started about half an hour afterward to go home; the omnibus had just left Guerrero at his house when I reached the Mission; saw the pool of blood two days afterward; saw blood sixty yards this way from the pool; the spots of blood were in some places five or six feet apart.

Dr. Lambert testified that there were three fractures in the head, apparently produced by some smooth heavy weapon, like a slung shot. Any one of the wounds would be sufficient to produce death. A blow to inflict any such wound would stun a man immediately.

John K. Ladelle testified that he saw the pool of blood spoken of, the day Guerrero died, and saw spots of blood from the pool extending some fifty yards toward the city.

William Kearney testified that he lived on the Mission road, and saw Guerrero when he was going out to the Mission. He stopped at his house. He was mounted on one horse and leading another. Soon after Guerrero rode off, he stopped, and a man got on to the horse which Guerrero was leading. Can't say who the man was.

Mr. Booth testified that he saw defendant on the afternoon in question at the Mission, on the horse which Guerrero had led from town; asked him what he was doing on the horse; said he was taking a ride; he started off very rapidly toward the Presidio; he said nothing to me about the accident to Guerrero.

Francis R. Wright testified that on the day in question he was in a store at the corner of Stockton street and Broadway, when the prisoner rode up on a horse, and offered to sell him, with the saddle and bridle, for $50; recognized him as the horse of Guerrero, and told him to go and put him in a stable.

R. W. Lane testified—That on the afternoon spoken of he saw the prisoner standing by the side of a grey horse, on Pacific street; I was a police officer, and as soon as he saw me he started to mount; I asked him whose the horse was, and he said it was Charley Brown's; he was trying to sell the horse; I told him I should arrest him, but he said if I would not he would go right off to the Mission and return the horse.

Mr. Moran testified—That on Saturday afternoon the prisoner brought the horse spoken of to Green & Bowman's stable, and left him there to be kept.

Mr. Brown, associate counsel for the State, moved that the court adjourn till Monday morning, to procure the testimony of Drs. Smith and Hitchcock. The court objected and the prosecuting attorney acknowledged that they had not made out a case. The court thought that even with the evidence of the physicians, no case would be made out. The prosecution here rested their case, and no evidence being introduced for the defence, the case was given to the jury, who, without leaving the box, rendered a verdict of "not guilty," and upon motion of Judge Morse, the prisoner was discharged.

RECORDER'S COURT.—Before Judge Waller.

Threats.—Robert Handy was charged with having threatened to burn down the house of Mr. Whitney. He was placed under bonds of $500 to keep the peace.

Turned up Again.—Biddy Gilligan, who has been up something less than a hundred times on a charge of drunk, and has always, after being discharged under a promise that she would drink no more, struck a bee-line for the nearest gin shop, was brought up again, and sent to the county jail for two weeks.

Drunk.—Thomas Hughes, a gentleman with one eye in deep mourning, was charged with being drunk and disorderly, but his Honor, considering that he had been sufficiently punished, discharged him with an admonition.

Thomas Aldersten, a poor crazy fellow, was found in the street drunk, and was discharged.

Robbery.—Thomas O'Brien, John Foster and Thomas Spencer were charged with having robbed Rachel Whittle of a pistol, a dress, and a petticoat. By the evidence of the woman herself, it appeared that after she had gone to bed and was asleep, James O'Brien came into her room and got into her bed, and she was awakened by his trying to take a diamond ring off her finger. She got out of bed and ran into the bar-room. O'Brien followed her. She went to the door and screamed, when the police came in and found O'Brien concealed upstairs. She then missed her dress and petticoat. The dress contained $54 in the pocket. The house was searched, and the dress was found under the head of Spencer, and the petticoat in O'Brien's room, they being lodgers in the house. The parties were all sent to the Court of Sessions on a charge of grand larceny with the bail fixed at $1500 each.

The Two Aces.—Richard Hall was charged by Thomas Harvy with having pulled two aces together out of a pack of cards, when he had seen them placed in separately, and thought he had such a "sure thing" that he bet seventy-five dollars against Hall's watch. He refused to give up the money, when he alleges Hall used threats and violence to force him to give up the money. If a man is green enough in this enlightened age to bet on these old tricks and lose, he deserves no sympathy. Hall was sent up to the Court of Sessions.

An Important Arrest.—Cornelius O'Riley made affidavit, under which a warrant was issued for the arrest of Thomas Agan. O'Riley accuses Agan of having stolen $557 from him about a week since, at Barnes's Bar, on the Middle Fork of the American River. Agan was arrested just as he was about leaving for the Atlantic. He had formerly been a partner of O'Riley's, and one piece of gold found in his possession was identified by O'Riley as a portion of the stolen property. Agan was sent up to the authorities of Placer County yesterday afternoon.

Recorder's Court.—We are indebted to the kindness of Mr. James G. Pearson, the polite Clerk of the Recorder's Court, for the following report of cases before the Recorder's Court, for the month of October, 1851:

Whole number of cases		322
Fined	123	
Discharged	177	
Sent to city prison	10	
Sent to county jail	6	
Sent to Court of Sessions	5	
Bound to keep the peace	1	
		322
Drunk and disorderly		93
Breach of the peace		33
Violating city ordinances		72
Assault and battery		45
Grand and petit larceny		24
Resisting officer		11
Assault		4
Suspicion		4
Threats against life		2
Attempt to shoot		2
Nuisance		1
Rape		1
Abduction		1
Attempt to rob		1
Sodomy		1
Desertion		1
Assault with knife		1
Assault with intent to kill		1
Swindling		1
Passing as an officer		1
Fraud		1
Obtaining money by false pretences		1
		322

JAMES G. PEARSON, Recorder's Clerk.

SUPREME COURT.—Before Judge Satterlee.

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A VIGILANCE COMMITTEE.

The *Times* correspondent at San Francisco, in a letter dated August 1st, writes—

"This body, however odd it may appear, is a sort of 'Star Chamber.' It picks up persons accused of the commission of crime, particularly robbery, to prevent which is the chief aim in San Francisco and parts adjacent, wherever they are found, exchanges prisoners with other 'Vigilance Committees' in the neighbouring counties, secures them under a guard of its own members, imprisons in its own 'lock up,' tries the prisoner with closed doors, impenetrable to all but the members, who have a private password; acquits or condemns to banishment and death, according to its own sovereign pleasure, so far as the public know anything of the matter—for our first information is given by the execution of the sentence. The most notable acts of the Committee have been to banish and actually to ship back to Sydney four gentlemen of that ilk, who tried to make their fortunes in San Francisco without digging, and to hang two more of the same kidney. The last victim was a countryman of ours, said to have been born at Brighton, and who left his country 'for his country's good' in early life, sojourned in Sydney until he had completed his education, at least, if not his 'term,' and then made his way leisurely by way of the west coast of South America, taking a few of the ports of Peru and that of Panama *en route* to California. This vagabond was known by many names, which he used to change to suit his frequently varying positions, but that by which he was most known was that of 'Jem Stuart,' or 'English Jem.' The Committee having clutched him, the evidence, chiefly that of other rogues, implicated him in various robberies and murderous assaults. He turns out to have been the person who robbed and nearly killed Jansen here some time ago, and for which one Berdue was condemned, as well as for a murder also committed by Stuart in Yuba county. An unfortunate resemblance to Stuart nearly cost Berdue his life. The 'Vigilance Committee' having satisfied themselves of Stuart's guilt, condemned him to death—his sentence to be carried into effect in two hours, and he was accordingly strung up to a sort of crane in open day, guarded by 300 members, all armed with Colt's revolvers, in presence of a great concourse. So soon as life was extinct the Committee coolly abandoned his body to the Coroner. This tragedy did not cause much sensation here. The fact is, that this abandoned man's crimes had rendered the public indifferent to his fate. This terrible lesson should convince Sydney thieves that this is no place for them, unless they mend their ways.

at our engine house, at 9 o'clock on Wednesday morning next, to pay the last tribute of respect to the deceased.

Resolved, That the bell of the engine-house be tolled during the moving of the procession, and that our rooms be shrouded in mourning for the space of thirty days.

Resolved, That our foreman be requested to forward a copy of these resolutions to the parents of our deceased friend with a letter expressing our sympathy with them in their deep affliction in the loss of one, who by his uniform courtesy and kindness of heart, his noble virtues and high toned sense of honor, and who by a spirited, frank and generous course has endeared himself to all who knew him.

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o28

☞ **Committee of Vigilance.**—At a meeting of the Executive Committee of the Committee of Vigilance, held at their rooms on the evening of Monday, 27th Oct. inst., it was on motion unanimously

Resolved, That this Committee has learned with deep and sincere regret of the sudden demise of their much esteemed fellow member GEORGE J. OAKES.

Resolved, That the Committee of Vigilance, of San Francisco, will attend in a body, the funeral of the deceased, and will wear the usual badge of mourning on the left arm.

Resolved, That the rooms of the Committee be draped in mourning for the period of thirty days, as a mark of respect to the memory of the deceased.

Resolved, That a letter of condolence be addressed to the family of the deceased, together with a copy of these resolutions.

In accordance with the above resolutions, the Committee of Vigilance will assemble at the committee rooms at the tolling of the bell, Wednesday morning, 29th inst. at nine o'clock, for the purpose of participating in the funeral solemnities to be tendered to the deceased.

o28 2t By order of the Executive Committee.

Note the following notices are reported in the San Francisco Herald, October 1851

copy

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San Francisco papers

Oct. 2-5

☞ **Whereas**, an article has appeared in the *Evening Picayune* of this day, stating that "the Vigilance Committee had ceased active operation, and in consequence of the general condemnation of the commercial papers in the Atlantic States," therefore

Resolved, That the committee cause to be published in the various papers of this city, that they hold themselves ready for action, should the community be again situated as at the time of the organization of said committee, and that no comments of any newspaper can drive them from a conscientious discharge of their duty to their families and fellow-citizens.

By order of the general committee.

San Francisco, October [illegible], 1851.

S. PAYRAN, President of Ex. Committee.

ISAAC BLUXOME, JR., Secretary. o2

☞ **Notice...The Committee of Vigilance** ...bers have been removed to Messrs. Middleton & ...'s building, corner of Sacramento and Sansome ... are open at all times, day and night, to the ... agreeably to the rules of the Association.

BY ORDER OF THE COMMITTEE.

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1851

Oct 2d

aff

...e Post and the Vigilance Committee.

...The Vigilance Committee has among its opponents two distinct classes. The first are those who have come under its action, and the second, those who fear they will. Which, if either, of these two classes, the Post comes under, we cannot tell; but certain it is, the opposition of its editors has been most unceasing to that respectable body. The last most dastardly attack which that paper has made upon it was contained in yesterday's issue. It insinuated that the Committee had refused or neglected to pay over the amount of money which was raised for the completion of the jail, and also that the Committee had started subscriptions to raise money to pay their expenses and also to pay for their services. The whole of this is without the least foundation, as the Committee have never asked a single dollar for either their expenses or their services. They have voluntarily paid large sums of money to hunt up and bring criminals to punishment, without the least recompense from any source except the voluntary contributions of members. Why the Post should continue to make such false and malicious attacks upon the Vigilance Committee, we cannot conceive. One thing is certain—the action of the Committee has had a tendency to reduce the number of policemen to about one-half the former number, thereby materially reducing the expenses of the city. A member of the Committee authorizes us to say that if the editors of that paper can show that they have really subscribed and PAID any thing for their support, expenses or services, it will be refunded.

THE MINES.—The Sacramento Transcript speaking of the mines of California says:

The strongest evidence of the inexhaustible resources of the California gold mines, is found in the fact that the oldest placers are generally paying as well now, as at any former period. At Coloma, where gold was first discovered, a large population is still supported by mining. At Mormon Island, another of the oldest diggings in the State, greater success has attended mining this summer, than has been the case for two years, and the prospects are much better for next year than ever before. Auburn, again, is daily becoming more populous, though it is over two years since the placers were first worked there.

NEW QUICK SILVER MINES.—A new and and very rich quick silver mine has been discovered in Santa Clara county. It is located in the same range of mountains with the New Almaden and Guadalupe mines. A company has been formed, called the San Antonia Quick Silver Mining Company, for the purpose of working it. Operations have already been commenced, and the company feel the highest satisfaction at the results of their first investigation. A house in Baltimore, we understand, have offered to purchase the whole mine, but the stockholders have such great confidence in the mine that they have declined to accept the offer.

THOMAS BERDUE.—A card in one of the city papers from this much persecuted individual, pays the following just tribute to the Vigilance Committee:

I have kindly to thank those gentlemen for what they have done for me; for certainly, through *their vigilance* and the *kind providence of Almighty God*, they succeeded in capturing the criminal for whom I have suffered so much.

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Cal Courier Sept 24 p. 2/2

DARING HIGHWAY ROBBERY.—We were informed yesterday at the 2d District station-house, that on Monday night a gentleman was knocked down and robbed of $200 in gold, by three men who had followed him from a store where he had received the money. He stated that one of the men presented a pistol at his head, while the other two rifled his pockets. No clue has yet been gained to the perpetrators of the robbery.

A Sydney Citizen on Vigilance Committees.

The letter from which we publish the subjoined extract was written by an intelligent and observant Englishman, who resided in Sydney, N. S. W., several years previous to removal hither. It is a part of the San Francisco correspondence of the People's Advocate, newspaper of that place, and the author has certainly performed an act of justice to this community, as creditable to his good sense and discernment as to the honesty and liberality with which he has spoken his sentiments and expressed his views. We hope and expect that his communication will have due weight in the Australian Colonies, and that the acts of our citizens will be rightly adjudged by them as well as among our own people.

A great deal has been written and spoken both here and elsewhere about the organization and action of the Vigilance Committee, but those well-meaning individuals who entertain such a pious horror of Vigilance Committees in general and of Judge Lynch in particular, know very little of the state of society in this country under the judicial administration of its first elected officers.

It is needless to point out that when the California mania first broke out, that reckless and needy adventurers from every country in Europe, as well as America and the Colonies, flocked in thousands to this country. The spendthrift profligate, the swindling gambler, the petty-fogging attorney, the corrupt and needy politician, and ten thousand other idle scoundrels, whose name is legion, who prey upon society, and fare sumptuously upon the hard earned industry of their fellow men.

Such being partially the materials which composed society in California during the first few years of its settlement after the discovery of the gold region, and all the judicial and civil officers of the State being elective, it is not to be wondered at that corrupt and incompetent individuals should be chosen to fill high and important situations, especially when we bear in mind that the standard by which a man's competency for office was measured in those days was the depth of his purse, and his willingness to spend a given amount of dollars in the shanties throughout the mining districts. Hence arose the disgraceful corruption in our criminal courts, the barefaced and unholy alliance of magistrates, sheriffs and policemen with assassins, burglars, highway robbers and incendiaries, until the fountains of justice became so polluted as to threaten the very existence of the body politic.

Regular organized bands of robbers, assassins and incendiaries were to be nightly seen in the streets of San Francisco and the other cities and towns throughout the State, waging an unholy crusade against the lives and property of the thrifty and industrious citizens.

It is said, and I believe truly, that our bodies can sustain a certain amount of endurance, beyond which our existence becomes endangered by the least additional tax on our physical strength. So it was with the body politic in California prior to the organization of the Vigilance Committees. Society was riven to its centre; crime, with his brazen front and hellish disguise, stalked unmolested through the length and breadth of the land, until society stood aghast, and reeled beneath the continual assaults of this lurking fiend. It was at this crisis that the most wealthy and respectable citizens of San Francisco formed themselves into a Committee of Vigilance for the protection of life and property. The few terrible examples which they made, the scattering to the four winds of the systematic bands of lawless ruffians who infested the country with their presence, the almost total absence of all crime at the present time, and the consequent security for life and property, go far (I fear) to prove that society has not yet arrived at that stage of civilization where it may be desirable to do away with capital punishment for all offences.

Talk about the terrors of the law to evil-doers! They know they have a thousand chances of escape, through the chicanery, the quibbling, the legal technicalities, (or lawyers' loopholes, which are reserved for the special accommodation of thieves, as a kind of egress to 'pass out of court,) and the not unfrequently too nice scrupulousness of juries. These are as the terrors which a practiced footpad experiences when he has a lone lady to rob on the highway, compared with the terrors that surround the Court of Judge Lynch, as he sits in awful, solemn judgment, in some lone mountain pass, or under the protecting shade of some majestic oak, whose spreading branches remind the half unconscious culprit beneath, [illegible] intuitively glances upwards, that, if found guilty, [illegible] will soon be dangling a loathsome corse. Here [illegible] grave has terrors ten thousand times more [illegible]-harrowing than all the most solemnity [illegible] its victims. Wherever [illegible] commissioners is not con[illegible] a desirable place [illegible]

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alta Oct 5

THE EVENING PICAYUNE.—The Vigilance Committee, it appeared in the papers yesterday, have brought one of the editorials of this paper under especial notice, on account of some statements prepared therein for circulation in the eastern States, to the effect that the suspension of their meetings was caused in part by the "very general condemnation of the commercial papers in the Atlantic States;" the language used by the Picayune. We are only surprised that the action of the Committee was founded on such very slight premises, as the ailly and senseless editorial of that paper afforded. Enough has been extracted from the articles of the leading American newspapers, by the press of this city, and more can be adduced from the files of eastern journals, to establish conclusively the fact that the general tone and sentiment of the "commercial" press, and every other portion of the press, even to the religious papers, has been very favorable to the cause of vigilance in this crime-ridden community.

In the Picayune of yesterday, we noticed an attempt to set up a defence for its course by a reproduction of the objectionable matter, the method usually adopted by that journal of disposing of its difficulties. We presume the Picayune deems this style of "argument" as effective as any other, for who would not rather submit than be obliged to go twice over the ground of one of its editorials, or read one of its extremely "simple republications," as it calls them.

OUR MARINE REPORTER.—We take much pleasure in announcing to the patrons of the Alta, that Mr. ROBT. S. MARTIN, so well and so widely known as one of the most successful and indefatigable ship news collectors in the United States, has been engaged in the Marine Department of this paper, and will henceforward furnish its reports. Mr. Martin is not connected with any other press in the city, and it is not too much to expect, that our shipping columns, under his reportorial care, will give our commercial friends and the public the most complete satisfaction.

Alta
Oct 3

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Alta Oct. 4

"American" Manners and Customs.

While our people are "i' the vein" for scanning the conduct and narrowly inspecting the character of foreign immigrants arriving on these shores—while straitening the hemp on the necks of Sydney felons, and spreading the snare for expected outcasts from the shores of France, would it not be well to slip the shade of the Diogenes-lantern by the light of which we single out honest men, so that its rays may be reflected back upon our own countrymen, and that public scrutiny and argus-eyed vigilance may be operative in its effects upon all classes of crime hardened characters, whether they prate of their patriotic adherence to the laws as free-born Americans, or have been let loose from durance vile in foreign lands to rob and pillage in this. Nothing can be clearer than that the principle of eternal justice upon which we have established the right to protect ourselves and carry out the spirit and truth of the law as a crime-oppressed people, comprehends the most exalted patriotism, and provides equally and for all who share the common dangers, and feel interested in the public good. There should be no sectional distinction, no division of classes, no nationality in the common sentiment of justice—and there is none. Not doubting the will of society to correct the evils under which it has so long suffered, whether they proceed from the lawless spirits among our own countrymen or of the foreign classes, we have only to repeat the suggestion, that in order to vindicate the honor of Americans we must be watchful and jealous of the name under which crime is so often and impudently practiced on these shores.

There can be little gratifying in the reflection, but it is nevertheless a just one, that among our own countrymen in California many of the most heartless, unprincipled, reckless and criminal of men are continually plotting or committing fraud and wrong; and by acts and outrages of a species not accessible to the law, as the people have undertaken to administer it, they have involved the American character, wherever their dastardly operations have been carried on, in the deepest disgrace, and incited hatred and engendered strife and bitterness to an almost unlimited extent. Now, the popular measures [illegible] the career of evil-doers would as speedily [illegible] men the condign and summary [illegible], as upon the guilty

[illegible] punishments to record.

[illegible] we speak are truly and unfortunately [illegible] Americans, and as Americans, the harm they do, the prejudices they excite, and the evil which they sow among the foreigners on our shores, far exceeds the crime committed by the most desperate outcasts of other countries, in California. This is the class of men (if we must call them men, and Americans,) whose path to this country, whether by sea or land, is marked with ruffianly, depraved and brutal conduct toward the inhabitants of foreign cities and towns through which they have passed, or among whom they may have temporarily sojourned. It is this class of reckless, inhuman, mercenary and selfish men, which has produced more trouble among the tribes of Indians in this country than all the other influences of rapid settlement and "border" civilization combined. And it is the same, almost distinct species of Americans, coarse, ignorant, self-willed and unscrupulous, that have provoked disturbance, and bred disorder frequently, among the foreign laboring classes of California—among the Mexican miners, particularly.

It is not enough to say that we blush for the name of Americans whenever we read of such occurrences as that narrated in another part of this paper. Instances of the kind are frequent, too, and were we to seek the origin of the bitter prejudices which prevail against us among the native Californians and the foreign residents on our soil, it would be found that, more than any other cause, the deception, hypocrisy and heartless dishonesty practised towards them by a certain class of our countrymen had produced these deplorable results.

Nothing, therefore, could be more desirable in this reign of vigilance, than to witness an effectual check put upon the rascally offenders who, unterrified by the sternness of the people's code, and uninfluenced by principles of honor, pride or patriotism, prey upon the ignorance or innocence of too confiding foreigners, and sacrifice the good name of our people for their mercenary and selfish ends. If we could reach them with the halter, perchance hanging would never cease, but they are almost beyond the province of popular authority, and these ultra sentiments of justice are doubtless dangerous, if too deeply inculcated. But they should be despised and frowned upon by public opinion. Their sphere of operations should be narrowed, and their escape from the country with their ill-gotten gains, closely guarded. Let us by such vigilance strive to extirpate the unhappy effects and undue impressions which the conduct of these men have created among our foreign citizens, and the citizens of neighboring countries. Swindlers and defaulters will then practice with little hope of success, if it be predicated merely upon their claims to the title of American citizen. We can almost forgive the Mexicans for the epithets of "robbers," which they apply to the "North Americans," in consideration of some of the infirmities which our free institutions begets and which become such serious evils when carried by our people into foreign countries.

[illegible] OF COLLECTING THE $75,

Our California Correspondence.

SAN FRANCISCO, Sept. 1, 1851.

Execution of Thompson, Robinson and Hamilton, at Sacramento City—The Case of McKenzie and Whittaker.

There is nothing very important or interesting to write about. Our country, like a child subject to fits, has, within the past two weeks, gone through with one of its periodical convulsions. The newspapers of the day give such copious accounts in relation thereto, it will only be necessary for me to give the occurrences which have transpired a passing notice.

On the 22d of August, in conformity with the sentence passed upon them by the law, Thompson, Robinson and Hamilton were hanged in Sacramento, for highway robbery. On the morning of the execution, Robinson was reprieved by the Governor, McDougal, notwithstanding which, the populace took the prisoner and executed him. On the Tuesday previous to the above, (which took place on Friday,) the Governor, with his aids, went in the middle of the night, and rescued, without opposition, the two prisoners, Whittaker and McKenzie, who were placed in the custody of the Vigilance Committee. This caused a tremendous excitement, but on account of the forbearance of the committee, under the circumstances, quiet was restored, and everything was thought to be at rest, until Sunday morning, the 24th inst., when a portion of the members of the Vigilance Committee broke into the county jail, took the prisoners, drove them down in a carriage to the committee rooms, and in seventeen minutes from the time the men were first taken from the jail, they were hanging in front of the committee rooms on Battery street, in the presence of twenty thousand people, all of whom approved of the act. It was a terrible occurrence, and I do not believe that anything of the kind has ever occured before, on Sunday at any rate, in the United States. Despite the horrors which are always attendant upon a scene where a human being in the prime of life is to be deprived of it violently, yet I cannot use but one word in connection with that of Sunday; it was majestic—twenty thousand people assembled in one concourse, uniting with one voice and mind in their approval of the course pursued by a body of their fellow citizens, in meting out justice to those whose career of crime deserved it. Whittaker and McKenzie died the deaths which a long course of crime and infamy should have entitled them to years before, but not until the strong will of the people demanded it did they receive it. When the two men came in full view of the assembled thousands just after having been launched from the sills of the window, a most tremendous shout of joy and gratification went up from the multitude, and those upon cheer rent the air for the Vigilance Committee and Sacramento. Eight hundred and thirty-nine members of the former were present on duty at the execution, summoned in about three minutes by the toll of the bell.

Three Weeks Events in California.

[From the San Francisco Pacific, Sept. 6]

Our city has been in a general ferment for some days past, preparing for the election of the 3d instant. Three parties have been in the field—whig, democratic, and independent, marshalling their forces, and making earnest appeals through the press, and placards posted at every corner, to all good citizens to rally to their support. Torchlight processions, illuminations, and large meetings in the open air, have been the order for several nights. We have now fairly in operation here all the appliances and machinery for political effect, so common on the Atlantic coast on the eve of an election. Party lines, however, are less strictly drawn here, and there is less of that political rancor and bitterness so often witnessed there. The general result of the election in this city will be found in another column.

We have received a Los Angeles *Star*, of August 23d We gather from the tone of the press in that region, that the division of the State is the most prominent matter of interest in the approaching canvass. All the candidates for the Legislature have pledged themselves to use their efforts to bring about this division. The San Joaquin river, we understand, is one of the proposed boundary lines. Where the northern line is to run and strike the ocean, we have not learned. All below this they would have to turn backward, and come under a territorial form of government.

The crop of grapes is very large this season, and we are expecting an arrival of them in our market in a few days.

R. Sackett, Esq., of the Colorado Ferry Co., in a letter to the *Star*, writes that "the soil of the bottom lands along the Colorado and Gila rivers is exceedingly rich, and the climate of that section of country is not surpassed in its salubrity by any in the world. It seldom or never rains there sufficiently to lay the dust, consequently, all agricultural operations will have to depend on irrigation. The tract of land lying on the west bank of the Colorado, commencing fifteen or twenty miles above the junction of the Gila, and extending seven miles below, reaching from the river back to the mountains, contains an area of thirty or forty square miles and all susceptible of cultivation. The timber along the river is abundant, but of a poor quality. The cottonwood and willow will answer for building purposes, and the mesquite makes excellent fire wood. The land between the Colorado and Gila is also excellent and easily cultivated. This portion, however, is in New Mexico.

The Colorado can be navigated by steamboats from the Gulf to the mouth of the Gila. At low water it was found to be three and a half feet deep in the shoalest place. In high water, from May to September a boat drawing eight feet of water could ascend above the Gila.

The ship Flying Cloud, the largest American merchantman ever launched, arrived in this harbor on Sunday last, after a passage of eighty nine days from New York—the shortest time ever made—surpassing the far famed trip of the Surprise by seven days. The Flying Cloud is not so much distinguished for the elegance of her interior as for the perfection of her model and the strength of her hull. She was built in Boston, and is a credit to Yankee talent in the way of ship building. Her registered tonnage is about 1,900; length of keel, 206 feet; on deck, 225; and all over from the knight heads to the taffrel, 236; extreme breadth, 41 feet; depth of hold, 21½. She is built very strong, being nearly nine feet through the back bone. The Flying Cloud is intended for the China trade.

The steamer Pacific arrived in our harbor on Saturday morning last from Panama. The passage was made in 16 days and 18 hours, running time.

Recapture and Execution of Whittaker and McKenzie.

[From the San Francisco Herald, Aug. 25.]

About a quarter past two o'clock yesterday afternoon, the jail was forcibly entered by a division of the Vigilance Committee, consisting of thirty-six members, and the prisoners Whittaker and McKenzie taken and carried to the room of the Committee, on Battery street, where they were hung.

THE RESCUE.

The circumstances of the proceeding are as follows:—The Rev. Mr Williams, as has been his custom on Sundays for some weeks past, was engaged in religious exercises with the prisoners, who had been brought out from their cells into the yard or area between the inner wall of the prison and the high wooden fence that surrounds it. There were about eight spectators present, and among them two children of the clergyman. The hymn had been concluded, and the minister was offering up a prayer, when a noise as of persons endeavoring to force the door in the wooden barricade was heard. Capt. Lambert attempted to keep it fastened, but it was burst through, and the detachment of thirty-six men rushed in. One portion instantly pinioned the officers on guard, and effectually prevented any interference on their part, while another portion seized Whittaker and McKenzie to bear them off. They, however, struggled and resisted until forcibly carried off by their captors. During this scene, the other prisoners remained overcome with fear, and profoundly quiet.

Several shots were fired during the melee; it is probable, as nobody was hurt, that the shots fired by the attacking party were aimed at no one, but were merely signal. One of the guards, of whom there were four, including Capt. Lambert, on duty at the time, came down from his post on the top of the jail into the yard, and a scuffle ensued between him and one of the attacking party.

THE ROUTE TO THE COMMITTEE ROOMS.

In the meantime, the prisoners had been hurried off in a carriage provided for the occasion, standing at the corner of Dupont and Broadway streets, but a few steps from the jail. To this they were thrust, followed by a guard of the Committee. The driver plied his whip, and off dashed the vehicle at the utmost speed, up Broadway to Stockton street, along Stockton to Washington street, down Washington to Dupont street, and through Dupont, Sacramento, Montgomery, and California streets, to the rooms of the Committee, on Battery street.

The whole affair was conducted with such expedition, that before those in Montgomery street, who knew of the rescue almost as soon as it occurred, could run down to the Committee rooms, the prisoners had been carried within, and the carriage was returning. Before they had yet reached the rooms, however, the bell of the Monumental Engine commenced to strike the well known signal for the instant assemblage of the Committee. All understood in an instant how matters stood, and the whole city seemed rushing to Battery street.

THE EXECUTION.

In an incredibly short space of time, ropes were reeved through the two blocks that hung from the projecting beam. Ropes with nooses at the end of each, and in a minute [illegible] two criminals were seen led to the doors in the centre story, and the two men who were inside threw their necks, and in an instant they were jerked simultaneously into the air, until their feet were struck the blocks. They descended a little distance, and were again jerked up to the block, causing them to swing violently to and fro. The ropes were fastened to their sides; but McKenzie's hands being free, he caught the rope by which he was elevated in his left hand, he was lowered for an instant, causing him to loose his grasp, and all was over. They said nothing to the immense crowd that stood gazing upon them; and when at last they ceased to struggle, not a convulsion or movement of any kind could be seen. As they were launched into eternity, a tremendous shout of satisfaction went up from the crowd. There they hung, slowly swinging round, now exhibiting their countenances to the spectators, and again averting them. Not a movement of any kind was made to interfere. All seemed to be conducted with the utmost order and according to a pre-arranged plan. There was no confusion—no halting or hesitation.

ADDRESSES TO THE PEOPLE, ETC.

When they had been hanging about half an hour, Mr. Samuel Brannan came to the open door in the second story of the committee's building, and briefly addressed the crowd, informing them that the prisoners had confessed their guilt, had acknowledged that they deserved death, but affirmed that they would not have been led to pursue the course which has ended at the gallows, had it not been for the weakness and corruption of some of the authorities. Mr. Brannan stated that the committee were fully sensible of the solemnity of the occasion, the fearful responsibility which the first law of nature, self preservation, imposed upon them, but they could not act otherwise than they had without holding out a direct premium to crime. He trusted that the committee would be supported by the citizens when they did right, and would receive their frowns when they acted wrong. No innocent man need fear—it was no qualification to the committee to be compelled to take the life of a fellow being, and in no case would they do it unless the proof of guilt was beyond cavil. He was followed by Dr Robinson, from an elevation on the wharf, but his speech could only be heard a short distance from where he stood. Mr Payran was called for by the assemblage, and briefly addressed them; he concluded by stating that it was the request of the committee that the bodies of the unfortunate men be allowed to hang until the going down of the sun, to be then delivered to the Coroner, should he demand them.

About this time, while the crowd was densely packed upon the wharf, a cry was raised that the railroad cars, loaded with earth, were descending. Immediately a panic seized upon a portion of the crowd, who rushed wildly from the spot By the exertions of gentlemen present, they were induced to halt, otherwise in the dreadful press serious accidents might have taken place.

After the doomed men had been hanging about an hour, they were lowered, and McKenzie taken into the rooms and bled by a physician present, to see if life was extinct. Strange to say, even after hanging such a length of time, blood followed the stroke of the lancet; he was reported not yet dead, and again hauled up into the air. The crowd stood quietly watching this scene for several hours Gradually, however, they began to disperse, and towards sundown all had left the spot.

THE CORONER'S INQUEST.

The Coroner was sent for towards sunset, by the Committee, to hold an inquest on the bodies. The use of the California Engine House was tendered him for the purpose of holding the inquest. At sunset the bodies of the hanging culprits were lowered from the beam, and life being entirely extinct, they were taken into the Committee rooms, and from thence conveyed to the California Engine House, opposite the Oriental Hotel, where the following gentlemen were empanelled as jurors:—Theodore Payne, James Hegan, J. Slocum, John C. Griswold, James H. Wingate, William M. Moore.

THE VERDICT.

In accordance with the foregoing testimony, the jury, after deliberate consideration, have come to the conclusion, and accordingly render their verdict, that Samuel Whittaker and Robert McKenzie came to their death by being hanged by the neck, thereby producing strangulation, by the act of a body of citizens styling themselves the "Vigilance Committee of San Francisco," on the afternoon of Sunday, August 24, instant, at about three o'clock, in front of the Vigilance Committee rooms, on Battery street, near California street, from the second story thereof. (Signed,)

Theodore Payne, John C. Griswold,
James Hegan, Wm. M. Moore,
J. Slocum, James H. Wingate.

EDWARD GALLAGHER, Coroner.

SAN FRANCISCO, August 24, 1851.

Alta Oct. 11

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AY, OCTOBER 11, 1851.

Terrible Conflagration at Marysville.

[From the Marysville Herald, Aug 31.]

Our young city, which hitherto has escaped the ravages of fire was last night visited with a terrible conflagration. The fire broke out in a Chinese washhouse, on High street, at about half past twelve o'clock. The cause is said to be that a burning candle was left standing by some clothes, and the Chinaman went to sleep. When the candle burned down, it communicated fire to the clothes and from thence to the canvass lining of the house. Many, however, think it the work of an incendiary, from the fact that another house, remote from the washhouse, was discovered to be on fire at nearly the same moment.

We never saw a fire spread with so great rapidity. So rapid, indeed, was the extension of the flames, that no time was given to save any considerable portion of the contents of the buildings. The fire at first took an easterly direction, spreading towards D street; but in a few minutes a strong wind arose, driving the flames in the opposite direction. Fears were entertained that the lower portion of the city would be entirely destroyed; but by timely exertion, the fire was checked at E street.

Three entire squares were burned, comprising about eighty buildings.

The United States Hotel, on D street, a fine, large building, was in imminent danger, but was saved. If it had taken fire, it is probable that the whole of the eastern portion of the city would have been destroyed.

The burnt district comprises the most business portion of the city.

Several house frames have already been erected on the burnt district, and in a short time no trace of the fire will be seen; and the fire will result in benefit to the city, because a better class of buildings will take the place of those which have been destroyed.

The following is a list of the sufferers, with the estimated losses, as far as we have been able to ascertain:

On D street—Mr. Ramires, old adobe building, Wm. Long & Co., carpenter shop, $800; Dr. Louis Regnes; Dr. Bradshaw, stock and building, $5,000; Rice & Baker, drug store stock, $3,000; G. W. Webb, tin and stove shop, $3,000; Geo. Rowe's buildings, $2,500; Jas. Lavey & Co., stock, $12,000; the house owned by Dr. A. L. Merriam, worth $3,500; Fulton market, $600; Mendelbaum & Co., $2,500; house owned by F. Ramires, $3,000.

On Second street—Murray, carpenter shop and materials, $600; Green, painter, stock, $900; Watkins & Covilland's brick building, $6,000—lower part, occupied by Mitchel & Co.'s boot and shoe store, stock saved; O. H. Pierson's stables, $1,500; small zinc building, occupied by Chinamen.

On High street—House owned by O. H. Pierson, vacant, $600; Eureka Hotel, total loss; dwelling house; National Hotel, by John Spruce; California saloon, vacant, $300; Conley & Co., saddler, $4,500; Chinese washhouse, where the fire originated; La Nevieu, vegetable depot, stock and building, $8,000; small store, $2,000; Yuba market, $1,000; Kennedy's bakery, $4,500; White's Mansion, restaurant, Eagle Hotel, by John Armstrong; Star Hotel; J. J. Jacobs, auction house, stock, $12,000; A. Henshaw, grocery; Spanish saloon, $2,000; bowling saloon, $2,500; vacant store of Mark Smith, $1,200.

On E street—Dr. Crouch, tent building, Ockman's Restaurant, $2,500; stock, $1,500; Covilland's stable, about $3,500.

On the Plaza, (north side)—Charles Covilland, houses owned by him from E to High street, $25,000; Parish & Adams' auction house, stock, $30,000; Low & Brothers, stock, $12,000; Charles Lambert, stock, $11,000; J. A. Beam, stock, $5,000; Yuba Hotel; J. B. Bigelow, Covilland Hotel, $2,000; E. W. Mackey, stock, $8,000; L. Stalnaker, $7,000.

On the Plaza, (east side)—Schaffer & Klauser, stock, $20,000; successor to A. Bites & Co., stock, $6,000; buildings owned by Sampson, $5,000; Jones & Co., stock, $10,000; F. W. Shaeffer, stock and building, $15,000; Ringo & Zahom, stock, $5,000; Pugh & Gross, tin shop, $2,000; Howell & Co., stock, $8,000; Kent, Bartlett & Co., stock, $20,000; buildings owned by Varner, $2,500.

On the Levee—Italian restaurant and several small buildings.

On First street, (north side)—Drs. B. T. Watts, stock, $8,000; R. A. Eddy, bookstore, stock and building, $6,000; coffee house; California Exchange, $16,000; El Dorado, $12,000; Moore & Parish, stock, $5,000; Verandah, corner High street, O. Booney proprietor, building owned by Mr. Chandon, $20,000.

On First street, (south side)—C. M. Glogosky & Co., stock and building, $12,000; Burstel, saddlery, $5,000; Jacob Pagel & Co., stock, $2,000; Kasson & Beach, stock, $20,000; Jewett & Cheeseman, stock, $10,000; Express Hotel, F. Rumrill & Mott, $4,000; A. Schuessler, stock and building, $12,000.

The Proposed Division of California.

The Los Angeles *Star* of the 28th of August, publishes the following:—

TO THE CITIZENS OF THE SOUTHERN PORTION OF THE STATE OF CALIFORNIA.

A suggestion was made, some year ago, in reference to the severance of this State, and the formation of a territorial government for the southern portion thereof.

To the accomplishment of this object, it is necessary that a united action be had by the advocates of the measure, and that a full and candid statement of the many grievances we suffer, be set forth, that the people at the North may see the justness of our request for a division, and that we are impelled by necessity to this movement. The undersigned, therefore, after giving the matter much consideration, and consulting together as to the best mode of action in furtherance of the object proposed, would recommend that a convention be held at Santa Barbara on the fourth Monday of September next, to which delegates may be elected from every portion of the South, by which a fair expression of opinion may be had on a question involving the present and future welfare and prosperity of the fairest portion of the State of California.

We would respectfully suggest the following as a fair basis of representation in the convention:—

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The Supreme Court.

The vacancy on the bench of the Supreme Court, caused by the resignation of Mr. Justice Bennett, has at length been filled by the appointment of Mr. Hugh Murray, late of the Superior Court. Mr. Murray was yesterday commissioned by the Governor, and was sworn in by Judge Campbell for the term prescribed by law—that is, until the election and qualification of his successor to be voted for at the next general election in September 1852, in accordance with the provisions of the act organising the Supreme Court. The 4th section of the law reads as follows:

"In case, from any cause, a vacancy or vacancies shall occur in the office of Justice or Justices of the Supreme Court, it shall be the duty of the Governor to fill the same by a commission, which shall expire at the next election by the people, at which election a Justice shall be chosen for the balance of such unexpired term."

[illegible] in that [illegible] just [illegible] the [illegible] If this appointment [illegible] disposal, we are very sure it would not have been conferred on him. Mr. Murray has filled various offices in this city, and however virtuous his intentions, or how good his natural abilities may be, we doubt not the community have long since come to the conclusion that his genius does not run in the judicial line. If otherwise, why was he not a candidate for re-election to the Superior Court? He could not have despised the duties of that bench, for they were both honorable and important. It was not that he wished to practise his profession, it appears, for he still desired to be Judge. If, then, he still wished judicial honors, and did not present himself for re-election, it is an allowable inference that he could not count upon the popular vote. The truth is, that notwithstanding Mr. Murray's probity is unimpeached, and that he is not very incompetent, that gentleman's judicial career has been a failure. His lack of industry and law learning rendered him objectionable in the limited sphere of his duties as Superior Court Judge; and it is to be feared these deficiencies will be more objectionable and more mischievous in the more responsible position to which he is now called.

Although disposed, then, to rejoice at any change on the Supreme bench, we cannot congratulate our fellow-citizens on the new appointment. Mr. Heydenfeldt's election by the people was a vast stride in advance. If not the best, he was one of the best, that could have been selected: both parties put forward their most able men, and the people evinced their appreciation of the responsibility of the position, not by the rejection of Mr. Robinson, who would have made an excellent Judge, but by the election of Mr. Heydenfeldt. Does the appointment of Mr. Murray keep pace with the progressive judgment of the citizens? Far from it. No man can be too learned or capable for the position of Judge of the Supreme Court. If Mr. Heydenfelt, then, be not too learned or capable, is Mr. Murray sufficiently so? We [illegible] be guilty of the opening disc[illegible] of an invidious comparison, but this is [illegible] in which the [illegible] of the [illegible] eleven months to come are very deeply involved. If we are not to have Vigilance Committees, we must have competent Judges, and especially in the highest tribunal in the State there should be the best talent that could be obtained, and industry unremitting. We must declare that Mr. Murray, notwithstanding his integrity and possible aptitude to understand law, is not such an appointment as to put the people out of the notion of Vigilance Committees or other like combinations. Still, he is an Associate Justice of the Supreme Court for the next eleven months, and although we cannot forget the fruitlessness of his past judicial career, we shall be among the first to give him credit for any industry or fitness he may exhibit in his new position.

Herald Oct 12

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Letter 12

A WOMAN IN DANGER OF BEING LYNCHED.—The Vigilance Committee in San Francisco appear to have completely usurped the authority of administering the laws, to the exclusion of the police, judges and juries. At least, we see no attempt made by the authorities, whom the laws and the constitution of the State invest with the power they have assumed. By the last accounts, we see that they have a woman—a Mrs. Robinson—in custody who was accused by a negro of instigating him to set fire to a house. The San Francisco Post says Mrs. Robinson "was immediately taken before the Committee at their room, to confront the confessor and the accusation. What will be the fate of these creatures, is of course only known to the members of the Committee themselves." Their "fate known only to the Committee!" Can a more fearful state of things be imagined than an inquisition of this kind, sitting in defiance of the laws, and determining the question of life and death? Will this self constituted Committee, if they find reasonable cause for suspicion against the woman, hang her?—[Albany Knickerbocker.

Here are the beauties of the all-consistent press, with its jealous guardianship of law, order and morality, amply illustrated. The San Francisco Post referred to is, of course, the Morning Post of this city, and we can see how far its teachings, in the spirit of truth, have exercised a proper influence, or induced a just opinion abroad, regarding the course of affairs here. By its unfair deductions and malicious inuendoes and inferences, it has misled public opinion abroad it will be seen. We can understand why so much false information and inconsistency exist in other countries, concerning this, and why the press of the Atlantic States should be filled with vagaries and erroneous conclusions, when a respectable paper here perpetrates such a calumnious assertion and gross mis-statement as the one upon which the editor of the Knickerbocker remarks.

We have pointed out this instance, where wrong impressions have arisen out of improper newspaper comments on the course of vigilance action in this city, and the example of which we have made us will have additional weight when it is recollected that a few weeks since we took occasion to quote from the same paper in which we find the above extract, some exceedingly sensible remarks on the subject of Law and Order in San Francisco. We regret to see the Knickerbocker so misinformed, and trust the editor may soon become as undeceived as he is unprejudiced.

Insane Colored People.

MESSRS. EDITORS:—Before there are many more learned reasons given why there are so many more insane colored persons in the North than in the South, would it not be well to find out if the statistics are true? If I am not very much mistaken, it was proven at the time of the appearance of the statistics, that there were [illegible] many insane colored people in all the New England States, as the statistics made to appear in the State [illegible] alone. TRUTH.

Alta Oct 16

Vigilance Committee and the Comments of the American Press.

We have been not a little surprised to notice an article in the *Alta California* of Thursday morning, founded upon a passage extracted from the *Albany Knickerbocker*. The writer in the *Knickerbocker*, animadverts in the strongest terms upon the facts that reached the Atlantic cities, in the career of the Vigilance Committee and quoted a statement of the "*Post*" in relation to the arrest of Mrs. Robinson. The writer in the "*Alta*" of Thursday morning, attributes the energy of the tone and sentiment of the passage extracted, to the influence of our remarks, and deems it just and honorable to denote our statement of a historical fact as a *calumnious assertion and a gross misstatement.*"

His whole article—text and commentary, we re-publish as follows:

A WOMAN IN DANGER OF BEING LYNCHED:—The Vigilance Committee in San Francisco appear to have completely usurped the authority of administering the laws, to the exclusion of the police, judges and juries. At least, we see no attempt made by the authorities, whom the laws and the constitution of the State invest with the power they have assumed. By the last accounts, we see they have a woman—a Mrs. Robinson—in custody, who was accused by a negro of instigating him to set fire to a house. The San Francisco Post says Mrs. Robinson "was immediately taken before the Committee at their rooms, to confront the confessor and the accusation. What will be the fate of these creatures, is of course only known to the members of the Committee themselves." Their "fate known only to the Committee themselves!" Can a more fearful state of things be imagined than an inquisition of this kind, sitting in defiance of the laws, and determining the question of life and death? Will this self constituted Committee, if they find reasonable cause for suspicion against the woman, hang her?—*Albany Knickerbocker.*

Here are the beauties of the all-consistent press, with its jealous guardianship of law, order, and morality, amply illustrated. The San Francisco Post refered to, is of course the Morning Post of this City, and we can see how far its teachings, in the spirit of truth, have exercised a proper influence, or induced a just opinion abroad, regarding the course of affairs here. By its unfair deductions, and malicious inuendoes and inferences, it has misled public opinion abroad it will be seen. We can understand why so much false information and inconsistency exist in other countries, concerning this, and why the press of the Atlantic States should be filled with vagaries and erroneous conclusions, when a respectable paper here perpetrates such a calumnious assertion and gross mis-statement as the one upon which the editor of the Knickerbocker remarks.

We have pointed out this instance, where wrong impressions have arisen out of improper newspaper comments on the course of vigilance action in this city, and the example of which we have made us, will have additional weight when it is recollected that a few weeks since, we took occasion to quote from the same paper in which we find the above extract, some exceedingly sensible remarks on the subject of Law and Order in San Francisco. We regret to see the Knickerbocker so misinformed, and trust the editor may soon become as undeceived as he is unprejudiced. —*Alta, Oct. 15.*

For the better understanding of the propriety of the above strictures upon this Journal, and of the condition of the mind and heart under which they were written, we also republish the whole of the article from which the *Knickerbocker* quotes the closing passage, and follow that by an article which appeared in the *Alta* of the same day, giving its version of the arrest of Mrs. Robinson

"CARRYING THE WAR INTO AFRICA.—ARREST OF A NEGRO BY THE VIGILANCE COMMITTEE FOR ARSON.—A negro was arrested one day last week by Captain Harding, on suspicion of setting fire to the house of Mr. Delessert, on Sunday, 22d inst., but no reliable evidence appearing to fasten the crime upon him, he was released on Friday. The attention of the Vigilance Committee then having been directed to this personage, he was on Saturday taken into custody by them, and on an examination before them last night we are informed confessed the crime; but at the same time stated that he had committed the crime at the instigation of a Mrs. Robinson, a woman who had been living in the vicinity of the building where the fire originated. Mrs. Robinson was immediately taken before the Committee at their room to confront the confessor and the accusation. What will be the fate of these creatures is of course only known to the members of the Committee themselves.—*Post, June 30.*

SETTING FIRE TO THE CITY.—During a considerable portion of yesterday the Vigilance Committee was engaged in examining several persons whom they had before them. It was rumored last night about town that one of the prisoners—a colored man—had confessed that he set the city on fire on the 23d inst., but that he did it under threats from a white woman, whom they also had arrested. We are not in possession of the evidence, and have no sufficient means of judging of the supporting proof. It can scarcely be possible that the negro would have made any confession of such a nature had it not been true. It could not have been for the reward offered, for he must have known that his life would be the forfeit. That such has been made is certain. It is perhaps as well not to mention the name of the woman whom the darkey accuses of being the instigator of the deed. If guilty her name will be known soon enough. If the proof be positive, then mercy would scarcely be exercised towards the culprit; and, indeed, no mercy should be shown to the perpetrator of so execrable an act. —*Alta, June 30.*

We might here, perhaps, with propriety leave the matter, and submit the question to all honorable minds, to which of the two articles above, the language of the "*Alta*" on Thursday morning will best apply, if it will at all apply to either? If the *Alta's* article had fallen under the notice of the writer for the Knickerbocker instead of the Moring Post's, would he have received from that source, "*teachings*" more "*in the spirit of truth*"—less *unfair deductions and malicious inuendoes and inferences?*" would there have been addressed to his mind less "*calumnious assertions and gross mis-statements?*"—when he shall get the Alta's article, will he be in respect to the facts in the case, "*as undecided as he is unprejudiced?*" and will he be likely to look with more complacency, after reading *that* account, upon "*the course of vigilance action in this city.*"

But we cannot refrain from noticing the manifest object of the very unmanly application of language to us, that should be used very sparingly by high minded men. We think the object could have been none other, than to attempt to bring upon us the injurious reproaches of the members of the Vigilance Committee of this city, and of those who can approve of all of the proceedings of such Committees, here and elsewhere. We suppose it has had that effect, to some extent, but we are inclined re hope to the fullest extent that it will have.

The article in which the language referred to is very freely used, was written, evidently, with the view to excite malice and to direct it to its object, and not with the view to correct error, or to inform society. But in the heat of malice burns the fire that cannot be quenched, and gnaws the worm that never dies; and we have, therefore, no hope to heal the injury done us, by applications to the source, and will drop the matter.

The Morning Post will, nevertheless, continue "its teachings, in the spirit of truth," and its endeavors to "exercise a proper influence, or induce a just opinion abroad regarding the course of affairs here."

Morning Post Oct. 18

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Letter 16 - 18

OUTRAGES NEAR SANTA BARBARA.—We are informed by Mr. Evans, the District Attorney of Los Angeles, of a transaction which took place in the Santa Ynes mountains, 20 miles from Santa Barbara, some two weeks ago. Judge Teft, the District Judge, and Mr. Graves, the Attorney, were on their way to Santa Barbara to hold Court, when they discovered a mule loose in the road, and shortly afterwards discovered a wounded man lying on the side of the road On enquiry it appeared that two men were going down the country to purchase cattle, when two Mexicans rode up, and fired, hitting one on the side of the neck, the ball passing through the neck, without proving fatal. The other man rode off pursued by the Mexicans, since which time nothing has been heard from him, and it is supposed he has been murdered. This is the neighborhood where Capt. Caldwell was supposed to have been murdered, and is said to be infested by a most desperate set of thieves and murderers. It is wholly unsafe for parties to travel the road between San Luis Obispo and Santa Barbara, without being well armed.

Oct 20

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Public Safety.

Nothing can be truer than the oft-quoted and fine old aphorism, "Eternal vigilance is the price of liberty." Though the precept is perhaps more applicable to national affairs—more earnest in its teachings to "the brave, the free," than in its bearings upon sectional and state interests and the requirements of cities, still we think it might not be lost on communities. "Eternal vigilance is the price of liberty," and, it may be added, of public safety—of freedom from internal dissension, from the vices of corrupt and dangerous society, from the evils of crime and its ten thousand attendant influences—in a word, eternal vigilance is the price of all the blessings purchased in the name of liberty, and should not be undervalued while a single evil threatens the subversion of the means of public safety.

If ever a motto was worthy to be worn, "sworn and subscribed to," by a people, then is this; and if ever a people were so situated as to realize the "eternal" wisdom and necessity of conforming to its practical teachings, our own community must be capable by the direst necessity to continue its every-day and "eternal" application. For if ever a people were saved by "faith and works," and by obedience to the divine injunction, "watch and pray," we are to be, and by these alone.

Yet every day the "sun goes down upon our unbelief." Every day we are reminded of an unceasing necessity for vigilance, and public safety measures. Every day, for many days, has noted the strengthening of evil, and witnessed accumulating dangers menace the public peace. Vice, like a noxious plant of foreign culture, "distilling poisons on the midnight air," though once partially extirpated from our soil, has returned, or sprung again into life from the old, undying root, to germinate afresh, and infect our social atmosphere with former ills. Such indeed seems to be the present state of society.

Is it not time that the armistice which was granted in the conflict between the powers of justice and crime be drawn to a close, and that the enemy be approached while yet his forces are not concentrated upon any scheme of villiany? Before the peaceable and unoffending fall as victims, or property become ensnared and sacrificed in the toils of the persevering and ingenious foe? Is it not well for one and all to begin to practice "eternal vigilance," and to be on the alert to protect both individual and public welfare against the plottings of iniquity and crime? Surely we have tasted too deeply the consequences of inertness and unwariness in our losses by thieves, murderers and incendiaries to be found at this day hugging the delusive phantom of hope, until the enemy shall have bound us hand and foot. Until our homes and our business places be again laid in ashes.

The condition of our county requires that we should, each and all, be ever vigilant. Let us hope for all, and pray for all good from the law and its administering agents, but let us resolve to be ever just and true to ourselves during these the "evil days" of our young State, and while she yet passes through the chrysalis form of her perfect destiny. To this end our voluntary-patrol system of vigilance and protection should not cease in this city. Our mutual-safety regulations, and the interest which was once felt in an association of sympathy, means and energies, for the protection of society and the preservation of public safety, should be revived to former vigor. Every good citizen should be on the alert for vice and corruption whether in high or low station in life, and our vigilance committee—aye, our Vigilance Committee!—should revive all the energies of its efficient organization, to preserve the city against renewed disasters and the fearful workings of crime.

But particularly should public safety measures be promoted with a view to prevent the recurrence of conflagration in our midst. Our city is not a whit better provided to resist a sweep of fire than it was on the occasion of our last conflagration. Several months have elapsed since that awful visitation, and something of the spirit and appearance of cheerful animated industry and prosperity has again returned to us. But we have escaped disaster for a longer period than that which intervened between three or four of the great fires, and, though it might appear as folly and superstition, we nevertheless may be said [illegible] have cleared the allotted time and built up the allotted space. We know not what hour another mis[illegible]e (and a fatal one it will be!) may come upon

[illegible]artment should be strengthened and
with their appara-
, ready for
[illegible]

From Sacramento and Marysville.

We are indebted to Freeman & Co., for up-river papers of yesterday.

In Sacramento, the trial G. C. Lusk, a policeman, for an assault upon Dr. Williams, is still pending.

A MAN STABBED.—Messrs. Hunter & Co., informs us that on Saturday night, Oct. 18th, a man was stabbed at Georgetown by a Spaniard, in a drunken fracas. He was a Kentuckian and known by the name of Robert. His surname is not given.—[Union.

JUST PUNISHMENT.—We learn from a gentleman who arrived in this city last evening from Marysville, on board the steamer, that during the trip down, a Colt's revolver was missed by one of the passengers—search was immediately instituted, and suspicion settled upon a "Sydney Duck," named Griffin. He was charged with the theft and searched, and notwithstanding an air of mock indignation and bravado, which he put on for the occasion, the revolver was found upon his person. A court of the people was immediately organized, and after a fair trial, the fellow was found guilty. There was an board the steamer a sick man—an American—from Illinois, who was on his way to the hospital in this city. At the suggestion of our esteemed fellow-citizen Mr. F., who acted as prosecuting attorney on the occasion, the thief was sentenced to pay over $100 to this sick man. The Sydneyite, glad to escape so easily, came "down with the dust" without a murmur. He was allowed $16 per ounce for it. The money has been deposited with S. O. Putnam & Co., of this city, subject to the order of the invalid, whose name is Nathan Spencer.

Cal Courier
Oct 22

Oct 21. Alta.

also, the pick and [illegible]

The Hobart Town Courier is quite severe on the people of California for their vigilance action, and wholesale condemnation of "Sydney rogues" in Vigilance Committees assembled. It holds the following language on the subject, which, to say the least, discloses some broad opinions of its own:

"The people who have emigrated from Sydney and this colony were composed chiefly of emigrants and native-born colonists, and as far as concerns any advantage of commercial intercourse between the countries California has reaped the whole benefit; and unless we looked forward beyond the present period to the time when these colonies shall be connected by a chain of steam with the Pacific, and united with the States in perfect freedom of commercial intercourse—an event which the discovery of gold in California is certain to bring about—it would have been better for every emigrant from these colonies, and better for every merchant connected with them, had the gold for centuries continued undisturbed and undiscovered in its parent bed."

We are not disposed to "argue the point" with the editor of the Courier, but we confess that the idea of annexing the South Sea Islands never "struck us so favorably" before. Where are the Fillebusters?

The papers present lengthy accounts of the progress of the Anti-Transportation move, or the Australian League. The interest in this matter appears to be growing more important.

There is much other entertaining intelligence in our colonial exchanges, which, for want of room is excluded to-day.

Oct 22

AFFLICTING.—At this present time of writing, (one o'clock A. M.,) the physicians of Mr. Endicott, of the firm of Endicott, Greene & Oakes, say he cannot live until morning.

THE OBSEQUIES.—The obsequies of George J. Oakes, late of the firm of Endicott, Green & Oakes, take place to-day. Mr. Oakes was a citizen extensively known and universally liked. He was a member of California Engine Company No. 4, an honorary member of the First California Guard and one of the active members of the Vigilance Committee. His early death has touched many a heart in San Francisco with sadness. The funeral procession will doubtless be very long. The Guards are to meet at the Armory this morning at 9 o'clock. They are to be dressed in citizen's dress with cloth caps and white gloves. From this place they will proceed to the late residence of the deceased on First street. The Vigilance Committee Room is draped in mourning and the members are to pay the last tribute of respect to one of their most active and valuable associates. They meet at the rooms this morning at nine o'clock when the bell will toll. The California Engine Company are to assemble at their room at 9 this morning also, and an invitation has been extended to all the companies who may desire to join their associates in this last tribute, to meet them at nine also at the Engine House No. 4.

The various divisions of the procession will assemble as soon after nine o'clock as is convenient at the Engine House opposite the Oriental Hotel. The procession will move from there along Battery to California, up California to Montgomery, along Montgomery to Clay, up Clay to Kearny, along Kearny to Mission and out Mission street to Yerba Buena Cemetery.

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DUTCH CHARLEY.—This man was yesterday pardoned out of jail by the Governor. He made his appearance in the street early in the day. The pardoning power, as exercised in this State by Gov. McDougal, is becoming not only a serious greivance but an oppression. We suppose there is no possible chance of arresting this mischievous and iniquitous exercise of power during his Administration. We understand that the Vigilance Committee arrested Dutch Charley last evening.

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horror and virtuous indignation.

may seem however, we find the *Journal of Commerce*, an influential paper, and one which assumes to be the representative of the New York commercial interests, hinting strongly at the idea of the necessity of adopting some more strenuous means than those now in force, for ridding that community of the rascals which now infest it. The following remarkable passage occurs in an article with reference to the subject, which recently appeared in the Journal referred to above:

"There is certainly great need of something being done, and that speedily. Villains are becoming every day more daringly desperate.—They evidently feel that they are very strong, if not the strongest party. The scandalous conduct of some of the magistrates, including some of the Aldermen, in releasing rowdies and villains without trial, has doubtless done much to embolden the latter, and to bring on a state of insecurity both to person and property which in this city is altogether unprecedented and disgraceful."

They object however, to the San Francisco Vigilance Committee plan of organization, but vaguely hint at some potential arrangement, which will effect the desired end. They urge that the State Laws are well enough, and that the arrangements for the prevention, detection and punishment of crime, are adequate, if duly carried into effect. There is a remarkable parity of reasoning, in the article in question, and that which was advanced by the advocates of the San Francisco Vigilance Committee, notwithstanding the attempts of the editors of the *Journal of Commerce* to give it a different complexion. They state that the reasons that good administrators of the law are not selected are, that men of property and character instead of attending to primary meetings, and seeing the proper persons nominated for offices, too often leave that important business to rowdies and grog-bruisers. Precisely the same reasons were adduced here last summer at the organization of the Committee, and for these same reasons the people of San Francisco were scoffed at by Atlantic Journalists. This is a remarkable revolution in sentiment, and we trust it may prove a lesson to our eastern brethren in future not to be too precipitate in their judgment of things and people in California. There are those here who were opposed to the Vigilance Committee, as there were those who were its warm advocates. Both parties will join in defending ourselves from wholesale abuse, by those who are not deeply interested in our family troubles, and of course we cannot—whatever may be our opinions in reference to such organizations as that of Vigilance Committees—but be attracted by such extraordinary revulsions of sentiment as have lately been exhibited in New York. We regret however, to learn that our Empire brethren should be forced to make the unpleasant acknowledgment.

Gov. McDougal.—The Stockton Journal is particularly severe on His Excellency.—We wonder who can speak well of him. The people respect his Proclamations and Reprieves about the Vigilance Committee and the murderers and thieves, no more than they do the paper on which they are printed. His Reprieve could not save Robinson, nor did his swearing before *his* Judge Myron Norton that he believed that the Vigilance Committee would hang Whittaker and MacKenzie, save these fellows from the gallows. He was hung by the populace in Sacramento in effigy. We disapprove of this business first, because he is Governor of the State, and second, because neither paper nor straw deserves so much rude abuse. Let us offer the Chief Magistrate no insult. We should forget John McDougal, and think only of the office which he holds. After his term of service shall expire, he will be like an outcast in the State.

Dutch Charley.—The Governor, we hear on good authority, has pardoned Dutch Charley. It was fortunate that Whittaker and MacKenzie were hung, or they too might have been pardoned out. Oh! how the office holders of California have fallen. We tell the Governor if he does not stop this pardoning business, that the people will hang every man he will liberate. If Berdue was pardoned out, there would be no cause of complaint, for we believe him innocent of all the charges made against him. But the Governor does not appear to be troubled about innocent men.

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o'clock, the mar... iff of Sacramento, ... about ... rived at the scaffold previously ... with Gibson and Thompson, leaving ... in charge of the military, about 800 yards from the scaffold. Both Gibson and Thompson addressed the multitude assembled, freely acknowledging their guilt and participation in the crimes for which they were about to be executed; and also charged Robinson with falsehood, and stated that he first suggested the commission of the crime and was the prime mover.

The sheriff, about 3 o'clock, adjusted the rope about their necks, shook hands with them, cut the rope, and the two culprits expiated the just sentence of the law without an apparent struggle. But the people were not yet satisfied, and immediately proceeded to the place where the "Guards" had Robinson in custody, and demanded his person, which was immediately surrendered to them. They then appointed a committee of thirty respectable citizens, to whom they committed the fate of the guilty man. The committee, after deliberation, decided that he should be immediately executed, which decision was soon carried into effect by the people, on the same gallows where his guilty accomplices paid the penalty of their crimes.

We give in addition the following from the Union Extra:

Friday, 1 o'clock, P. M.

Mr. N. A. H. Ball, of this city, brought up from Benicia this morning a reprieve from Gov. McDougal, in the Case of Robinson, who was sentenced to be hung this day. The rumor spread through the city with lightning rapidity, and a meeting of citizens was instantly organized at the Orleans House. A Committee was appointed to draft a series of resolutions.

The excitement is intense, and the town is crowded with strangers who have come in to witness the execution. There is not the slightest doubt in our own mind that Robinson will be hung by the populace before nightfall.

Marshal White is about delivering up the prisoners to the Sheriff. After that the police of the city will throw all the responsibility upon the county authorities.

The reprieve will be read—the two men, Thompson and Gibson will be hung by the authorities, and the culprit Robinson by the people.

1 1-4 o'clock, P. M.—The reprieve has just been read, and the excitement is awful. Nothing can be heard but "Hang him! hang him!"

10 min. of 2 o'clock.—The sheriff has left Robinson in the hands of the military, who, siding with their fellow citizens, have started with him to the place of execution. He is in the custody of some of our principal citizens.

Robinson, now he sees there is no chance of saving his life, is almost delirious with fear.

The other two prisoners, under the immediate charge of the Sheriff, are just mounting the scaffold.

2 o'clock P. M.—The prisoners in charge of the Sheriff are on the gallows. One of them is addressing the crowd—the other will speak before being hung.

Robinson will be kept until the execution of the others, and the voice of the people will then be taken. If they vote to pardon him, that course will be adopted. If they vote to hang him, nothing can save him from the doom pronounced.

10 minutes past 2.—The two prisoners have just been hung. The citizens are on the point of hanging up Robinson.

10 minutes to 4.—Robinson is on the scaffold and making a kind of confession. It is understood that he implicates several of the Police of Sacramento in his rascalities. He has recovered his self-possession somewhat, and appears to be talking against time.

Vigilance Committee—Important Resolution.

It will be seen by the following proceedings, that the Vigilance Committee has refused to recognise the ticket which appeared in the Alta of yesterday morning. They have disavowed all participation in getting it up. The ticket therefore is repudiated, and falls to the ground.

The District Court and the late Grand Jury.

We find the following on the record of the Court of Sessions. The scene occurred on yesterday.

This day comes the Hon. Levi Parsons, Judge of the District Court in and for the Fourth Judicial District, State of California, and moves the Court to strike out from the report of the Special Grand Jury, for the July term, 1851, so much of the said report as refers to the District Court, to wit:

"When we recall the delays, the insufficient and, we believe with much truth it may be said, the corrupt administration of the law; the inequality and indifference of those who are its sworn guardians and ministers; the frequent and unnecessary postponement of important trials in the District Court; the disregard of duty and impatience while attending to perform it, manifested by *some* of our Judges having criminal jurisdiction; the many notorious villains who have gone unwhipped of justice; lead us to believe that the members of that association have been governed by a feeling of opposition to the manner in which the law is administered and those who have administered it, rather than a determination to disregard the law itself."

The Court held the matter under advisement.

We choose to await without a single word of comment the decision of the Court upon this most extraordinary application to garble and falsify its records.

Court of Sessions.

A. Campbell, Judge; H. S. Brown and E. McGowan Associate Justices.

The People v. *Charles Sweetzer*, convicted of burglary.—The defendant being arraigned was sentenced by the court to one year's imprisonment.

The People v. *Chris. Kane, alias John Smith*, indicted for burglary.—The trial of this case being taken up, it appeared in evidence that the store of Mr. John Hoyer was burglariously entered on the night of the 12th of February last; the alarm being given by some one who saw the burglars, the latter fled; and the defendant was arrested outside with a few boxes of paste, &c., worth a few dollars, which had been taken from the store. He represented that he was passing by at time, and meeting one of the guilty parties coming out, was presented by him with the articles. The case was submitted to the jury without argument, who returned a verdict of guilty.

The People v. *Henry Howard*.—The defendant was tried and convicted a few days ago of stealing a watch, and sentenced by the jury to one year's imprisonment. A new trial was granted, on the ground of improper testimony admitted to the jury, which came up to-day; and the defendant was again found guilty, and sentenced to sixty day's imprisonment, having already suffered confinement for some time.

The Grand Jury came into court, and after presenting a number of indictments, also one impeachment, one of their number, Mr. Ross, read the following report of their labors for the term:

The Grand Jury empannelled for the special July term, A. D. 1851, by the Hon. Court of Sessions, would, at the close of their session, respectfully submit the following report:

Their labors have employed them 24 days, during which time they have examined 90 criminal cases, which clears the calendar; and of which, 4 were for murder, 12 for assault with intent to kill, 3 for assault, 3 for arson, 3 for robbery, 31 for grand larceny, 6 for burglary, 8 for bigamy, 1 for forgery, 2 for highway robbery, 2 for swindling, 4 for bribery, 2 for abduction, 1 for passing counterfeit money, 1 for perjury, 1 for conspiracy to rob and murder, and 11 for sundry other charges. The result of which has been, the finding of 44 true bills, the ignoring of 33 bills, and the dismissal of 13 cases. Upwards of 200 witnesses have been examined in the above cases.

Many of the ignored bills arose from the fact, that witnesses, who have heretofore appeared against them, could not be found, having left for parts unknown, or gone out of our reach, during the long delay since the commitment of the criminals, showing clearly the great importance of speedy trials in our country.

They have visited the County Jail at various times, and would state that, as far as completed, they believe it to be secure, but the limited accommodations are insufficient for the number of prisoners confined therein. They trust, however, that the funds being collected by the voluntary subscriptions of our citizens will be sufficient to speedily complete it, thereby giving ample and safe quarters for all its inmates.

They would mention with pleasure the gentlemanly deportment of the Sheriff, Col. Hays, and his faithful discharge of all duties devolving upon him. Also the ability, assiduity, industry and faithfulness of the District Attorney, Mr. Platt, in all matters where his services have been required by the Grand Jury.

This body have also visited the Hospital, and after a careful examination of its various departments, it gives them great pleasure to state that under the charge of the resident physician, Dr. Mills, they found every department in a most cleanly, orderly and comfortable state, and believe no improvement could be desired either by patients or the public.

The large amount of criminal business brought before the Grand Jury, has prevented their investigating some other matters, properly within their cognizance. The financial state of the county is truly deplorable, but not wishing to reflect upon those who have had the management of its affairs, trust that the new law providing a Board of Supervisors, may be efficacious in relieving the county of its embarrassments.

Increase of Crime.

The erroneous impression, which for a time prevailed that the Vigilance Committee had suspended operations, has induced that part of the numerous bands of criminals who fled to the interior, to return. They are here again, we understand, in large numbers—many of them dressed in handsome attire. They have finished their summer excursion to the mountains, and have no doubt exhausted most of their funds. They have now returned to enter upon their "fall business." Already have they commenced their operations by committing some daring transactions. Must they be permitted quietly to push forward their schemes of plunder? What are the watchmen about? Who guards the city, and the habitations of the living?

We call upon the people to kindle up the watch fires, and to cause the old night guard to traverse the city to see that it suffers no detriment! When the people will deliverance from felons, they can always succeed! It is for them to act, and without their will there is no security, and no law. They are above the law, and above the Constitution! When they have made the law, and it is properly administered, it is their duty to stand by it at all hazards; but where the law is not executed, and its agents prove themselves to be corrupt or incompetent, they must supercede their agents until faithful men are chosen to take their places. We have great confidence in Recorder Waller and Judge Campbell, and believe that they will do their duty. But under the circumstances in which we find ourselves placed, the people ought, by every lawful means, to aid and co-operate with the courts in bringing these criminals to justice. We hope the Vigilance Committee will set to work again, and if the courts should fail us, we hope they will themselves give these criminals a hoist, and ask no favors.

Just one of serious consideration, and we ask the attention of the General Government to it. In doing so, however, we by no means wish that we should delay ... until we shall hear from Washington.

CITY NEWS.

The Arrest of Watkins.—We stated in Saturday's issue that the burglar, Watkins, who was originally caught in Colonel Stevenson's office, in the act of forcing his safe, and who has escaped three times from the Station House, had been again recaptured on Friday night. The arrest was made in Sydney Valley by officers Eadie and McCauley about 10 o'clock at night. Watkins was in conversation with another person at the time and when laid hold of by the officer struggled fiercely to escape. He was soon overpowered, however, and safely conveyed to the new County Prison, in one of the strongest cells of which he is now confined, chained to the floor with heavy irons. This is right. He deserves no leniency whatever, and his frequent escapes heretofore will justify the harshest measures to secure him hereafter. It is probable that he will now at last be kept long enough to be tried, and when convicted, as he unquestionably will be, he will stand a good chance of serving out his time in the new prison.

Another Incendiary Attempt.—One would have supposed that the recent demonstration of the public against an individual accused of setting fire to his quarters, and the fate now hanging over him, would have prevented at least for a while the repetition of these incendiary attempts. But it seems not, for on Friday night and Saturday morning last, some miscreant made an effort to set fire to California-street Wharf, which came near being successful. Late on Friday night the private watchman stationed in the neighborhood of Messrs. Dewey & Heiser's store, noticed a man whose movements attracted his suspicions. The individual in question got down behind Messrs. Dewey & Heiser's, and keeping as much as possible concealed, made his way along the flats, it being low tide, and got under the wharf. The watchman suspected all was not right, and followed with a dark lantern. He trailed the fellow by his tracks in the mud, but he had it seems become alarmed and made off.

On Saturday morning, about 10½ o'clock, smoke was seen issuing from the wharf near Battery street, just at the spot where a large amount of lumber is piled. On repairing to the spot, the neighbors found the wharf set on fire and burning in six different places. A few of the lower planks were almost burnt through, and a few moments more would have seen the whole pile in a blaze. The fire was promptly extinguished without doing any damage. The incendiary had no doubt intended to effect his purpose in the darkness of the night, but being driven off, had returned and applied some potent combustible, which did not produce the desired effect until late in the morning. What object the miscreant could have had in it is hard to conjecture, as he could hardly have expected to fire the whole city from that point. His operations were probably directed against the shipping in the harbor.

The Hanging Affair in Sacramento.—We gave the substance of the account of the three men who were hung in Sacramento, in Saturday's Courier. Robinson maintained his uniform hypocrisy and falsehood up to the moment of his death. There is no reliance to be placed upon his confession. A gentleman who now resides in this city, he told four years ago, in Oregon, that he was steeped in crime.—Thompson is the man who attempted to murder a Frenchman in the mines. Col. James, of this city, had a severe struggle with him for his life. Nelson, no doubt, was less involved in crime than either of the three. They are now, however, no longer capable of mischief. The manner of their death ought to be a terror to all evil doers. Criminals will find that the Governor nor no one else can save them from the gallows. They should therefore abandon crime and all wicked associations.

Mrs Mary Ann Hogan.—I have heard it stated at my table that the man named Mason was English Jim, or Jim Stuart, the man who committed the murder; Whittaker never told me in private though he might have done so in public. Briggs used to board vessels for Mr. Hogan and purchase articles for him (has not seen Briggs for two months; does not know where he is now; he has very dark hair; is not wot quite so tall as Mr. E. S. Woodworth, but is much stouter; think he has dark eyes; have joked at the counter in regard to his age; he said he was eight-and-twenty, but I should think he was eight-and-thirty or forty years of age; should think he was a Lancashire man; he used to live with Huttmann, and Miller; was there nearly two years. Did not see Whittaker yesterday; have not seen him since Monday-week; he did not say he was going to Sonora; I told him that Mr. Hogan did not wish him to stay and he therefore left; don't know that he has not gone to the States.

Mary Ann Hogan re-examined.—I am a native of England; I left England when I was about two or three years of age, and went to the Colonies; I married in the Colonies; kept public house at Sydney; I have no recollection of ever having seen Whittaker in the Colonies; I left Sydney about two years since; during my residence in the Colonies I never was charged with the commission of crime. On my arrival in San Francisco my husband commenced a general business; we changed this business into that of keeping public house; the first house kept by us was in Kearney street, while living here my husband went to Oregon on business; I became acquainted with Whittaker at my own house in Sansome street, at the time my husband went to Oregon; I became acquainted with Whittaker before Mrs. Wright; I also knew T. B. Key, Edwards, Oaman, English Jim alias Stuart, Hughes and Arrentine; these men were in the habit of frequenting my house; before the fire; after the fire I moved to Green and Dupont streets; Whittaker went with me there; I remember seeing Whittaker cancel a bill on my counter for his board; I never received any presents of any kind from Whittaker, nor from any of the party named as frequenting my house. I knew Gelmesberg, the Jew; I have nothing against him; Whittaker and he traded together; I exchanged watches with Whittaker; I carried a letter from Judge Norton to Whittaker at Lassen's; I delivered it myself; I was in bed by nine o'clock when I received the letter; it was the season after I kept house; Hostetter was the name of the owner; I do not recollect the name of the street; he was a gambler; I recollect we went to Sansome street; he was a gambler; I recollect a man coming to my house with a dagger drawn, and he went into the room adjoining the bar-room; said he was looking for Whittaker to kill him. I told him Whittaker was not there; Whittaker was at Dr. Lambert's at the time; I went out there with the letter sent to him by Bowie; I did hear of a man being found dead near Edward's house; I never saw the man. Do not that it was the man who came to look for Whittaker with a dagger. [Witness here corrected the circumstances of the ounces to ... minor details, and that money was taken from him, or ... Whittaker gave me some money at the ... Whittaker was by Whittaker's own statement, I do not ... I cannot say how much it was; I do not ... gave me $200 of the money I received from Whittaker; I gave the money to Whittaker to be ... Whittaker told me he received on the 11th July, the citizens of San Francisco were thrown into "a fever of excitement and alarm." The ... hurried to the Plaza, and every variety of ... was indulged in; conjectures passed from mouth to mouth. They knew it was a signal of this dread tribunal, and looked for the enactment of some fearful determination. But nothing had transpired of the proceedings of "The seven hundred," and conjecture only hinted at the tragic scene so soon to be performed. For four hours this vast assemblage, comprising a large proportion of the whole city's population, was swayed to and fro by this uncertainty and suspense.—During the interval occupied by the committal ... the firing of minute guns in the bay, ... from the shipping, was the only ... that broke the silence of the excitement, and the ... of the proposed failure that the ... of the hall had subsided, and was time ... to strengthen the faith of the weak-hearted before they could be prevailed on to sally forth to the consummation of this terrible work? A tribunal organized to supercede the law, and ... to itself the functions of accuser, ... and executioner, would peril its existence by the manifestation of doubt or indecision. Safety ... were both involved in the unanimity ... of its proceedings. The public press had already ... the delivering up of Sears ... to the officers of the law, in obedience to the ... of Judge Norton, issued by the Supreme Court. The Alta California, in its number of July 5th, said:

"An order issued out of the highest court in the State is entitled to respect, and the disobedience of it would be a ... precedent to ... The action of the Committee has already ... the courts to a performance of their duty, and Stuart, if delivered into the hands of the law, will doubtless meet with the same just punishment which he would from the committee. It is hardly to be imagined that the committee will disobey the order."

The San Francisco Post of July 12th, the day ... the execution, ... the ... proceedings ... in this case, ... Whittaker ... Whittaker ... Whittaker

Whittaker's Confession.

Samuel Whittaker examined—My name is Samuel Whittaker; I was born in Manchester, England; I am thirty-three years of age next October. I left the port of London in May, 1836, on board the Lady Kennaway; I do not recollect the captain's name; she was bound to Sydney, and was a convict ship; I was transported for life in that ship for house breaking; was assigned to Mr. Smith, about fifty miles from Sydney. I left the Colonies about two years since by the ship Louisa, Captain Major; I arrived in San Francisco in August, 1848; I got my freedom in 1849 from Gov. Fitzroy; have lost the pardon; it was a conditional pardon. The first business I commenced in San Francisco was as steward in a public house, kept by Grockston, in Broadway; I was in their employ about three months. After leaving that employ I bought a horse and cart and boat; employed men to work the team and boat about two months. I then went to butchering in Happy Valley, and carried it on about one year; I then gave up butchering, and went to keeping public house in Jackson street, near Sansome, with a man by the name of McCormick, about two months. I then gave up keeping public house.

[Sam Whittaker states that Samuel Whittaker is an assumed name; it was the name under which he was transported, and desires to suppress his real name for family considerations, and as an act of humanity.] I began my career of crime in San Francisco at the time I formed my connection with McCormick, in keeping the Port Phillip House, before this public butchering; I used to ride my horse two or three times a week to the Mission Dolores to purchase cattle; Sanchez offered me a splendid mare at $150; refused to buy on account of price; James Currey came to me and said the mare was his; I finally bought the mare, saddle and bridle for $100 and Currey came in with me; I paid him, taking a receipt for the same; then rode the mare around, while doing so a man stopped me and said the mare belonged to Dutch Charley, was stolen and had been advertised; finding it so, I gave up the mare and looked for Currey; found him altered in dress and about to leave; took him to Ellcard's, there charged him with stealing the mare, and demanded my money; got back $60; then took him to Dutch Charley; Charley knocked him down and took him to the Station House; the $60 were taken by the police from me, to be handed back to me after the trial; I was summoned; attended court; the trial did not come off; Jack Hays put me on a jury to try a man charged with stealing a pistol; we found him guilty, and he was sentenced to two year's imprisonment for this trifling offence; court adjourned, and was again summoned to attend court; I did so; Currey had been let off, his case was never tried; I demanded my money; the sheriff asked me how long it had been; I told them about sixty days; they laughed at it, and said that it was lost after thirty days. I mention this case to show how justice is administered here, and it seemed to me that a thief had a better chance than an honest man. This took place in Levi Parson's Court, who was the Judge.

The first crime of which I was guilty, was that of robbing a bear hunter by the name of Vise, the other side of the Mission. In that matter, McCormick, McKenzie, Osman, Morris Morgan and two Kings were engaged; I knew the bear hunter and McKenzie also knew him; McKenzie took the bear hunter into a side room; Morgan took $90, money, $900 or thereabouts; when the bear hunters came out he found he had been robbed; we professed to know nothing about it; coming into town one of the party stole six hundred of the $600; the money was divided at King's house, corner of Broadway and Montgomery streets; we got only $20 each; the money taken from Vise belonged to Kelly the fighting man; shortly after McKenzie went to Sacramento City, and told Kelly who it was that robbed him; on this information Kelly came down from Sacramento; I was then in Monterey; Kelly had McCormick arrested and put him in jail; they threatened to lynch McCormick, and got from him some instrument by which they sold out the Port Phillip House to reimburse the loss.

After this I went down to Monterey with Briggs and Osman; while I was there T. Belcher Kay came down; Osman Kay and myself came up to San Jose. Kay had the delirium tremens at San Jose; Osman came to San Francisco; while there McCarty and McIntyre told Osman to bring up from Monterey Jim Briggs and Morgan; that they had a house to do that would yield $40,000; they came up; I came up also in the Goliah; Morgan and Briggs were informed by these officers as to what house, and went to look at it; I did so, but finding that Jimmy-from-town (Burns) was engaged, I refused to have any thing to do with it, and they also refused; I think it was Schloss Brothers; it was nearly opposite the old Custom House; about this time T. Belcher Kay was interested in arranging the robbery of the jewelry establishment and other places.

After this we arranged the robbery of Jansen's establishment; Jansen lived next door to me. Many persons from the Colonies frequented my house, and on leaving the country generally wanted sovereigns. Jansen told me that he usually had them, and would be glad to sell them, and would be obliged to me to take them. Morgan went with me into Jansen's to buy some sovereigns; this first gave rise to the supposed amount of money Jansen had; Jansen was about to remove; English Jim, Edwards and McCormick planned it thus: the cart was loaded with the trunk containing the money; Jansen's clerk sat on the trunk with a candle in his hand; one of the party had slipped the linchpin out of the axle of the cart expecting that by so doing the wheel would come off, and on falling they would seize the trunk. However, the wheel did not come off, and they were disappointed. Some time after this, English Jim, Briggs, McCormick, Edwards, T. B. Kay, myself, Hughes and Morgan planned the robbery of Jansen again; the whole of us were waiting past Jansen's, when our attention was arrested by a dim light at the bottom of the store; Morgan went and would have seized the money without being discovered; English Jim was standing at the window, and said, "If I do not go in there will be no money got." He went in. Jim had on a camlet cloak which rustled; he carried a piece of a stick, on the head of which there was a lump of lead as large as a man's fist. He struck Jansen; knocked him down. Jansen screamed, but it was only for an instant. T. B. Kay, Hughes, Edwards, McCormick, were on the same side with Jansen's store; Briggs and myself were on the opposite side. Morgan and English Jim were inside; they brought out the money; it was taken to Edward's house and there divided; there fell to our share respectively, one hundred and ninety-six dollars each; the odd money was spent in the house. They also took Jansen's watch; Edwards' brother got that and threw it into the Bay.

While at the Port Phillip House, a man came in and asked me to trust him for something to drink; I told him No, but I would give him a glass of grog; he drank the liquor, after which he said to me "you are a damned clever fellow," and gave me three hundred dollars to take care of for him—afterwards he called for his money; there was a man present, whose name I do not recollect, but whose name can be found on the records; the man was inebriated when I gave him the money; this fellow robbed the man of the money, and cleared out; on Sunday night following he came back to the house; I spoke to him about it; he said he had given George $40. I asked him what share belonged to me; he told me that my share had been left in the man's pocket to get; I told him to wait until McCormick came; however, they, this man and another, closed upon me—I knocked them down. I broke the jaw of one in three places; he prosecuted me for assault and battery. I was arrested; employed Mr. Wells; the case was tried; I was fined $100, ordered to pay doctors bills, and be imprisoned ten days on the Prison Brig. I had paid Wells $100 counsel fees. I told Wells that it was inconvenient to leave my business, and should like to compromise; it told Tilford this also; he said that he would speak to my counsel. Wells called on me, and said it could be compromised for $230, which amount I paid. I state this case also, to show the manner in which the laws are administered, and the corruption, if it had not been for the manner in which I have been treated and saw others treated, I should not have been here.

I know a man by the name of Palmer; this Palmer was a bird-stuffer; he used to live opposite to me on the hill.

The next matter in which I was interested, and will bring before your view, is that of Windred and Berdue. They were charged with having robbed Jansen, tried for it, and convicted, but they had nothing to do with it; I exerted myself much to save them; I told Parburt that they were innocent; but I did not tell him who were guilty. I had a long argument with Mr. Theodore Payne about it; it was intended, in case Winbred and Berdue were executed, to burn the city; I heard it from different persons; English Jim was one; indeed all that were engaged in the Jansen robbery made that declaration, and many others; it was the only time that I had heard the colonial people say anything about burning the city; it was to be fired at night in four or five different places.

The next robbery of importance planned by us was that of C. Minturn.

The parties who planned this robbery were T. B. Kay (he put it up), Edwards, McCormick, myself, English Jim, Adams and McKenzie; I think this was all; there was another party who attempted to rob that place, to wit; Briggs, Morgan, Osman and McKenzie, but failed from the bungling way they undertook it; we were there to do it; we entered the place through the back window; we intended to cut the floor away and lower the safe into a boat which Edwards had stolen for that purpose; while engaged, the clerk returned, which alarmed us; we jumped through the window and got away.

I was not interested in the robbery of the ship James Kaskis.

We then tried to get up the robbery of Macondray's store, but it fell through; T. Belcher Kay put up the undertaking.

T. B. Kay also put up a jewelry establishment in a brick building in Sacramento street; Kay was an engagement with; he can correctly read or write; his real name is Gibson. I went through the premises and examined it, and declined doing it on the ground that to effect it, we would have to murder perhaps four or five persons.

McCormick and English Jim went together to shoot a man by the name of O'Flaherty; when McCormick was arrested for taking the liquor from Messrs. Phelps, O'Flaherty went to the court and stated that McCormick had robbed him in the colonies; it was for this McCormick intended to kill him; Jim McCormick and myself went to do it; it was a moonlight night; I said to McCormick that it was too light, and that I would shoot him at some colder date; I done this to save the man; O'Flaherty lived then in Bryant place.

Since the May fire, Jack Arrentrue met me in the street; it appeared that Jack Smith had frequently told him that I was a very clever fellow; Arrentrue has been after me many times, and pointed out several places to me; I never would engage in anything with him; he met me in the street one day and took me down and introduced me to a man named Earl; we met Earl in the street; Arrentrue introduced me to him; we drank together and then went down to the Custom House; Arrentrue described it to me; stood on the place; said there was $500,000; then we went and looked at the drain; then we went to the other Custom House; he took me inside; we looked at the safe or vault that was building; Earl proposed renting the house next door to the Custom House, and opening an architect's office in it, and getting Watkins; we were to rob it from his office; this was practicable; Earl took me to see Watkins; Watkins had made his escape at this time.

Arrentrue and Earl proposed to me to rob the El Dorado; they urged that the interest they had with the authorities would cover our operations; I had got sick of all such work, and made up my mind to leave off, and therefore took no further notice of it; Arrentrue and Earl used to come frequently to my place at Mr. Hogan's, and dine with me and play cards.

I went up to Marysville to see if I could rent a public house; while there the June fire in San Francisco took place, and I came down; I saw Arrentrue and his woman at Mrs. Hogan's; she allowed them to stay, as they were friends of mine; however, when I came, they went away, as I made some fuss about it, and would not allow her to take anything for their board and lodging while they were there. I lived with Mrs Hogan four months, during Mr. Hogan's absence; during that time, I lived with Mrs. Hogan as man and wife; we slept together; indeed, she never intended to live with Hogan any more; I knew her in the Colony; I have heard it said that Mrs. Hogan had been transported; I told her about Arrentrue's and Earl's proposition; she imagined that I was engaged in robbery; I paid her $20 per week for my board; I was not engaged in any business; I also gave her many presents, say two thousand five hundred dollars; Mrs. Hogan knew English Jim, and I saw his likeness in her drawer, it was a small one; she also has mine; Mrs. Hogan knew all the men I have mentioned; they used to frequent her house.

I derived the money thus: I won $700 from English Jim at whist; I had $1400 or $1500 by me, that I had saved while I was a butcher.

George Adams, McCormick, Hughes and McKenzie robbed Dennis, on Sacramento street, below Kearny, on the south side; it was in September or October, and early in the evening; said to be about $15,000; I was absent at the time.

I won of Hetherington's companion $600; his name was Dan; I won at thimbles; Edwards and myself had been associated together, and they wanted a share of my winning, a man by the name of Jones, alias Grice, who made his escape from prison at Maryaville; Jones also wanted a share of it, as he was a companion of Long Charley; the reason why Jones wanted a share was that I and Long Charley had won it together; a man by the name of Gallagher took up the matter for Jones and went to my house, at Mrs. Hogan's, and went into Mrs. Hogan's bed room on tip-toe, with a drawn dagger to look for me; Mrs. Hogan asked him what he wanted; he replied that he wanted Whittaker; that he would make me show up the money; Mrs. Horan told him that I was not there; it was talked about his looking after me to kill me. A day or two after Gallagher was found dead in the street, by Edward's house; there was no mark on him except on the head; I think that Gallagher knew too much of Edwards' business; I think therefore that Edwards poisoned him; at the time Gallagher went into Mrs. Hogan's bed room; I was at the house of Dr. Lambert at the Mission; Mrs Hogan came out to me with a letter to take to Monterey; Mrs. Hogan was frequently in the habit of coming to see me while at Dr. Lambert's; Dr. Lambert is a man from the colonies; I took the letter to Monterey; it contained documents of money that Briggs, Morgan and Osman have in the banks of San Francisco; I delivered up the documents to Parburt; the Monterey trial came on that week; English Jim came also to Monterey; I think he came down to shoot me either for my money or jealousy; I knew all about the robbery in Monterey; I loaned Osman, Morgan and Briggs $1000; Quick put up the Monterey Custom House for robbery; Ryan was one of the party, and the only one who received any benefit.

I was not interested in any of the robberies of the jewellers; McCormick told me of the robberies. I believe, if you keep quiet and not publish, that the jewelry will be recovered. Osman bought it for $600, and I do not believe that he has sold it yet.

I gave Mrs. Hogan 21 ounces in gold for my board at one time; I had loaned that amount to Osman, and he returned it; the last money I got was $1200; gave to Mrs. Hogan. There was a miner came into Mrs. Hogan's house in Sansome street; T. B. Kay, Edwards and myself were there at the time; the miner laid down a large bag of gold containing two bags; John Edwards and myself took the money out; I had previously taken up the bag and secreted it; when we took the miner out, we met McCormick and McCormick and Edwards went off with the miner; he had (the miner) 500 or $600 more on him; Edwards and McCormick took that from the miner also; I returned back to Mrs. Hogan's, to meet T. B. Kay; I took every thing out; there was $700 in it; I gave Edwards $50; I gave T. B. Kay $25; T. B. Kay owed $150, previously loaned him by me; I then gave him $25 more, which made him $200; I kept the balance. An McCormick and Edwards kept the 500 or $600 that they took from the miner after we led him away from Mrs. Hogan's house; I then went home; the next day I got rid of it with my confederates; the other bag which I did not divide, contained $800, which, with my share of that divided, made about $1200; I gave $200 to each of my confederates, Edwards and McCormick, and collecting from Kay's share the $150 he owed me, left $1249 to me of the miner's money, out of which I gave to Mrs. Hogan, Mrs. Hogan's share, $1200; I left Windred, and called Virginson; he came out. I brought him up about half way, and told him I would bring his wife to bid him good-bye. I then went and brought Mrs. Windred and Mrs. Hogan to the spot. They bid him good-bye, and I put him in the boat of Kitchen, who took him to the ship, and we went to West's place. I then went to where Adams was. I asked him why he did not go away, having broke out of prison—why don't you bolt? He said he had no money. I said I can't help it. I mentioned it to Mrs. Hogan and Mrs. Windred. I said, come, let us go home—he wants money and I have got none. Mrs. Windred said, I have got some seven dollars; well, said I, give it me—I have three, and I went back and found Adams had gone. So I returned her the seven dollars, and we went home.

The vessel in which Windred was placed remained in port a week or a fortnight, and I feared he would be apprehended again. Mrs. Windred came every night in men's clothes to Mrs. Hogan's, to know when the ship sailed. Windred sent word to his wife to come on board to go with him, and she went on board, and the morning after the fire of May, the vessel sailed, and his wife went with him. About a fortnight after, a brother of Windred's arrived in another ship from Sydney, he is here, working about town.

Long Jim, alias Stuart, showed me a large specimen, about 6 feet 6 inches in height, stout made, light complexion, red hair, light eyes; he is a thief, he used to come to my own house in Jackson street with Jimmy-from-Town.

The man George, whose jaw I broke, which I have stated in my confession touching the miner who left $300 in my hands; he is about 5 feet 9 or 9 inches high, round shouldered, dark complexion, dark hair, a dirty looking fellow, he is a thief.

Charley, a young man about 25 years of age, used to be a waiter at the American Hotel in the square, at the Miners' Restaurant on Long Wharf, and at the Stage Hotel in San Jose, he is about 5 feet 6 inches dark complexion, dark curly hair, an American, thief by nature, he was much connected with McIntyre and McCarty, he was in jail for some robbery, which took place in Happy Valley, of $2,000.

Dick Smith was from the colonies, I think a convict, he was about 5 feet 6 or 7 inches, light complexion, rather florid, light hair, light eyes, stout made man, he was connected with the police; he was a putter-up, a kind of go-between the thief and the police, he told me that if any of my friends got into trouble, he would get them out, he would go, or get straw bail.

Thomas Holt, native of Sydney, he is about 5 feet 6 or 7 inches in height, spare made, dark complexioned, dark hair and eyes, black teeth, he is a thief, he may be somewhere about the city, his parents are reputed rich, he is about 18 or 19 years of age.

King, commonly called the Barber, kept the public house called the Bird-in-Hand, corner of Montgomery and Pacific streets; he is about five feet five or six inches high, rather stout, light hair, light complexion, light eyes, about 30 years of age; he was a thief; he was engaged in the affair of the bear hunter's, stated by me in my confession; he has a partner always with him, a thin faced, dark man, a little taller than himself; they are lusepariable companions; I think Barber keeps a public house; Barber is from the Colonies; I should say he is a convict.

Bluey is from the Colonies; a convict; he is a stout man, about five feet eight inches, dark complexioned, dark hair and eyes; I think he shaves; a country looking fellow. He is a thief, and went about town playing chance games; I have heard of his being engaged in robberies.

A dirty looking little pock-marked Jew (whose name I do not know), kept a store on the levee at Sacramento; long Jim wanted to sell him his goods, and because Long Jim would not take the price offered by the Jew, the Jew went and informed against him, and Jim threatened to kill him if he got a chance; this Jew was a receiver of stolen goods.

There is a baker by trade at the Mission Dolores; he is a dark, dirty looking fellow. He is a bad character. He proposed to Edwards to rob a man who was going down the country to buy cattle.

Long Bill, who used to be a waiter in a restaurant on Balance-street, off Gold street, is a tall man, an American, dark complexioned, dark hair and dark eyes. He was a thief.

John Darke, from Sydney, is five feet five or six inches high, dark complexioned, dark curly hair. He is a thief on his own hook. I don't know who his associates were. I rather think he stole on his own account.

There is one, a cooper by trade, whose name I do not know; he was associated with Long Bill; answers in description to Darke; carried a sling shot. He is a convict. He used to show the sling shot and say that was a convincer. I believe he was a dangerous fellow. I do not know that he is here now.

Joseph Turner and his wife; Turner is a tall, good looking man, dark complexion; he is from the colonies; the man Turner answers this description; his wife will meet a man in the street, goes into conversation, leads the man into a bye place, then Turner comes on them suddenly and says, "What are you doing with my wife?" by which means he gets money from the men whom his wife thus decoys; I believe him to be a thief; I don't know where he lives in town.

Thomas Williams, from the colonies. This is the man who decoyed a man into the up stairs of Crockstoin's house, (without Crockstoin's knowledge) and there robbed him of $2000; he is a dark complexioned man, 5 feet 5 inches, dark eyes and hair; I saw him at Marysville last; he travels about stealing and doing anything.

P. J. Barnes, a tinman from the colonies, a convict; he lives on Montgomery street, between Broadway and Pacific streets; he is a stout man, rather light complexioned and rather surly looking; he will buy stolen goods or steal them; he was apprehended for stealing a trunk from a black fellow, next door to him; they made it up.

Palmer, the bird-stuffer, is supposed to be a receiver of stolen goods; his name in connection with mine, was sent to the police office; which letter, by a train of circumstances, got into my hands.

Robert Ogden, from the colonies, I think a convict; he kept a house called "Live and Let Live," on Broadway, near O'Nell Place. I believe him to be a thief; he had $8000 of property in his place; not long before he could not pay me for a bullock; he is at Marysville now.

Davis, who kept the saloon under the theatre, now keeps Britton & Jones' house, in Pacific street. This man is a thief; he is from the colonies; I think he was a convict; he robbed a friend of mine, (George ——) of $25,000.

WHITTAKER'S HISTORY OF T. B. KAY.

On the continent and in Paris he is known as *Count Peri*; in England and the colonies as *Singing Billy*, also as *Billy Gibson*, and is now a runaway convict from Van Diemen's Land. T. B. Kay has a Spanish woman for a wife; also has a child by the woman. T. B. Kay got off from Launceston with a man named Madden.

The time that Tooig lopped T. B. Kay with the axe, next door to the Rochester House. I was going past there and it was reported that Tooig had been bailed out for the assault and battery of Kay that night. The Rochester House was shut up. It was very dark. There was a light in the upper part of the house, and company there. I opened the door by pushing it, and there was a globe lamp burning in the passage. I took out my revolver and shot at the lamp, and the ball hit the flame, broke the lamp and knocked it all into darkness. I went up the street about fifty yards, and walked back quietly past the house. Before I got to the house, the Frenchman had got to the door with the light. I was watching them examining the door to see where the ball had gone in. I looked to see if Tooig was there. I could not see him, so I walked home. They, the inmates of the house, never knew who did it until I told of it at Mrs. Hogan's house, after the fire.

Billy Hughes is a runaway convict; John Edwards is another; John Morris Morgan is another. They came from Van Diemen's Land. There is no comparison between the convicts of Sydney and Van Diemen's Land. The latter are a bad that they would not allow them to come into Sydney.

Brown, in the Police, was the man who did the dirty work for Old Darcy and Destruyre; I was the man who got Windred away; I went to the new jail with Windred's wife and Mrs. Hogan; I sent the key in; Tom Byrnes (the man you sent to Sydney) came to my house and said Windred was out; I got up and went down to the wharf at Pacific street; George Adams and Windred were there; I told Adams to go away by himself; I took Windred to a stable and got horses, and took Windred out to Lambert's; I told Lambert to take care of him, and I would pay all expenses. Windred was there about two weeks; I used to get a carriage and take Mrs. Windred and Mrs. Hogan out to Lambert's to see her husband. Mrs. Windred used to come to see me and Mrs. Hogan at Mrs. Hogan's house, dressed in men's clothes as a disguise. About two weeks from the time I took Windred to Lambert's, I got a ship and I engaged a passage for Windred, and appointed a night to put him on board. I told Kitchen to stand by with his boat, that I had a man to put on board the ship; I took one horse and went out to Lambert's, and got Windred away. I gave Windred my cap, bought a new one for myself, passed through Sansome street to Broadway, down Broadway to Battery street, then I put him down a passage-way at Clark's Point. I sent stand there, Windred until I call for you—the watchword is Jerusalem. I went past the house kept by West formerly. Mrs. Hogan and Mrs. Windred were there in waiting. Going past I saw Jim Briggs in one house; I then went across to Kitchen, to say I was ready, and there I saw George Adams. Being all escaped prisoners, and the police were walking about. I was astonished at seeing these men so near each other. Kitchen went down with his boat, and I told Mrs. Windred and Mrs. Hogan that I was ready, but would not allow them to go at that moment. I went to where I left Windred, and called Virginson; he came out. I brought him up about half way, and told him I would bring his wife to bid him good-bye. I then went and brought Mrs. Windred and Mrs. Hogan to the spot. They bid him good-bye, and I put him in the boat of Kitchen, who took him to the ship, and we went to West's place. I then went to where Adams was. I asked him why he did not go away, having broke out of prison—why don't you bolt? He said he had no money. I said I can't help it. I mentioned it to Mrs. Hogan and Mrs. Windred. I said, come, let us go home—he wants money and I have got none. Mrs. Windred said, I have got some seven dollars; well, said I, give it me—I have three, and I went back and found Adams had gone. So I returned her the seven dollars, and we went home.

Whittaker, on being shown a pair of callippers, he stated that he saw a pair on David Earl, who showed them to him as being useful. Earl was confronted with him, and denied ever having seen such an instrument before. Whittaker states that Earl showed them to him at night in the street.

Earl told me what a clever thing he once done with the callippers; he said that he once opened a door, went into a man's room, took the money from under the man's head, went out, relocked the door, and it was never discovered.

McCarty and McIntyre, at the time of the fire came to me and said there was a safe lying in the street, and wanted me to get a billy and break it open and take out the contents; I found it impracticable and went away. They came after me, and said the California Savings' Bank offered $500 to save their safe; they wanted me to get a scow and carry it off, but the fire had got all around and I could not do it.

Mrs. Hogan, to do her justice, I must say that she done all in her power to break up my associations, and to lead a different life.

August 14, 6 o'clock, P. M.

I know Mrs. Quelfelt; I called to see her in company with Mrs Hogan; I knew her some few months.

I slept at Mrs. Quelfelt's one night; I went up to Sonora, and found that I could get work for a horse and cart at an ounce a day; I came back and slept at Mrs Quelfelt's one night; when I arrived in town, I went to Mrs. Hogan's and found it would not be agreeable for me to sleep there, as Hogan had returned; I therefore slept at Mrs. Quelfelt's that night, and I gave Mrs. Hogan an ounce to pay to Mrs. Quelfelt; Mrs. Hogan did not take me; she came to see me there the next day. I bought a horse and cart of Cornell's, and went in the steamer next day to Stockton; she might have said it was a safe place to conceal myself.

There was some person came into the room while I was at Mrs. Quelfelt's; I did not purposely conceal myself; I was in the habit of using my handkerchief frequently.

I do not know Mr. Quelfelt; I was educated as a mechanic, farrier; I have also acted as groom and trainer of horses; never was taught stenography.

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HE HERALD.

Saturday Morning, July 12, 1851.

NO REMOVAL.

The Publication Office of this paper is still in Clay street, two doors below Montgomery.

Double-sheet Steamer Edition.

We will publish on Monday morning, at an early hour, the DOUBLE-SHEET STEAMER EDITION OF THE HERALD for the Atlantic States, to go by the steamers Pacific, Sarah Sands and Northerner. It will contain in addition to the usual interesting variety of mining and local news, an account of the execution of Stuart, together with the confession and the evidence taken in the case; the testimony of Hetherington; an account of the attack by the Indians at Trinidad; interesting news from the Southern mines, etc., etc.

To be had at the counter and at the following agencies; Marvin & Hitchcock, Montgomery street; Bonestell & Williston, Burgess, Gilbert & Still, near the Post-office; Cooke & Lecount, Wells' Buildings, and at Kimball's, on Long Wharf. Single copies, done up in wrappers, ready for mailing, 25 cents.

The Trial and Execution of Stuart—Astounding Revelations.

On yesterday about the hour of three o'clock of the afternoon, justice was done on the body of the man James Stuart, who has been for many days in the hands of the Vigilance Committee, and who during the last year had perpetrated a greater number of bold, daring and atrocious crimes than any other man in California. He was executed after making a confession of his guilt—on evidences of the most convincing and positive character. This confession and evidence not only prove him to have been implicated in the murder of Mr. Moore, at Dobbins' Ranch, in the murderous assault on Mr. Jansen in this city—in the no less murderous assault on the Captain of the brig Kaskia in this harbor,—but in the robbery of Mr. Minturn's safe, in the attempt on Mr. Macondray's, in the robbery at Monterey, and in fine in every burglary and robbery of any magnitude that has taken place in this city or neighborhood for many months. No criminal more daring or successful—more reckless or cold-blooded—ever harrassed a community. Bred up in crime since childhood—conscienceless and callous, he approached as near the character of a fiend as any thing in the garb of humanity we have ever seen. we had not even the excuse of stupidity or dulness, for his talents and ingenuity well directed would have achieved success in any other calling.

The astounding revelations contained in the testimony and confession we publish elsewhere, will apprise our citizens how utterly helpless they have hitherto been in the toils spread around them by the organized band of desperadoes who have infested for so long a time this city and State. To further the ends of justice, we are obliged to suppress for the present the names of many individuals in the community who are implicated in the crimes developed, and who are even now being perseveringly tracked by the Committee. Their time will come presently, and the public will then cease to wonder that with such an organization crime of every dye has reigned so long triumphant in San Francisco.

It will be seen that the ramifications of this association of thieves, burglars, assassins and incendiaries extended throughout the entire State—that judges and public prosecutors in some portions of the country were in league with the organization—that subornation of perjury was one of the commonest expedients to achieve the impunity of the criminal and to baffle the working of the law—that the burning of this city was several times resolved upon in revenge—and that life was not regarded at a straw's value when money was to be gained by murder.—On the whole we doubt if in the history of the United States there has ever been a more monstrous criminal organization laid bare, than that which has now been brought to light by the untiring efforts of the Vigilance Committee. That crime will meet with condign punishment they gave ample evidence by yesterday's proceedings.

Justice is tardy—men's motives and conduct are subject at all times to misinterpretation;—to further the ends of justice the Committee have hitherto preserved as to their acts an unvarying and profound silence;—knowing they were right, they have persevered in their labors through evil report and good. We ask is there a man in the city who does not now justify them? Look to the evidence and exposition, and consider how many patient days and nights of toil and labor it has cost those men to unravel this stupendous guilt. Even if they had been unsuccessful, have they not dearly earned the gratitude and esteem of their fellow-citizens;—but, marked as their efforts have been with the most brilliant, triumphant and gratifying success, have they not a right to claim the reward of the cordial and thankful approbation of their fellow-citizens?

The Execution Yesterday.

Nothing could exceed the gravity and decorum manifested yesterday by the citizens during the execution. At the first tap on the bell of the Monumentals, the members of the Vigilance Committee repaired swiftly and silently to their quarters. This was about half past nine o'clock, and from that hour till half past twelve, the Committee were occupied in hearing the testimony.—From half past twelve till half past two, there was an earnest and solemn debate, and at that hour the prisoner was doomed. During all this time the utmost gravity prevailed inside the building, and the utmost silence and attention among the crowd without.—The prisoner was offered the consolations of religion but would not accept them. When, finally, the punishment of death was decided upon by the the Committee, preliminary [illegible] the decision of the people, Mr. Steven[illegible] addressed the crowd, stating the facts of the case and presenting a summary of the evidence, called on the citizens to say whether they would sanction the decree of the Committee. The affirmative was answered with a loud shout, and in the negative there were three voices. The prisoner was doomed.

Shortly after he was led out [illegible] walking steadily, without f[illegible] hundred determined men sur[illegible] well armed, and the crowd of [illegible] ing up the rear. When he [illegible] launched into eternity the cre[illegible] and a solemn awe fell on the mul[illegible] a word was uttered, and after being s[illegible] ed thirty minutes, he was cut down and the Committee returned to their room—not the slightest attempt at disturbance having taken place.

We cannot too warmly commend the gravity and sobriety of demeanor—the steadiness of purpose, and the quiet determination of the Committee and of the citizens generally.

HETHERINGTON'S TESTIMONY.

We were obliged to omit in our extra yesterday evening the following very important testimony of Joseph Hetherington. The confession of Stuart and the evidence taken in the case will be found in the supplement in this morning's edition of the *Herald*.

Statement of Hetherington.

Boarded with Mr. and Mrs. Hogan. Hogan went to the mines; asked me to take charge of the house until he returned; saw the prisoner Stewart at the house for the first time a few days before the Janson affair, and several times after. Mrs. Hogan told me that his name was Jim Stuart or English Jim.—His constant companions were ——, Jim Briggs, and Whitake-, all of whom used to hang round the house.—Whitaker remained there ever since until the 30th June, or 1st July, when Mr. Hogan returned. Whitaker then left. I think Whitaker to be the smartest thief in the whole gang; he is five feet six or seven inches in height, round built, and when stripped is rather round shouldered, rather good looking—would say he is rather inclined to a fair complexion. hair the same color as that of Mr. Spencer to the best of my knowledge, but should recognise him—always dresses neatly. Since a row occurred at the house of Mr. Hogan three weeks after the Janson affair, I understand —— and he had a falling out and since then I have not seen them together.

Have not seen Jim Briggs for six weeks. When Whitaker first came to the house my partner, Mr. Davis and myself, and a young man named Jackson, a printer, refused to eat at the same table with any of the company then in the house. Mrs. Hogan took me one day into the dining room and asked me why I was so shy with Whitaker. I replied that Mr. Hogan had pointed him out to me as one of the greatest thieves in town, and pointed out to me the house on Jackson street where Whitaker resided, along with a man named Teddy; the house was at the corner of an alley leading from Gold street into Jackson street above Sansome street. Mrs. Hogan told me that Whitaker had been a government man, a convict in the penal colonies; that he had been assigned to Mr Hogan; that he had served them faithfully seven years as a butcher, and that they had always found him an honest man. Since then she has told me another story; that he was never assigned to Mr. Hogan, and that Mr. Hogan never knew him until he met him here.

Whitaker went to live at the house of Mr. Hogan during his absence, and Mr. Hogan was very much enraged at finding him at his house on his return and ordered her immediately to send him off. He left her next morning; I think he went to Marysville; yet I saw the name of a person named A. M. Whitaker as a person who left here on the isthmus for Panama on the 1st inst. His name was Sam Whitaker.

Sam Whitaker told me in regard to the Janson case, that Berdue and Wilfred were both innocent. I expressed my serious doubts; he said, "Hetherington, Long Jim, if ever he is taken, will tell the truth; the man Stevens is Long Jim, or to satisfy you, I will tell you all about it: Long Jim struck the blow; the man who was shot in the act of robbing a house at Sacramento City was the man who entered Janson's first; there were seven men concerned in the robbery of Janson; they divided the money in this parlor; after paying for drink, there was $246 to each of them." This information was given to me while the Hogans lived on Sansome street; there was a gold watch of which nothing was ever said about, which I threw into the bay from this back door.

Two men have recently endeavored to get Whitaker to join them in robbing the El Dorado and the present Custom House; the name of one of the men was ——; was often with Whitaker. Whitaker was afraid to trust them, otherwise would have joined them; —— suggested the robbery of the El Dorado, and —— that of the Custom House; —— and —— are very intimate; —— is constantly going in and out of the prison.

When Hogan gets his business settled up, which was the only reason for my staying at his house until he returned, I will give you much more serious information on some other points—involving pretty much the same parties.

Joseph Hetherington examined.—I know Jim Briggs and Sam Whittaker and English Jim alias Stuart; I have seen Stuart, the prisoner, in your custody; I know him to be the same man that I saw at the house of Mrs. Hogan; these men did not all board there, except Whitaker, who was a constant boarder; these men frequented the house; some of them ate and slept there occasionally; I never saw them commit any acts to, my own knowledge; I never knew Whittaker engaged in any ostensible business whereby to earn a living; from my knowledge of the parties, I suspected them of [illegible] from their general conduct and from [illegible] mation received from Sam Whittaker, [illegible] my opinion. I have also seen Edward[illegible] house in company with these men. [illegible] seen Sam Whittaker and Mrs. Hogan [illegible] Whittaker was aware that I had seen [illegible] Mrs. Hogan; Mrs. Hogan had said [illegible] (alluding to Whittaker,) and would [illegible] Hogan again.

[At the request of Mr. Hetherington [illegible] Committee, except Mr. Wadsworth [illegible] tired, when he stated—]

Whittaker told me that English Jim, alias Stuart, [illegible] travelling up to Marysville from Mokelum[illegible] Americans, who were hunting their mules, which they had lost; the men were out of money, and considered that they might as well be dead as without money; they agreed to go up to the mountains and rob every man they met till they each had $20,000; that the man Moore (whom they murdered) was the first man they met, and they murdered him; Long Jim shot him; he [illegible] him with a shot-gun before any one else came along; they (Long Jim and his companions) [illegible] read; the names of the Americans I [illegible] of them escaped from the prison brig [illegible] said to me that there was a specimen in [illegible] Long Jim said he took off of the body of [illegible] it had been shown to him (Whittaker), and considered that Berdue was innocent of it. [illegible] ker told me that he had a plan of [illegible] building; that he could rob the safe; that [illegible] plan of Bewitt & Harrison's, which he could rob at any time; also, Young's, next to the El Dorado.

The foregoing, and what I have stated in my first examination, is all that I know.

SUPPLEMENT
TO
THE HERALD.

Saturday Morning, July 12, 1851.

EXECUTION OF STUART.

The tapping of the alarm bell on the Monumental Engine House, about 9 o'clock this morning, startled the citizens, for it was the well known signal for the assembling of the Committee of Vigilance, and is never heard except when a case of life and death is pending. The members of the Committee repaired in great numbers to their Room, where they remained in session until 2 o'clock, engaged in the trial of "Jim Stuart," who confesses to six *aliases*—a native of England, and former convict. The evidence and his confession will be found in full below. He was convicted and sentenced to death. About 2 o'clock P. M., the Committee emerged from their Room, to the number of two or three hundred, having the prisoner with his arms bound and himself supported along by two of the members.

They marched two abreast, arm in arm, along Battery street to Market street wharf, down which they took their way to its extremity, where a derrick stood with every thing ready for the execution. The prisoner was nearly overcome with fear, so that his guards had almost to support him. Arrived at the derrick, the noose was quickly adjusted around his neck and in an instant he was hauled up into the air with a jerk and the rope made fast. He did not struggle perceptibly. Twice only he drew up his body and shoulders, and then swung dangling in the breeze.

After remaining suspended for about twenty-five minutes, life being entirely extinct, he was slowly let down, and the Committee having satisfied themselves that he was in reality dead, his body was lowered from the wharf into a boat and carried off into the harbor.

The most profound order was preserved throughout by the crowd, which was not very great. Not the slightest resistance was offered by any one to the proceedings of the Committee. All was quiet and orderly, and becoming gravity sat upon the faces of all.

Editor San Francisco Herald:

The accompanying documents in the case of Stephens *alias* Stuart, *alias* Campbell, *alias* English Jim, *alias* Carlisle, *alias* Mason, are handed you by order of the Committee of Vigilance for publication, your doing so will much oblige them and disabuse the public mind touching the affair.

Respectfully,

THE EXECUTIVE COMMITTEE,
Per order of Committee of Vigilance.

Confession.

Left England about 16 years of age, committed forgery and went to New South Wales for life; intercession of friends procured emancipation; from there to South Australia, Adelaide; stayed some five years; then went to Callao; was about 2½ years knocking about the southern continent; finally reached Panama in the J. W. Coffin, or went to Payta in the Coffin, and from thence to Panama in a launch; shipped in the Tennessee and came to San Francisco; the day I arrived left for Sacramento in the Senator; next day went to Marysville; from Marysville to Foster's bar; joined the Rock Mining Company and went to work; 17 in one company, and 108 employed in cutting a race; worked in this company one month; I hired Sullivan, the witness who appeared against me, to work in my place for one month; then went down the river about four miles, and worked for myself, mining; worked two weeks by myself; went up and hired a man to work in Sullivan's place, and took him with me; finished his month out down the river, and for two days extra work paid him $20; we then went to Foster's bar together; I then bought another claim of the next company and paid $300 for it; bought a life boat for $400; subsequently lent this boat to another company, and they worked it on half shares as a ferry boat; then went with Sullivan to Slate range about 8 miles higher up; we bought part of a claim and paid $50 each; we worked this claim for half of a day; did not pay well enough; left Sullivan there and returned to Foster's bar; thought I would return and work in the winter; went to work and finished the race, and turned the river; lent the Missouri Company $300 to finish their business; the day the race was turned, found the claim would not pay more than $12, and abandoned it; then went down the river to the old place and worked three weeks or one month longer; had a row with Col. Prentiss, left and went up to Foster's bar; two of us made a garden, and did very well; built myself a house; subsequently did no work at mining; received about $6 per day from my boat; I let the claim I paid $300 for to others, and they gave me a share for privilege of working it; received from $40 to $12 per day from this; I then took a partner, Bernard Feather, a German, and commenced store keeping in my house; was previously in the same company as myself, the Rock Mining Company; did nothing for a week and became tired of the life; concluded to stay all winter, and commenced building a house, the largest one there, for boarders; did not finish it; the company to whom I lent the $300 never paid me; they left; I bought of Daniel Casey, one of this company, all the things the company had left; searching their house I found a trunk; the trunk was open and full of clothes; I took them; I wore part of the clothes during the remainder of my stay; one night afterwards I went to Mr. Dodge's house and had a game of monte; lost I suppose that night $200; considered I was cheated and thought I would be even with them; so I stopt that night up at a tent and saw him put his money in a chest; when they had got to sleep went in and took the chest; opening the chest found $4300; had one piece worth about $1563; another 738; the rest in dust and about $600 in silver; I took all this and secreted most of it in my garden; I then went to work again as usual; worked about 10 days afterwards; I was then apprehended for stealing the trunk; having bought all in the house, considered the clothes belonging to me also; was admitted to bail in $500 to appear at Marysville for trial, and deposited the money; three days afterwards was taken up for stealing the $4300; for that I was committed again to Marysville, on charge of grand larceny; the mob that night wanted to hang me; the judge swore in about 60 men to protect me; the next morning Capt. Dodge, the largest loser, came to me and said if I would give him the money he would let me go and see that I was not hurt. Another party came to me and told me that his wife and family were suffering at home, so I concluded to give it up, and all but about $150 was found; allowed that lost this; remained with the sheriff this afternoon, and then asked the judge about selling my things; called an auction, sold my things, and gave my boat away to a friend; my things brought about $170. The sheriff kept this money in his possession (Edward Barr, sheriff); went out at night to collect some of this money, and while gone his cook came to me and said "if he was in my place he'd go;" told him I couldn't well go without money; he said I had better go without it; I consequently went; went about three miles that night, and took a mare; next night about 10 o'clock arrived in Sacramento; sold the mare the next day; stole the mare; had no money to buy one; staid in Sacramento about a fortnight; got acquainted with two or three Americans and one Sydney man; they did nothing but steal horses and mules; I used to sell them for them; the cholera broke out in Sacramento; the names of the men are "Dab," James Peate, Johnny Griffith was getting away from prison brig with irons on, and was drowned; went down to bail him out; a boy told Griffiths there was a brig in the river with a good deal of money on board, about $20,000; we went aboard the brig and got all there was—about $1200; went on board with Griffiths (dead), Edwards, Brown (dead); next day we agreed to come down to San Francisco; Edwards told us we could get some money out of a vessel in the harbor; a man came down with us called "Jimmy-from-town." (Burns); come down in the New World; "Jimmy-from-town" robbed a Spaniard on board of thirty ounces in coin; ("Jimmy-from-town") was stowed away by me on board the Tennessee); he gave me the money, and it was divided among four us: the same night we went aboard this vessel in San Francisco and robbed her; myself, Edwards, Brown, and Smith accomplished the deed; the vessel was the J. Casket; had some hard fighting on board; the captain was desperate and we left him almost dead; in the fight his wife came out of the cabin with a sword in her hand; I took it away from her; I acted as captain in that mob; left the other in charge of the captain; we were all masked; I searched the cabin; his wife gave me up what money there was on board; I then asked her if there were any arms on board; she gave me one of Allen's six-shooters, large size; I gave the money and pistols to one of the party; do not remember which; the woman begged me not to to take her husband's life; I said I did not want to do it if he would be quiet; I then looked in the cabin and saw that she had a splendid gold chronometer watch; she hoped I would not take it, as her mother had given it to her; I said, "on these conditions I will not take the watch"; the others kicked up a row for not taking it; I told them I was master; they had made me so, and I would act as I liked; tied the captain's hands behind him and shut him in the cabin; told his wife not to speak for two hours, as I should not leave the ship; also tied some boys who were on board at the time, and then went ashore; supposed we should get $15,000 or $16,000, and only got $170; he advertised a loss of $900; when his wife gave me the money, she said she had sent it nearly all home in the previous packet, or we should have got it. no doubt. Staid in San Francisco five or six days; tried to rob Grayson & Guild's store; stopped in it all one night and found I could not do it; wanted nothing but the money, but could not get it; the safe was too heavy; three or four days afterwards I went to Sacramento alone; stopped at Moore's house in L street; did nothing but play cards, and won a deal of money; sold mules and horses for others, as they were brought in, in the name of Campbell; Moore, who kept the house, died; bought his wife out for $150; paid $70 rent; all the things stolen in Sacramento were brought to this house; John Griffiths, John Jones (boy), Bill Nelson, and "Old Jack" were boarders of mine; a few days afterwards, Griffiths was arrested for picking a man's pocket of $800 in an auction store on J street; On Monday, he was committed to the prison brig; was bailed in the sum of $1500. They were kicking up a row in Sacramento at this time, and would not go straw bail—so I took a team, loaded it from my house with stolen goods, and started for Mormon Island; sold all at Mormon Island and Salmon Falls and returned to Sacramento county. Went to the sheriff of Sacramento, procured an order to go on board brig and see Griffiths; got on board and found that the night before, in trying to escape, he was drowned. While I had gone to the mines some one robbed my house of everything; did not think it worth while to open another house, and went to live in a small house near the burying-ground. Few days after was arrested for house-breaking, and employed Mr. Pixley; he got me out of it by one of my men swearing false; Old Jack swore false. I gave him $20, and Mr. Pixley agreed to get me out of the scrape if I would give him $60 more. I told Pixley I was guilty. About a week or ten days after was arrested again for breaking into a house in a lumber yard. I very near got shot there—through my hat at all events; got taken and committed aboard the brig for trial. Previously robbed a house Sunday night, corner Front and K street, clothing store, with Mat Hopwood; goes by name of Big Brummy. (Sydney man;) got from $800 to $900 worth of property. About two days after I was on board brig; employed Mr. Pixley again and paid him $50; also paid him $50 for Big Brummy, for robbing a woman. Two days after I had been on board prison brig a constable came down from Auburn and identified me as shooting the sheriff of Auburn. Two or three hours afterwards two more constables came on board—one from Foster's Bar and one from Marysville. The one from Foster's Bar identified me as the man having committed murder at Foster's Bar—one Chas. Moore; one has a warrant; they go on shore to Judge Sackett—he gave them an order to bring me ashore; take me to the Judge's office in J street. Mr. Pixley appeared for me, and would not allow the Judge to examine me. Was then sent on board brig again; the Judge then gave sheriff order to take me to Marysville; sheriff came for me the next morning, and Mr. Pixley told him that the warrant was not legal, and he could not take me; so he had to go to Marysville for another. I then gave Mr. Pixley my bag of gold dust to weigh out $600, and an order for $150, which he told me he had got and would pay me next day. The same night I made my escape from the brig; I walked that day to Dry Creek—half way to Stockton. Next day got into Stockton, disguised myself and came to San Francisco on a steamer—somewhere in the middle of December; then went and stopped in Edwards's house in Sydney Valley.

Never went out of the house during the day. During the night went to Port Philip House, kept by McCormick and Whittaker—(Edwards did not know of my escape.) Jansen, at that time lived next door to Whittaker's. Whittaker had got information of there being 8000 or $9000 in a safe in a butcher's shop in Broadway, myself, J. Edwards, Whittaker and Geo. Adams, went, took the window out, got the safe into the street, and could get it no further. The next was Minturn's, there were a great many in this mess. We got this information from ——. Had gone several times during the three days previous, to inquire about the money—he was acquainted there. Myself, Edwards, Edward McCormick, (Teddy.) Whittaker, Geo. Adams, ——, Bob. McKenzie—we took a boat with us, fait and tackle, made shears to take with us, put a feather bed in the boat, augurs, saws, &c., to cut away with, and all went pretty well armed. We managed to get inside three or four of us, and moved the safe somewhat, made a few augur holes in the floor, and intended cutting the floor away—some one came to the door—a false alarm—we had to run—Makenzie spoilt it by not knowing his instructions. We should not have stirred for one man or two, with so big a haul. Mackenzie gave wrong signals, and we jumped into the water and swam away. —— outside. The next thing was a jeweller's shop —— had examined—he allowed that there was $20,000 or $30,000 in diamonds, &c.—We went to look at it at night—myself and Edwards; gave my opinion that we could not do it; too much risk; some four or five people in shop below; gave it up as a bad job. The next thing —— got for us was Macondray's store; he had been watching it for a month; he told us there were three safes, and a vault with lots of money; as much as we could take away in a boat; come up to the night to do it, and some backed out, considering there were some eleven men in the building, gave it up. The night after, Whittaker informed us of Jansen's place; said that when Jansen moved he had a bag which he supposed contained 10 or $15,000; we agreed to go and get it. Myself, Jim Briggs, (from Monterey,) J. M. Morgan, S. Whittaker, Edw. McCormick, (Teddy.) Billy Kewes, ——, Edwards—all of us had been together for ten days, except Briggs and Morgan, who had just come up from Monterey. Briggs and Morgan were at Macondray's; had a falling out with Mackenzie, and he had to go. Morgan went into Jansen's store first, the rest stopped in the road; Whittaker and myself stood at window during this time. I thought he was too long and would get no money, so I went in to help him; I got half way up the shop behind the counter; heard Jansen ask Morgan, what he wanted there; Morgan told him that he wanted to look at some blankets; he turns round, and sees me behind the counter; also told him I wanted blankets. He stepped about two yards to show me some blankets, (we had cloaks on for a disguise.) I hit him on the head with a slung shot and knocked him down; I then left Morgan to take charge of him, whilst I looked after the money. I only hit him once; opened a desk, and took out a shot bag containing money.

We then carried the money home to Sydney Valley. I carried the money; I counted the money; there was $15093 in gold coin. We divided it in eight parts, making $1961 each. We then came down town again; went into Mrs. Hogan's; stopped there two or three hours and then went home again. Mrs. Hogan lived on Sansome street. Next day there was quite a fuss about town. We did not commit more robberies while the men arrested for striking Janson were under trial, as we did not wish them hung as they were innocent. We would have shot fifty men rather than they should have been hung. We agreed that if the above men were hung, which we expected they would on Sunday night, to burn down the town.

A few nights after we agreed to rob a bank kept by Beebee, Ludlow & Co., on Montgomery street. In this we were to be assisted by —— and ——. We tried two nights; opened the outside door by false keys. Watched it two days and concluded there was not money enough to attempt the robbery, as we observed the porter of the bank come each morning from Argenti's with bags of money deposited the evening previous.

The next night went to the bank next to El Dorado in Washington street. Morris Morgan helped build the money vault and gave us the information. Went down El Dorado steps, opened the door with false keys, entered and found two beds; discovered there were too many people sleeping about there; considered it too dangerous and gave it up. —— was an accomplice with us; there were eight in the gang; —— was generally an outsider, did the watching.

Next night stole a small safe out of Emerson & Dunbar's auction store, Sunday night; there was but twenty-four dollars in this safe. Adams stepped out at the time of Minturn's robbery.

Next night stole a safe from Gladwin & Whitmore; took it up on the sand-hills; were discovered before we had broken it open. I brought the safe down stairs. Morris Morgan and James Briggs were arrested by the police in this scrape. Here we lost all our tools, which were worth $500 to us. Then went to Mrs. Hogan's house. Bill Hows went home that night. Not liking to see men go to the watch-house, I wanted the rest to come and take them from the watch-house by force, but they refused; they thought by employing Mr. Parburt and other lawyers shey would be cleared. Next day Morgan was acquitted and Briggs committed to jail.

Next day I went to Gold Bluff in schr. B. L. Allen; had twenty-seven days passage to Trinidad Bay. I there saw Bob McKenzie, also saw Dabb, the horse-thief, with Jew Peet; they came from Oregon; they said that five horse-thieves had taken about sixty horses from Sacramento City to Oregon and there sold them. I found Trinidad to be a bad place for me. I played cards with Dab and won all his money, about three hundred dollars. I then came back in the B. L. Allen and paid the passage of Dabb and Peet also to San Francisco. Arrived in San Francisco on a Sunday, Dab threatened to inform on me if I didn't give him some money, so I gave him $50.

I went to Jas. Kitchen's house, and sent him on board the schooner for my bed and blankets. The same day Dab and a policeman stopped me in the street; the policeman wanted me to go the Recorder's with him. I drew my pistol to shoot him and he stood off. There were many people about, and I gave him (the policemen) one hundred dollars to quiet him. I then went to Kitchen's and stopped that night. I went and saw Mrs. Hogan; she told me that there was a warrant out for Whittaker and Long Charley for robbing a man in her house of fifteen hundred dollars; she advised me to leave the town; said the police were searching her house; said she had secreted Whittaker at the Mission.

Next morning I hired a horse at a stable and rode to Monterey. At this time I had just taken the name of Carlile, previously was called Campbell. The day I arrived at Monterey the men were about to be tried for robbing Monterey Custom House. My things were left at Kitchen's and have been there ever since. I went to Monterey purposely to attend the trial. Went to the watch-house and saw the prisoners. The second night my horse was stolen from me. Dick Osman was first put on trial. Parburt went down from San Francisco to defend him, and I appeared as a witness in his favor. Whittaker was also at Monterey. Kitchen arrived at Monterey in the steamer. Briggs was then in custody. We all knew the parties were guilty. Although they took thirteen thousand dollars down from San Francisco, all that was robbed was eight thousand dollars, though Randall said he had lost thirty thousand dollars. The fact is that Parburt, McDonald and Judge Merritt were counsel for prisoners, and Col. Weller, Botts and Wallace for prosecution—there was a great deal of swearing falsely and bribery. All the money was taken from the prisoners; the Court charges, amounting to one thousand dollars, was first taken out, and the balance of thirteen thousand dollars, say twelve thousand dollars, was equally divided between the prisoners and prosecuting counsel. The prisoners then paid their own lawyers. Randall got one-half and the prisoners the other half of the twelve thousand dollars. Morgan, Tom Quick and Ryan were in jail, but Osman was tried and consented to the division. Parburt told me to let the prisoners out of jail, and I broke the door down and let them out.

I then started on foot from Monterey for the Southern mines; reached San Jose. In San Jose stole a horse, saddle and bridle, but was captured near San Joaquin; got in a row with eleven Mexicans, who took my gun from me, stating I had stolen their horse; they took me back to Livermore's Pass; I gave them my watch and chain to release me, and went on foot to Sonora; from there went to Sullivan's and worked about a week; did not like mining; then went to Mariposa; there worked about five weeks; met there two Americans who knew me; did not think myself safe, and left for San Francisco on foot.

Arrived here last Tuesday night; saw Kitchen in the El Dorado; went to his house where he used to live; then went to ——— and slept that night. Wednesday morning arose and went to the Mission to see an acquaintance who lives at a bakery at the Mission; this same acquaintance previously wished me to rob a Spaniard's house at the Mission.

I went to see about robbing a Spaniard at the Mission. The acquaintance at the Mission is short and had on a black hat. [It is known to our Committee who this friend is.]

I went into the Mansion House and looked at the safe and told him I would see him again about it. I took the hills on the way back from the Mission to avoid being seen, and was arrested on the sand hills doing nothing. I was on the way to North Beach.

In coming from San Jose to San Francisco last January or February, I came in the steamer New Star with one Smith, who was afterwards shot in Sacramento City, robbing a house. We went from San Francisco to San Jose on purpose to rob the churches of the silver and gold images. We were told there was a gold image weighing ten pounds, but we could not find it.

Got stuck on a mud flat on the passage. In the morning all hands were called in the cabin and told that a passenger had been robbed of $1000 in gold dust; they took my gold dust and that of another man's, a passenger; but I did not rob it, and know nothing about it.

On arrival here I advised robbing the New Star. I met Teddy McCormack and John Edwards and went down to the steamboat. I went on board, opened the window and robbed the desk of about $250.

Cross-examination—Knew Jenkins; knew Windred; thinks he is gone out of the country; knows Adams; does not know where he is now; knows Nelson and Wilson, horse thieves in Sacramento City; when I landed from the J. Caskie, went to Edward's house; John Edwards has red whiskers; is an Englishman; broke into Smith's lumber yard about 8 o'clock at night; Jemmy-from-town stole a trunk from Mr. A. J. Ellis' house; Jemmy-from-town robbed Dow's safe, and blew it up with powder; gave Pixley order for my money in the name of James Campbell; arrived at Foster's bar about the middle of April; hired Sullivan, Hunt and Hews to work at Foster's bar; never committed more crimes at Foster's bar than I have stated; Dodge & Co. kept a gambling house at Foster's bar; names of three Americans and one Sydney man, horse thieves: Dabb, Peet and another name forgotten; think I knew of every robbery committed in Sacramento, when I was there; have worn a serape and rode on horseback in San Francisco; I generally board at Edwards' house; some of my friends have boarded at the Port Philip House; John Morgan is known here as John Morris and lives with Briggs; is 50 years old, large, stout fellow, and weighs 15 stone. Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers —— and —— for a long time; they were concerned with us in the robbery of Young's Bank, next to the El Dorado. Don't know who makes burglar's tools; Briggs makes some. Knew Otis, a horse thief, saw him arrested and saw him on trial. Knew Pico; did not know Fisher nor Hill or Hull at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for $113 on Lowe, lives on Front street, Sacramento City; has a bow window in it; very pretty house. Money stolen from Jansen was divided in Edward's house, near Clark's Point. A quarrel between —— and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Jansen been hung. The men who committed the jewelry robbery here, were George Adams and Teddy McCormick. I have been to Angel Island; generally stop at Daniel Wilder's house; think there are no robbers there. Mrs. Hogan's house is a crib for stolen property; she wears my daguerrotops; she knows all about our motions. Mr. Hogan is innocent.

Evidence.

John Sullivan—sworn—I know Wm. Stephens, prisoner; I first knew him at Slate Range; I met with Stephens half way between Slate Range and Foster's Bar, about the 20th of May, 1850; he carried part of my baggage down to Foster's Bar; he asked me if I did not wish to go to work for him next morning, I told him I would, and would work for him for $100 per month; he agreed to give it, and I went to work for him; I worked for him two weeks at Foster's Bar, I worked for him also at Winslow's Bar two weeks; I was one week sick; afterward I worked for him at Slate Range one week; Stephens worked well when I saw him; I saw him the last three weeks of the fire; I knew the prisoner to have lots of money; I don't know where he got it; he did nothing at Foster's Bar, but did well at Winslow's Bar; Stephens was not charged with any crime during the time while I was with him; I knew this man by the name of English Jim and Jim Stuart; on the third of July he came to Slate Range to redeem a watch; he paid the money for it on the fourth; he bought a claim with me on the day he redeemed the watch for $100; worked in it on the 5th until 2 o'clock, and on the morning of the 6th he left; did not see him again until he was arrested for the robbery of about $4000 of Dodge & Co., about the month of October, am not positive as to date; I was on the Bar when one or two lumps were dug up and proved to be Dodge & Co.'s; I left the Bar on that day, and have not seen him since until now.

Cross-Examined.—I did not see the lumps dug up, but the men who brought them in at Dodge & Co.'s, and said that they dug them from under the bed of prisoner; I have been in Callao; I never saw prisoner in Callao; I left Callao in Dec. 1849; I did not see him in Callao, to my knowledge; the bark J. W. Coffin was at Callao at the time I was there; I don't think I ever saw him until I saw him between Slate Range and Foster's Bar.

Direct resumed.—The prisoner told me that he came from Adelaide to Callao; to the best of my recollection he there shipped on board the bark J. W. Coffin; the Capt. discharged him; he secreted himself on board the Coffin; the Capt. discovered him and put him on shore at Payta; from there he went to Panama, and shipped on board the steamer Tennessee as a deck hand, and came to San Francisco; he told me he came to Panama in a launch; about the 8th or 10th of April 1850, the steamer Tennessee arrived, and the Coffin arrived about the last of April or the 1st day of May; I got to Foster's Bar on or about the 6th of May; prisoner was there and seemed to have been there some time; I do not think I could be mistaken in the man; he is the man I worked for and with; he is the man I saw on examination for a robbery committed on Dodge & Co.; I now recollect that prisoner told me once in the tent, that he had seen me in Callao; prisoner had three watches besides a gold watch which he went to redeem; one night he dressed himself with a large coat, fur cap, large bowie knife, a brace or one double-barrelled pistol, and went out; does not recognise the pistol and knife.

James Adair.—I have a small house on the top of the hill near Col. Stevenson's, at the head of California street; a man at a wood-pile came and told me that my house was broken open—that he would get in the bushes and look out for the burglar, as he had not finished his work, and requested me to get others and come also—I did so; while looking through the bushes we met a man on no road, that said that he was coming a direct way from the Mission; the road he chose being sandy and hilly, I thought the reason was a bad one; I thought it would be well enough to follow him and watch his movements; after passing a little over the summit of the hill, he stood and looked for a few moments down on the city, and then hurried in another direction; I called to a few carpenters who were at work on the hill, and we followed and called to him, he turned and came towards us; I mentioned the suspicious circumstances to him, and requested that he should come down and give an account of himself to the Vigilance Committee—to this he assented and came; a trunk with clothes worth $40, and $40 in money, had been taken from my house, which has not been found as yet; this man was taken about half of a mile from the house; the house the trunk was stolen from was locked; I don't know the precise time the trunk was taken.

Cross-examination by *Wm. Stevens.*—Prisoner was from a quarter to half of a mile from the house when taken; a gentleman stated that the man had a beard, and hat on like Stevens, but had on light pants and boots over, and a light coat or shirt sleeves; my impression was that this man Stevens had changed his clothes; my reason for thinking that the man Stevens had changed his clothes, was, that the coat and pants looked as if they had not been out of some trunk or bag but a few moments, as they were much wrinkled and the shoes were not dusted; Stevens stated that he had worn the clothes since he left Sonora.

Wesley Diggins—sworn.—I left the house on the hill at the head of California street, about 9 o'clock this morning; I locked the door and left my trunk with very little money in it, and about 11 or 12 I went back and found the door broken open; the door was opened with a piece of iron; I saw my trunk was taken away and a chest dragged to the door; the trunk had about $40 in it and two broadcloth coats; it was a China trunk bound with brass, painted blue; a pocket book with notes and other papers, also duplicate bills of exchange drawn by Burgoyne & Co., in favor of Eliza Diggins, one for $600, one for $620, also a small carpet bag, contents removed; I placed my trunk key in a vest hanging in the house; the key I found was taken, but the vest was still hanging where I left it; I then ran down to my wood yard and called to the men there to go with him and look through the bushes for the burglar; I immediately started for the places where I thought most likely for the things to be concealed; after going through the valleys and hills, I met Stevens and thought that he looked suspicious and asked him where he came from; he replied, from the Mission; what excited my suspicion was that his breath was rather short; I asked him if he had seen any one in his travels; he replied that he had seen two or three; I asked him if they had any thing with them; he answered that one had a handkerchief with something in it; we had several men out, and I stated to Mr. Adair that he had better see where Stevens went and I would go on, which I did, for one mile or more; saw no one and hunted thoroughly; found no trunk; I don't think he has any of my clothes on.

John B. Brady—I think I saw Stevens this morning on Powell street, near California, about 11, or half past. I would swear to it, if he had on white pants and light coat or shirt sleeves; my reason for looking at him so particularly was, he looked so much like Stuart; I feel satisfied and will swear that this is the man I saw on the hill. When I saw him he was within two feet of the house that was broken open; I know the house that was opened; some thought he was coming from the plank road on Mission street; when I first saw him it was about one hour before I heard the house was broken open.

Cross-examined by Stevens.—My house was about one hundred feet from the house broken open; I first stated that is not the man; I said he had on light pants and boots, outside and light coat or white shirt.

Direct examination resumed.—I said that is not the man, because I thought he might go more quietly if I should say so. I will swear this is the man, no matter how he is dressed; I never saw this man before to-day; I should say he was skulking along.

Toppen C. Kilburn—I am repairing a house a short distance from the house broken open, about 150 feet; I was going up to the house with some cooking utensils for Mr. Perry, and I met the man who lost the trunk; he told me he had been robbed, and I went in the bushes to search for the men or clothing; there was another man with me, who first saw this man, and he called me to him and told me to go and speak to Stephens, the prisoner; I called to him to stop, and he turned and stood still until I came to him, when I came up to him and asked what he was doing here; he looked frightened and confused, but said he was coming from the Mission. I remarked to him that this was a d—d pretty way to come from the Mission. He told me several different stories, and I thought it suspicious. He stated he lived on North Beach, but could not tell where, or who with, but said they were friends of his. I found some stockings similar in color to those he has now on in the bushes near where Stevens was taken. I heard some shrill whistle in the bushes this afternoon, about 3 o'clock, never heard them before.

John B. Braly.—The trunk painted blue, bound with brass. I found about half past 9 o'clock this morning in some thick bushes; I should think in the square bounded by Stockton, Powell, California and Pine streets; the square is not laid off, and cannot state positively.

George Bostrick, negro.—I know Wm. Stephens; he came down with me on the steamboat Star, from San Jose, about three or four months since. I know he was arrested for stealing money on board; the money was afterwards found in a water-cask, in gold dust; don't know the amount; will not swear that this was the one who stole the money, but he was arrested for it. I am at work for W. J. Sloane at the head of Washington st.

Thomas Cunningham called.—I know the prisoner by sight; saw him on the steamer New Star in San Francisco; and confident this is the same man; was on board Sunday morning when the prisoner came for his money; have had some conversation with Capt. Sampson in regard to him. He demanded his money. Capt. Sampson asked me what he had better do; I advised him to see some of the committee. The prisoner asked me what the hell I had to do with it, and should hold me accountable for anything I said in regard to him. Capt. Sampson stated that he was afraid if he detained the money this man or his associates would injure his vessel. This was said during the previous conversation. Capt. S. cautioned me against irritating the man as he had his hand on his pistol. The prisoner said he could establish a good name at San Jose and Santa Clara; he again demanded his money of the captain. At this moment noticed Capt. Baker passing; said I'll step out and speak to him. Stephens said before this if you do not give me my money I'll attach your boat; Stephens said I was very anxious to go to Monterey on horseback and went my money; I have got to be there Monday night. I think this happened on Sunday morning; the boat was one day over her time; had got aground; this occurred about half-past 8 Sunday morning. The owner of the one thousand dollars had left in the Panama for Monterey. The captain saw Mr. Baker; left Capt. Peterson and the man in the cabin; the man was nervous after the Capt. went out. He said "I'll be damned if I'll be troubled more about this business; I'll have the money and prosecute the boat first thing in the morning." After walking up and down the cabin several times he started out and went on the wharf, when Sampson called him back and said, as the man has gone to the States we had better conclude to give you the money. I said 'tis best for you to do so before the committee men come along; I told Capt. Sampson that he did not seem like an innocent man, and that I should publish it if I were in the matter and bring the man before the Recorder; this man th n seemed anxious to get off. Mr. Wadsworth, engineer, and all the crew of the boat I know. When the man and Captain came back they went into the office and the Captain took the bag; the bag was sealed; said to contain about $386; the man had in his pocket a specimen. Capt. S. wrote a receipt for this money, stating how he had received the money from the Committee. This man signed the receipt, I witnessed it; this man's name is not Stevens; I can swear he did not sign that name. The boat was robbed the next trip, Tuesday night, after she arrived, of money between $300 and $600; the little window was out open and the desk broken into.

Cross-examined by Stevens.—You told the Captain you wanted your money; you did not tell him you were ready to go with him that morning, to my knowledge; I don't recollect that the Captain said that the man was to go back with him to Santa Clara to show where he got the money. I am shipmaster in command of the American brig Lion.

Dura Wadsworth, sworn—I came down on the steamer Star about the first of February; as we were coming down we ran aground on the bar and remained there over night; after midnight, I turned in and went to sleep; the captain remained on deck until 3 o'clock, A. M., and between 3 A. M. and daylight, the dust was taken from the valise; Stephens was suspected because he had on a coat unlike all the other passengers of India rubber; another reason was, that one of the passengers thought he felt some person feeling in his pocket, and reached out his hand and felt the India rubber coat. The fine dust of Stephens', about $400, compared favorably with the dust lost, and the amount found made up the amount lost; the value of the specimen found on prisoner was about $200; a committee was chosen to search for the dust; the owner of the dust went directly to the steamer for Panama, without coming on shore; Capt. Sampson was master of the Star at the time; is now on his way home; there were 15 or 16 passengers on board; all on board thought this was the man who stole the money.

Cross-examined, by Stephens—All on board, from captain down, including passengers, were searched; one passenger besides the prisoner had gold dust with him; the engineer also had dust; I think Stephens had about $220 besides the specimen; don't recollect that the prisoner Stephens promised to go back on the return of boat, the gentleman who lost the $1000 said that Stephens informed him that he had but $12, of which he intended to give the stage driver $2 for bringing him down and the balance ($10), he intended to give the captain for bringing him to San Francisco; Stephens was showing a Spaniard sitting next to him a quantity of coin (several pieces), which called forth the foregoing remarks. One other bag of dust was given with Stephen's bag to the captain; I did not see either bag given up by the captain.

Direct examination resumed—The amount of dust found in the bag of the other passenger was about $600, about $200 more than was taken from the $1000 bag; I saw the bag of dust taken from the water-cask; the owner recognized the bag immediately, and remarked that some had been taken out; the owner said that he had lost $1000, and the amount found in the cask and on the prisoner made up the $1000; never saw prisoner before I saw him about San Francisco.

Robert Pollock, sworn—I have seen Wm. Stephens before; he was a passenger on the steamer Star with me from the Embarcadero of Aviso, about the last of January or first of February, 1851; on coming down, we ran ashore on a sand bank and were detained over night; after breakfast, I was walking the deck with him; we seated ourselves in front of the captain's office, and while there the bell was rung for the passengers to go into the cabin; I did not know what for; we were then informed that a valise had been robbed of one thousand dollars in gold dust; a motion was made by one of the passengers to institute a search; a committee of three were appointed to conduct the search; in searching the passengers, the amount of money was not found on any person; the prisoner Stephens had gold dust in a leather bag, and a large lump of quartz rock and gold; can't state positively as to the quantity of quarts or gold, it is so long since; the committee took in charge the dust found on Stephens; the committee then searched the steamer; I gave them the key of my trunk; afterwards, the committee called me and told me my trunk was open; after they had searched the boat, the passengers all commenced a search; one of the men belonging to the steamer felt in a water cask and found a bag of dust; it was given to the committee; the dust was then compared with the dust taken from Stephens; $600 were taken from the water-cask and about $400 from Stephens; the committee kept the dust taken from Stephens, believing it to have been stolen; the committee advised a suit at law to be instituted against Stephens; the man who lost the money came here on his way to go home in a steamer, and did not wish to be detained; the gentleman left the $400 in the hands of the captain of the steamboat, to give the prisoner an opportunity to prove where he got the money; the prisoner promised to return by the boat next trip to show where he got the money. I swear positively this is the same man.

Cross-examined, by Stephens—I did not weigh the dust, but was told that it was about $400; don't think any other persons had their money taken from them; I think the engineer had some dust taken from him also, but I saw it handed back to him.

Direct examination resumed—I don't know that the prisoner returned by the steamer.

Mr. Pollock lives on Stockton street, above Sacramento street, on Mr. Winner's property.

Statement of William Stephens—I do not recollect the date, but think it was about the 1st of December; we started about 9 A. M. from the Embarcadero. The next morning it was reported that a man had lost $1000; all the passengers were called below for the purpose of being searched; a bag of dust was taken from me, another bag from one of the other passengers; the contents of both bags were turned upon the table, and the owner of the lost money could not tell which belonged to him. I told them I had about $620 in my bag; the other person had just $600. I requested the captain to take possession of both bags, and seal them, which he did. A search was then made about the vessel; one of the sailors found a bag of dust in the cabin; our bags were then returned to us. The person who lost the money stated that it was not all there, that some had been taken out; it was then put upon the stand and laid out and weighed. The amount was $925. Mine was then weighed, $618—the other passenger's weighed $600. It was agreed then that both bags were to be detained by the captain until I could return with him to San Jose, to prove that it belonged to me. The next morning I went down to the boat to return with the captain to San Jose. The captain was not ready to go. I told him he could do either of these things—give me my money or put me in the hands of the marshal, else I should stop the boat. The captain returned me the money. I then went to Mr. Miles, and exchanged my dust for coin; I hired a horse to go to San Jose to meet Smith the gambler, to accompany him to Monterey. Smith had left town. I have not seen him since. We have kept a monte bank together. I worked for Gilroy about two months; received of him from three to four dollars per day; spent this as fast as I earned it; had $1300 when I commenced with Gilroy; had about this sum when I left; won about $160 the same night at San Jose; left for San Francisco the next morning. Smith I believe to be an Englishman. I was told by Mr. Mathews that he had left the country. Smith left San Jose for Monterey Sunday morning; don't know by what conveyance; followed him by stage next morning. The gamblers at San Jose told me that Smith had left for Monterey; thinks that he might have known something to cause an immediate departure. Smith stands about five feet seven inches, dark complexion, dark hair, no whiskers. Have known him 8 or 9 months; first I saw him in Stockton, 16 months ago. I knew Snow and Brour at Sonora, two convict men, miners. Went from San Jose to Sonora for the purpose of mining. Worked with two sailors at the mines, one called Frele; can't think of the other's name. I believe the late troubles at Sonora commenced the day I left for San Jose; have been into the French hotel at Sonora three or four times and gambled there.

William Stevens, born in Brighton, England, raised in Montreal, aged 32, in March next, left London in 1835 for Canada in the ship Sophia, was sixteen years old when I left England, was apprenticed to a tailor in Brighton, and went to work at tailoring, when I arrived at Montreal; left Montreal two and a half years ago, for Chagres; arrived here in the Am. barque J. W. Coffin, from Panama, had ninety passengers; arrived here in November or December, 1849, went to the Southern mines, has worked the last five months at Sullivan's creek; two months on the Tuolumne, four months at Savage's camp on the Mariposa. I arrived in this city last night, and walked here via Livermore's ranch, where I have a horse and mule; they have been there this past six months; I slept last night on North Beach; a man by the name of Kitchen showed me the house; do not know the occupants; it is a private house; went to the above named place with Kitchen a little after dark, about 9 o'clock. There was only three persons in the house where I slept. There was a female in the house; her name I decline mentioning. The man I do not know. Went to bed about ten o'clock, and did not go out during the night, and got up this morning soon after day light, near about five o'clock, went over to the Mission; arrived at the Mission about 6 o'clock, remained there at least till ten o'clock; left the Mission and took the road over the hills; thinking it was the nearest road, saw two men with only one bundle; was questioned by four men whether I had seen any parties carrying a trunk; told them I saw two men with a bundle; they told me

...ALD.

... Morning, June 13, 1851.

...VAL.—The Publication Office of the San ... Herald has been removed to **Clay Street, ... below Montgomery, North side.**

...bject Steamer Herald.

... at 11 o'clock this ... the double... edition of the Herald, ... Atlantic ... by the California, on to-morrow, the 14th inst. It will contain mining intelligence from all parts of the country; a full report of the dinner to Terence Bellew McManus, Esq.; an account of the lynching of Jenkins, with the evidence given before the Coroner's Jury; the excitement in this city and Stockton; the recent intelligence from Los Angeles and the Southern country; shipping and commercial intelligence; law reports; a review of the market and price current; articles on a variety of subjects; together with a summary of the events of the last fortnight.

Single copies done up in wrappers, ready for mailing, to be had at the Publication Office, and at the bookstore of Marvin & Hitchcock, Montgomery st. Price 25 cents

The Committee of Safety.

We publish elsewhere the Constitution and By-Laws of the Committee of Public Safety, —and if any guaranty were requisite of the justice and fairness of the proceedings of Tuesday night, it is furnished in this array of names the most respectable and influential in the city. That the Committee did not sit with closed doors for any sinister purpose, will likewise be evident from this voluntary publication.

That the Committee will persevere in the work they have commenced—coolly, cautiously and humanely, we have not the slightest doubt. They have assumed a very grave responsibility, and the work they have mark... out for themselves is no holiday task. ... to expect obloquy from some ... they need not ... They ... port and ... ance of ... citizens—not in violating ... not their purpose, and it ... less jargon to say so—but in ... and securing criminals, and in ... that the laws are faithfully and administered.

... humane and ... most efficacious ... to the evil ...

... ily be ... those now ... d to re- ... any un- ... arraignment, ... The Commit- ... fulness over the ... rd. ... gs held on the ... Jenkins—both, ... hout aim or ob- ... No converts ... of the ques- ... very much ... ly the con- ...

... mighty ... we have ... following

...ALD: ...bject of this day's meeting having been ... an illegal and unconstitutional interfer- ... holder of justice should have the oppor- ... him of enrolling his name, and of guar- ... ntenance to those who dare to punish ... right of speech may, as on this ... orrow evening, a guard of citi- ... ground around the platform to en- ... at outrage and ... to those ... called on to address the people. The ... like to hear reflections on their ineffi-...ciency, but violence will not prevent it.

A LOOKER-ON

Thursday, July 12.

We can imagine no possible benefit that can arise from holding a meeting this evening. We can see no necessity for it; and to call the people together without a special and useful purpose, is mere trifling with a grave and important crisis. The proposition made yesterday in favor of a total revolution and the substitution of a provisional government, was of course made in jest; but such jokes, though calculated to amuse, are wholly unserviceable in the cause we all have at heart. Above all let us discountenance brawling among citizens, an evil which these aimless gatherings tend much to engender.

Hon. David C. Broderick.

Editor Herald—I notice in the *Alta California* of this morning, in the evidence of David C. Broderick, before the Coroner's inquest on the body of John Jenkins, who was hung by the people on the 11th instant, at half-past 2, a. m., the following statement:

"I saw several persons at the Union who appeared to be very anxious to have it known that they had participated in the affair, among them was Saml. Brannan, also Wm. H. Jones."

In relation to the evidence referring to me, that part of his testimony I positively deny; and at any time when called upon will refute it by the evidence of many respectable citizens, who stood by my side during the whole time I was there, which was but a few moments.

SAMUEL BRANNAN.

...From San Diego.

... Gold Hunter ... the San ... the 5th inst. There is nothing ... the lower country.

...r of the *Herald* has been "informed ...eman from Los Angeles that Irving and ... who were supposed to have committed ...redations about Los Angeles, and of ... sheriff of that county was in pursuit, ... killed by the Indians in the neighbor- ... Cahoon ... the Rancho del ... conduct at the ... ack on the ... that ...

Committee of Public Safety—Constitution.

Whereas, it has become apparent to the citizens of San Francisco that there is no security for life and property, either under the regulations of society as it at present exists, or under the laws as now administered; therefore, the citizens, whose names are hereunto attached, do unite themselves into an association for the maintenance of the peace and good order of society, and the preservation of the lives and property of the citizens of San Francisco, and do bind ourselves, each unto the other, to do and perform every lawful act for the maintenance of law and order, and to sustain the laws when faithfully and properly administered; but we are determined that no thief, burglar, incendiary or assassin, shall escape punishment, either by the quibbles of the law, the insecurity of prisons, the carelessness or corruption of the police, or a laxity of those who pretend to administer justice. And to secure the objects of this association we do hereby agree:

1. That the name and style of the association shall be the Committee of Vigilance, for the protection of the lives and property of the citizens and residents of the city of San Francisco.

2. That there shall be a room selected for the meeting and deliberation of the Committee, at which there shall be some one or more members of the committee appointed for that purpose in constant attendance, at all hours of the day and night, to receive the report of any member of the association, or of any other person or persons whatsoever, of any act of violence done to the person or property of any citizen of San Francisco; and if in the judgment of the member or members of the committee present, it be such an act as justifies the interference of this committee, either in aiding in the execution of the laws, or the prompt and summary punishment of the offender, the committee shall be at once assembled for the purpose of taking such action as a majority of the committee when assembled shall determine upon.

3. That it shall be the duty of any member or members of the committee on duty at the committee room, whenever a general assemblage of the committee is deemed necessary, to cause a call to be made by two strokes upon a bell, which shall be repeated with a pause of one minute between each alarm. The alarm to be struck until ordered stopped.

4. That when the committee have assembled for action the decision of a majority present shall be binding upon the whole committee, and that those members of the committee whose names are hereunto attached, do pledge their honor, and hereby bind themselves to defend and sustain each other in carrying out the determined action of this committee at the hazard of their lives and their fortunes.

5. That there shall be chosen monthly a president, secretary, and treasurer, and it shall be the duty of the secretary to detail the members required to be in daily attendance at the committee room. A sergeant-at-arms shall be appointed, whose duty it shall be to notify such members of their detail for duty. The sergeant-at-arms shall reside at and be in constant attendance at the committee room. There shall be a standing committee of finance and qualification consisting of five each, and no person shall be admitted a member of this association unless he be a respectable citizen, and approved of by the committee on qualification before admission.

The County Jail.—A paragraph appeared in yesterday's *Picayune* to the effect that an assort... of augurs, bitts, files, &c., were found on ...oners in the County Jail, on Wednesday. ... requested by the Sheriff to say that the ... is wholly incorrect. There need be no ...ension felt about the prisoners under charge of the Sheriff. Escape is wholly impossible, and all the artifices used to aid the prisoners is of no avail. If a culprit escape from the County Jail, he must be one whom stone walls and iron bars cannot restrain. We state from our own observation that greater security cannot possibly be attained than is now provided by the Sheriff. In addition to all the other precautions against escape, watch and ward is maintained night and day, and the guards *do not sleep on their post.*

Later from Oregon.

By the arrival of the regular mail steamer Columbia from Oregon, we have dates from that territory to the 7th instant.

We are indebted to Todd & Co. and Gregory's Expresses for files of Oregon papers.

As far as ascertained the election returns give a majority for Gen. Lane as delegate to Congress, and that gentleman is doubtless elected.

We learn from the *Oregonian* of the 7th instant ... "party of emigrants, commanded by Capt. ...ll, have arrived at Portland. They number ...ght persons—having crossed with twenty-... wagons, and about two hundred and fifty head of stock. They are several families, among which are sixteen females. They left Salt Lake on the 28th of March, and arrived at the Dalles, May 29th, making the journey in sixty-two days. The health of the company has been good during the journey. They were attacked by the Indians on Snake River, but lost none of their party. The Indians kept up a fire across the river upon them for two hours, which the emigrants returned, killing several Indians during the fight."

The steamer Sea Gull met with an accident after she arrived inside the bar, at the mouth of the river, on Saturday, the 24th ult. She had been beached at Astoria for repairs. She was to leave for this port on the 6th instant.

Stockton Items.

Political Discussion.—A very pleasing political discussion came off here on last Saturday evening, between Judge Tompkins, formerly of Mississippi, and the Hon. Mr. McLean, formerly of Baltimore, the former a whig and the latter a democrat. Both gentlemen displayed much ability on the occasion, and handled their opposite sides of the great national questions with much courtesy and good feeling.

Mr. McLean led off in a speech of twenty minutes, and was followed by Mr. Tompkins, who occupied nearly an hour. Mr. McLean rejoined, occupying half an hour.

The Robbery at Campo Seco.—Reynolds & Co. furnish the Stockton *Journal* with the following description of the robbers who made the attempt on the store at Campo Seco:

One, called Jim, drove a mule team last year, wore a blue or green cloth shirt with pockets. He is about five feet two, and has red hair, and short red beard. Fresh wound on the left side of upper lip, and a scar on the left side of his neck under the chin. He was suspected, last fall, of horse stealing in Stockton.

Another, called Johnson, wore a black sack coat, was tall and slim, about twenty-two years old, sandy complexion, and pock-marked.

Another, a boy about twenty years of age, long hair, and wore a short-waisted frock-coat.

The fourth was a stout man, dark complexion, long hair, with bulge nose, coal black eyes, black mustaches, good-looking and dresses well.

The fifth was a Spaniard, about twenty years of age, heavy set, fair skin, black mustaches, and had on a Panama hat with narrow brim.

The citizens of Stockton held a meeting on Monday night, for the purpose of organizing a volunteer police. The plan was not fully perfected, but another meeting was to be held for the purpose.

Departure of the Steamer.—The regular semi-monthly steamer of the Pacific Mail Steamship Company leaves to-morrow at 4 o'clock p. m. She takes her departure one day before the usual time, in consequence of the new arrangement providing that whenever the first or the fifteenth of the month falls on Sunday, the ... shall leave this port on the day before, and Pan... day after. The mail will close at the Post ... at 1 o'clock p. m. A bag for newspapers will be ... open at this office until three o'clock p. m.

The McManus Dinner.

The complimentary dinner to this distinguished Irish patriot, who lately arrived in this city from Van Diemen's Land, was given last night at the Rassette House, corner of Bush and Sansome streets. The room was decorated with the Irish and American flags, which were beautifully interlwined with each other round the walls. About two hundred gentlemen sat down to dinner.

C. Brenham, Esq., the Mayor of the city, presiding. On the right of the chair sat Terence Bellew McManus, Esq., the guest of the evening, Thomas Butler King, Esq., Collector of Customs, the Hon. Mr. Holmes, late of South Carolina, the Hon. Mr. Weller, late of Ohio, the Hon. Mr. Green, of Texas, Gen. Addison; on the left were the Hon. Mr. Gwin, U. S. Senator of California, Judge Murray, of the Superior Court, the Hon. Mr. McLean, late of Maryland, the Hon. Judge Tomkins, late of Mississippi, &c.

After the cloth was removed, the Mayor rose and proposed the first toast, as follows:

The Union of our States—The safeguard of our happiness, power and liberties, and the hope of Freedom to the world—blighted be the hand ever raised to divide or disturb it. (Enthusiastic cheering.)

Air—Patrick's day in the morning.

The Mayor then gave as the next toast:

The President of the United States—The first Magistrate of the Republic, and the first citizen of a free people—May his virtues lend an added lustre to his office and dignify the administration of its duties. (Long continued cheering.)

The Mayor in proposing the next toast said: Before announcing this toast I cannot refrain from adverting to the occasion which brought us here together. The struggles of the people of Ireland have always been looked upon by the American people with interest and with hope. (Loud cheers.) We sympathised with them in their efforts to shake off the thraldom in which they were bound, and to attain that position to which the chivalry and gallantry of her people entitle her. No country in the world has furnished abler men for the field or the cabinet, and her sons stand chronicled on the page of history with the most eminent of any other nation. (Cheers.) But we need not look to the page of history to find out these illustrious men. In our own times we find some of the noblest and bravest that ever added lustre to any nation. (Tremendous cheering.) Men who were ready to do and die for their country; men who staked their fortunes and their lives in the generous and sacred effort to bring about its freedom. (Cheers.) It is to do honor to one of these brave men that we have met here to-night. (Cheers.) Like Emmett he failed, but even in his failure he challenges our admiration. (Cheers.) He has suffered in his exile and we feel pained at his suffering, but though we sympathize in his misfortunes we admire his heroism. (Enthusiastic cheering.) Cordially we welcome him to this land. (Cheers.) We open our hearts to him, and extend to him the right hand of fellowship. (Cheers.) As Americans we welcome him to our shores—the home of the oppressed and down-trodden of all nations—and as Californians we hail his arrival among us with pride and pleasure. (Tremendous and long continued cheering.) Gentlemen, I give you—

Our Guest—Terence Bellew McManus.—Ireland gave him birth, England a dungeon, America a home, with a hundred thousand welcomes.

It would be impossible to describe the enthusiasm which followed the announcement of this toast. The whole company rose and continued cheering for several minutes.

Air—The Exile of Erin.

Mr. McManus rose amidst a perfect storm of applause and was so overpowered by his feelings, as to be unable to proceed; he said:

Mr. Mayor, Senators, Soldiers and citizens of California, and your fellow countrymen.—It is impossible for me to find language on this occasion to express the tumultuous feelings that fill my heart. I am so overpowered with the excess of your kindness, that I would not attempt to embody in words the feelings which it has excited in my breast. (Cheers.) I am a plain blunt man; and though at the best but a bad hand at clothing my thoughts in language, it is utterly impossible for me to do so to-night. I do not wish to refer to the past. We failed in our efforts, and I paid the penalty. I have now another career before me; and under the folds of that flag, (pointing to the star spangled banner above him,) I intend to remain, and to cling to it with fidelity and devotion; wherever the principle it embodies has an enemy, and wherever that flag has a foe, there will be found my right arm. (Great cheering.) Citizens of California, I swear allegiance to it. (Mr. McManus here kissed the flag, which elicited the most tremendous cheering.) Gentlemen, I cannot proceed further; I shall therefore conclude by thanking the Almighty Giver of all good, that he has directed my steps to this land—to the land of freedom and equality—to the land that is santified by the ashes of a Washington.

Mr. McManus resumed his seat, and was again greeted with the most enthusiastic and long continued applause.

The Mayor next gave:

The State of California.—The golden empire of the west, and the outpost of freedom on the Pacific ... refuge of the patriot, impregnable against the op...

The Hon. Mr. Gwin responded, and expressed ... ification he felt at the reception given to their illustrious guest on his arrival in the land of the free and the home of the brave.

The Mayor then gave:

The Army and Navy.—The bulwark of the Republic by sea and land; their arms carry conquest, and their victories give to the nation civilization and freedom. (Great cheers.)

The following toasts were then given in succession:

Our Country—Free and Independent—where the oppressed sons of liberty always find an asylum without fear of molestation.

Music—"Star Spangled Banner."

Wm. Smith O'Brien and his Companions in Exile.—Rebels to their government, patriots to their country, martyrs to liberty. They lost the day, but they have gained immortality.

The People of Liberty.—Lovers of liberty though they enjoy it not. When at length regenerated, may they always remember the men who suffered to achieve their freedom.

The Republicans of France and the Patriots of Hungary.—The moderation of the former in victory has shed lustre on their success:—the heroism of the latter in defeat has blunted the axe of Haynau, and commanded the sympathies of the nations.

Music—"Marseillaise."

The California Pioneers.—The bold and adventurous harbingers of a new State. Their services to California can never be forgotten.

The City of San Francisco.—Its people and its progress.

Music—"Oh Susannah, don't you cry for me."

The Native Californians.—The founders of the great commercial commonwealth of the Pacific.

The Hon. Mr. Weller responded to the toast of the City of San Francisco.

The Hon. T. B. King volunteered the following toast, which was received with all the honors.

Oppression—The Seed of Liberty.—It has been sown broadcast in Ireland and moistened with the blood of her gallant sons. May it speedily produce an abundant harvest.

The Hon. Mr. Holmes, Hon. Mr. McLean, Hon. Mr. Tompkins, Hon. Mr. Green, Judge Murray and other gentlemen being loudly called upon, addressed the company.

Mr. John Kempsey proposed the following toast:

May the brave sons of Erin be true to the end of all time, as they have always proved themselves to be to the land of their adoption, the glorious American Republic—the greatest bulwark of Liberty ever raised by human hands divine.

At the conclusion of the sentiment, Mr. Kempsey was loudly called for, and delivered a pertinent speech, which was received with great applause.

After the last speech the company repaired to the ball room, where a considerable number of ladies had by this time assembled to join in the dance. The festivities of the evening were kept up until a late hour this morning.

The Expresses.—Dodge & Co. send a regular semi-monthly special express to the States by the steamer of to-morrow.

Gregory likewise sends as usual a special messenger in charge of his parcels.

Both houses confer incalculable advantages on the business public. Indeed there is no single element which has contributed more than have the expresses, to the present progress and prosperity of the State.

Porcelain Manufactory.—We have been informed that several gentlemen in this city have resolved to make the experiment of manufacturing porcelain. The idea is a good one, and, though there are many difficulties to be encountered, in the hands of the enterprising men who are about to enter into the speculation, we doubt not the experiment will prove successful. It may have occurred to every mind at all conversant with the subject of the porcelain manufacture, that our immense fields of silicious stone might be profitably turned to account in the ceramic art. The labor of Chinese, who have arrived in this country in such large numbers, and who are expert manipulators, might in this manner be turned to the service of our citizens and the advantage of the State. In the event of the quartz mines turning out to be as rich as they are represented to be—and who can doubt that such will be the case, the amount of that stone which will be crushed daily in the State would be enormous; and, if by any process we can economise the powdered quartz, as, for instance, in the manufacture of porcelain, it is of the first importance that we should make use of the advantage.—*Republican.*

The Meeting in the Plaza.

REVOLUTION ADVOCATED.

The meeting of Wednesday evening having adjourned until yesterday afternoon, at 4 o'clock, to hear any plan of action that the Committee might have matured, we repaired at the appointed time to the spot, but none was upon the ground. Towards 5 o'clock, several hundreds had assembled, when the same individual who called the meeting of the day before to order, mounted a rising ground and proposed a number of persons in succession as Chairman of the meeting. They were each in turn elected—among them we recollect Mr. Hutton and Mr. Yale, but none of them came forward. Finally Mr. Hiram Webb was proposed and approved of. That gentleman came forward and took his stand on the porch of the Adobe, whence he proceeded to address those before him. He thanked them for the honor that had been conferred on him: he was always ready to obey the call of the people. He considered the times required such a meeting of the people to take the laws into their own hands. He had been a member of the last Grand Jury, and thirteen indictments had been found by them—all of which fell to the ground because it was decided that they were not legally empannelled. The next Grand Jury will not sit until July, and what should be done with offenders in the mean time? Loud cries from the crowd of "hang them—hang them." Two years ago no Sydney rascal dared commit their depredations—life and property were secure. A band of Hounds then existed in our city, who were the terror of all good citizens. A Volunteer Police was organized by the citizens—a people's Sheriff was appointed, and the Hounds were arrested and sent out of the country. He considered that the exigencies of the occasion demanded such a body as the Committee of Safety. He believed that it was composed of good citizens, who would not injure an innocent man. As long as the laws are inefficient, the people should resolve themselves into a Committee of the Whole—to watch for offenders—arrest and take them to the Plaza, and there in open day, under the bright sun, and in the presence of the whole people try, and if guilty, put it to them, up to the hub. A voice—"I suppose you mean around their necks." Yes, put them to death. Thus far, not one of the robbers had been hung, and they should go on with the good work, and show the Courts what the people could do.

In conclusion, he stated that it was a public meeting, and as Americans, he trusted that those present would respect their inheritance, the liberty of speech—hear every man, though he might differ with them, if he spoke in courteous and respectful terms. Every man had a right to express his honest convictions, and God forbid that Americans should ever attempt to gag a man for the expression in respectful language of his sincere convictions. He suggested that the organization of the meeting be completed by the selection of Vice Presidents and Secretaries. Whereupon, Dr. Blankman and Mr. Morris were appointed Vice Presidents and Messrs. Dunbar and Godeffroy, Secretaries.

Dr. Blankman, being called upon, stated that he regretted the necessity for such proceedings as had lately taken place. No man was more disposed to stand by the laws, when the laws were effectual, than he; but he was in favor of punishing criminals, and if the law fails then there was but one recourse, and that was that the people should make the laws effectual by arresting offenders and promptly executing them. If the police were not able to guard and keep the prisoners on account of unfit places of confinement, all the citizens should organize themselves into a police. Was it unjust for the creators of laws to revoke and annul those laws? They were the people—the sovereigns, and as such they had a right to make laws under the exigencies of the occasion. (Loud cheers.) But he urged the citizens not to act hastily, not to do anything which they would in after years regret, and which would for ever cast a stigma upon the city, but act calmly, cautiously and prudently; be vigilant, but be wise. In conclusion, he appealed for a patient hearing for all who, differing honestly in opinion, might feel disposed to address them. Freedom of speech was one of the most glorious prerogatives of a free born American—their birth right—which should never be curtailed.

During these two speeches the crowd had been gradually swelling. As the passers by noticed it they joined in to see what was going on, until at the closing scenes an immense number of people were upon the ground perhaps the largest number ever assembled together on any other occasion in this city. But it must not be inferred that all took part in the proceedings of the meeting. It would be safe to say, that not one-tenth of those present participated in any in the proceedings. They were merely spectators who kept aloof from the active portion of the crowd, and never responded when questions were put to the meeting. Great numbers were seated or standing a little distance off on every kind of elevation, lining the side of Washington street for a long way down from the adobe. They seemed to watch the proceedings with much curiosity.

THE RESOLUTIONS.

As well as we could hear his name, a Mr. Hoag came forward and said he had a series of resolutions to offer for the adoption of the meeting. The resolutions were read by the chairman with great unction. We could not get a copy of them as they were ultimately carried off or destroyed. Their substance only from recollection and a few notes taken at the time can be given. They were preceded by a long preamble declaring that the people had a right to change their laws whenever they were nugatory and insufficient; that under them crimes had flourished and criminals stalked unpunished through our midst, therefore the people should resolve themselves into their original elements, return to a state of nature and commence again, and to make that commencement, a series of resolutions followed, declaring that the people in primary assembly enacted that the crimes of grand larceny, burglary, street robbery, drugging, arson, as well as murder should be punished with death. Further that an election should be held in which the citizens by ballot should signify their approval or disapproval of this resolution, or such portion of it as they thought proper. Another resolution provided for the appointment of a committee of seven whose duty it should be to fix the time and places and appoint the officers of the election in each ward and decide upon the form of the ballot.

A third resolution provided that there should be elected at the same time a People's Judge and Sheriff, unless any Judge or Sheriff under the present system of laws would acknowledge the supremacy of the new system—the People's Laws. That the court should only have jurisdiction over criminal cases and that every man pledged "his life, his property and his sacred honor" to support the new laws and the new court in opposition to the judgments under the present system of jurisprudence.

A number of other resolutions followed wherein it was provided that no person should be denied a fair and impartial trial; in case of any doubt, the prisoner shall have the benefit of it; that the new order of things should continue until five days after the next meeting of the Legislature; that the meeting approve the action of the committee in hanging Jenkins and that the new code and courts should be sustained by voluntary contributions.

THE OPPOSITION.

Mr. Broderick came forward in opposition to the resolutions which he condemned *in toto*. He made a speech of about twenty minutes duration continually interrupted with hisses, cheers, remarks, pushing, catcalls, interjectional exclamations, and various kinds of disturbance. His friends in the meeting encouraged him to proceed and he succeeded in making himself heard for many minutes without interruption. After he had concluded he remained standing on the steps besides the chairman.

It was then proposed that the resolutions should be read singly. The first resolution was read and being put was responded to by loud "ayes," those to the contrary answered a prolonged "No," and there were many of them, but it was evident that the ayes had it and the chair so decided it, but Mr. Broderick with great earnestness expostulated with the chairman on his decision and swore the noes had it, and called for a division. The chairman then said he would put the question again. "It's of no use," cried Mr. Broderick, "we'll just vote it down again."

Here there was much confusion—a rush was made upon Mr. Broderick to drag him down the steps into the crowd, but he struggled fiercely and drove back his assailants. While this was going on many of his friends were fairly leaping through the crowd to get up to his assistance. In a moment they surrounded him and took possession of the steps. Order was then obtained and the resolution was about to be put again, when a gentleman named Bush mounted the stand and by his earnest manner soon gained a hearing. He called in earnest tones upon all wh... who venerated the Constitution ... see it trampled upon. Would they ... lence their laws and constitution? Cries from a number of "Yes—yes—we're the people—the people are supreme," and many other like remarks. Such a course, he continued, would sap the very foundations of law and order and strike a blow from which we could never recover. When he had concluded, the question was put whether the preamble should be read. The chair decided that the ayes had it, and the preamble was again read. The question was on the adoption of the preamble as the sense of the meeting. The chair asked for the ayes, and there was a loud response; then for the noes, they were many but evidently not equal to the ayes; the chair decided accordingly.

Mr. Broderick again remonstrated against such a decision, insisting that any man could see the noes had it. He called for another vote. Here there was great uproar; the active portion of the crowd pressing up to the porch. In a moment a rush was made upon Mr. Broderick and he was jerked and hauled up and down the stairs. His friends and himself however struggled furiously, and they cleared the porch of all but themselves. Mr. Broderick then put the question of adjournment. The ayes perhaps had it—at any rate he so decided, and declared the meeting adjourned. Then rushing down from the steps, his friends rushed through through the crowd with loud shouts, waving their hats.

The chairman regained his stand amid tremendous confusion and uproar, during which and the fight on the steps Mr. Chas. Elleard commanded the peace as an officer of the law, and ordered the crowd to disperse. Capt. Ray of the police also commanded the peace and in the name of the law ordered the meeting to disperse.

The chairman proposed to adjourn. Mr. Van Dyke opposed it until the police had left. Mr. Stoutenburgh took the same ground, contending that he had a right to speak. Col. Huie spoke a few moments, insisting on the right of every American to express himself freely, and denying the power of the police to prevent them. He finally suggested that every man had made up his mind on the subject, and they might as well go home and enrol themselves as soldiers in the good cause. He saw no use of remaining longer. The question on the adjournment being put, was decided in the affirmative, and the meeting after standing upon the ground about two hours and a half dispersed. At the time of adjournment the number of persons on the ground must have been seven or eight thousand, but those participating in the proceedings constituted but a small fraction of their number.

CORONER'S INQUEST

On the body of a man called John Je...

CONTINUED.

Thursday Morning, 11 o'clock, a. m.

The Jury re-assembled in the Coroner's office pursuant to adjournment.

J. R. Maloney, sworn.—Saw a man hanging on the Plaza; never saw him before. Saw many people that he knew in the crowd. Saw Jenkins on his way to the Plaza; don't know that he was arrested by or in charge of any persons; don't know about his being tried. Saw many engaged in the hanging but could not name any of them; was within six or seven feet of him; saw the rope thrown around his neck by some one unk... Thinks there were fifteen hund... or two ... ple on the ground; a majorit... proceedings. Knows of his ... a Committee who have tak... their hands; understood ... out justice where laws were ... where the law did not d... nity; is not himself a mem... recollect seeing Capt. Wakeman on ... he had thrown the noose around the ... Mr. Ward and James Wadsworth in the crowd.

Hall McAllister, sworn.—Saw the man hung. A... o'clock walked to Rassette Hotel; saw a large crowd ... posite; attempted to get inside the house; saw o... going in and giving the countersign; didn't hear what it was; every man whispered to the door-keeper the pass-word; saw a number moving about among whom were Mr. Samuel Brannan, Benjamin Reynolds and Wm. H. Jones. Saw a party come out of the house surrounding the prisoner; a great crowd followed. Went forward to the Plaza about 2 o'clock. Some one tried to fix a pulley on the liberty pole; it was objected to. One voice cried hang him on the Adobe; another cried they are going to commit murder. Saw the rope fixed on the Adobe; saw the man hoisted up. Was disgusted and turned off exclaiming that it was "a damned outrage." Returned and saw many persons holding the rope tight; the prisoner was in his last struggles. Recogniz... among those having hold of the rope, James C. War... and Cornelius Stagg; thinks he saw Mr. Stephen Tesche... macher and Fred'k Woodworth; can't swear they ... hold of the rope, thinks they had. Saw Mr. T... have hold of the rope; also a young man ... saw Mr. Eagan there, he had ... of ... time. There was much ... Mr. Reynolds cry out "Napol... and the guard at once marched ... man was hung about three ... not think there were more than ... ground. Before the man came there ... opinion on the subject of hanging. The ... opinion seemed to be against the prisoner, but many were in favor of waiting until morning. A lantern was brought out on the Adobe and the light thrown upon the hanging man; loud cries were made to take it away and it was extinguished. The crowd was generally composed of citizens. Did not participate or sympathise with the party that were hanging.

Samuel Brannan, sworn.—Was present when the man was hung on the Plaza; saw him at the time he was hung; understood the cause of his arrest was the stealing a safe; was not near enough to see the parties who had hold of the rope; doubted whether it was round the man's neck or under his arms; first saw him at the corner of Bush and Sansome streets; two men had him by the arms; heard they had arrested him; the men left him in the house; was not then hand-cuffed or pinioned. The witness here declined answering some questions on the ground that the answers would implicate himself. The man had a trial; a fair trial; sixty or eighty persons tried him; believes the verdict of "guilty" unanimous; the judgment was that he should be hung; the jury empanelled themselves; it was composed of the Committee of Safety; they were all citizens of the town; does'nt know whether they have any bye-laws. Their declared object was to consider themselves always on duty to preserve the lives and property of the citizens; render all assistance in arresting offenders and see speedy justice done them; concluded that the man was hung from the evidence before the committee; was sure it was the man that was tried; understood that there was a record of the testimony in the trial kept; six or eight witnesses confronted the prisoner; heard a gentleman ask him if he had any witnesses in his favor; he replied one; that one denied knowing him; no counsel was assigned him; heard no motion for a new trial; did not make such motion himself; suggested that a committee should be sent for the man's witness, this was done; does not know that the witnesses were under oath. A citizen is admitted in the society on the recommendation of a member vouching for his good character; knows of no oath of secrecy. The object of the association is to assist the law and administer justice; to make up the deficiencies of the law; does not think the man would have been hung had he not been tried and found guilty by the committee; does not know whether the man's witness was admitted into the room; objects to giving the names of the committee, because he thinks it would endanger their lives in consequence of threats made against them; has heard threats made against the lives and property of the members for their participation in the hanging; threats had come to the witness from a prisoner in the county prison that he should not live ninety days. Knows of nothing done by the Vigilant Committee that they would conceal from the officers of the law under proper circumstances. The avowed object is to protect the lives and property of the citizens, to prevent the city from being burnt and punish criminals. Watkins told the officer of the prison that it was the conclusion in the prison that he, the witness, should be killed. The Sheriff had informed the witness of the fact. Believes it was through the instrumentality of the committee that the man was hung.

Eben Niles, sworn.—Saw a man hung; saw no person holding or pulling the rope; was with Mr. Broderick on the ground; witness disapproved of ... which the man was tried; ... deserved to be hung from ... the Secret Tribunal; ... in open day before the ... witness would him...

... or design, ... drinking what she supp... wards was violently seized ... of poisoning. Dr. Burns ... ministered an antidote ... examined the tumbler ... been drinking. It was ... bottom was a ... killed three ... liar, sweet ... ways known. ... lady had come ... the results of Dr. ... Brewer's stomach. A ... phine was distinctly vis... tunate man's stomach exhibited unmistakable ... of the action of some corrosive substance.

The Committee of Vigilance.

Whereas, the citizens of San Francisco convinced that there exists with these limits a band of robbers and incendiaries, who have several times burned and attempted to burn their city, who nightly attack their persons and break into their buildings, destroy their quiet, jeopardise their lives and property, and generally disturb the natural order of society; And whereas many of those taken by the police have succeeded in escaping from their prisons by carelessness, by connivance, or from want of proper means or force to secure their safe confinement, therefore be it

Resolved, That the citizens of this place be made aware that the *Committee of Vigilance* will be ever ready to receive information as to the whereabouts of any disorderly or suspicious person or persons, as well as the persons themselves when suspected of crime.

That as it is the conviction of a large portion of our citizens that there exists in this city a nucleus of convicts and disorderly persons, around which cluster those who have so seriously disturbed the peace and affected the best interests of our city, such as are known to the police of the city or to members of the Committee of Vigilance as felons by conduct or association, be notified to leave this port within five days from this date; and at the expiration of which time they shall be compelled to depart, if they have not done so voluntarily within the time specified.

Resolved, That a Safety Committee of thirty persons be appointed whose sacred duty it shall be to visit every vessel arriving with notorious or suspicious characters on board, and unless they can present to said committee evidences of good character and honesty, they shall be re-shipped to the places from whence they came, and not be permitted to pollute our soil.

Resolved, That all good citizens be invited to join and assist the Committee of Vigilance in carrying out ... above measures so necessary for the perfect re... of the peace, safety and good order of our ...

S E Woodworth,
E Gorham,
George J Oa...
Francis E ...
... D W ...
... m N ...
... H ...
...
...
B Fran...
Charles R ...
James Ryan,
George H Howard,
S E Teschemacher,
Robert Wells,
Samuel R Curwen,
J W Salmon,
John T Bryant,
... mann,
...
... H V...
... ebler,
... Moss Jr.
Howard Cunningham,
Chas Soule, Jr,
Chas L Wood,
Chas Moore,
N Smith,
Jas Dow,
E M Earle,
Randolph M Co...
A H Gildem...
George N ...
J Neal, ...
Chas D...
Edward ...
Chas Mil...

The above, a ... lately established ... der, punishment of vice, and for the ... out that justice so long withheld from ... ling that the names of a few of their associ... be selected by the Coroner's Jury as the principal ... ors in the trial and execution of Jenkins, inform the public, that they, with all the members of the Committee are equally responsible for the first act of justice that has been dealt to a criminal in San Francisco, since California became a State of our Union.

Our fellow citizens remembering the escape of Withers, Daniels and Adams; of Stuart, Windred and Watkins, and the tardy manner in which the incendiary Lewis is being brought to justice, will see the necessity of the stringent measures we have adopted.

This publication also informs those friendly to the cause that the Committee of Vigilance have nothing secret in their proceedings, but such matters as would tend to defeat the object for which we are associated, were they made public.

Sale of Choice Wines, &c.—At 2 o'clock to-day, at the sales-room of Wainwright, Byrne & Co., connoisseurs in old vintages will have an opportunity to procure choice old delicate flavored wines, liqueurs, and other articles of that description, seldom found in this country.

Auction Sales This Day.

Wainwright, Byrne & Co., at their sales rooms, 276 Montgomery street, at two o'clock, p. m., sell a large and choice collection of old wines and liquors, expressly for family use. See advertisement.

Theodore Payne, will offer at the California Ex... at 11 o'clock, mortgage sale of real estate; ... and four valuable lots of ground. See ...

Hutton & Co., ... at 10 o'clock, at ... boots, shoes, ...

Backus & ... sts., at 10 ... goods, also ... wardens of ...

R. D. W. Davis, ... near Sansome, at ...

Hall, Martin & Co., ... street and Long wharf, ... ment of fancy goods, ...

Bullitt, Patrick & D... between California ... , clothi... ...ston ...

Duplicate June 13

Daily Pacific Star. July 12 1851

EXECUTION OF JIM STEWART.—CONFESSION OF HIS GUILT.

Editors Daily Pacific Star:

The accompanying documents in the case of Stephens, *alias* Stuart, *alias* Campbell, *al as* English Jim, *alias* Carlisle, *Mason*, are handed you by order of the Committee of Vigilance for publication, your doing so will much oblige them and disabuse the public mind touching the affair.

Respectfully,

THE EXECUTIVE COMMITTEE.

Per order of Committee of Vigilance.

CONFESSION.

Left England about 16 years of age, committed forgery and went to New South Wales for life; in ercession of friends procured emancipation; from there to Australia, Adelaide; stayed some five years; then went to Calino; was about two and a half years knocking about the southern continent; finally reached Panama in the J. W. Coffin, or went to Payta in the Coffin, and from thence to Panama in a launch; shipped in the Tennessee and came to San Francisco; the day I arrived left for Sacramento in the Senator; next day went to Marysville to Foster's bar; joined the Rock Mining Company and went to work; 17 in one company, and 105 employed in cutting a race; worked in the company one month; I hired Sullivan, the witness who appeared against me, to work in my place for one month; then went down the river about four miles, and worked for myself, mining; worked two weeks by myself; went up and hired a man to work in Sullivan's place, and took him with me; finished his month out down the river, and for two days extra work paid him $20; we then went to Foster's bar together; I then bought another claim of the next company and paid $300 for it; bought a life boat for $406; subsequently lent this boat to another company, and they worked it on halfshares as a ferry boat; then went with Sullivan to Slate range about 8 miles higher up; we bought part of a claim and paid $50 each; we worked this claim for half a day; did not pay well enough; left Sullivan there and returned to Foster's bar; thought I would return and work in the winter; went to work and finished the race, and turned the river; lent the Missouri company $300 to finish their business; the day the race was turned, found the claim would not pay more than $12, and abandoned it; then went down the river to the old place and worked three weeks or one month longer, had a row with Col. Prentiss, left and went up to Foster's bar, two of us made a garden, and did very well; built myself a house; subsequently did no work at mining; received about $6 per day for my boat; I let the claim I paid $300 for to others, and they gave me a share for the privilege of working; received from $10 to $12 per day from this; I then took a partner, Bernard Feather, a German, and commenced storekeeping in my house; was previously in the same company as myself, the Rock Mining Company; did nothing for a week and became tired of the life; concuded to stay all winter, and commenced building a house, the largest one there, for boarders; did not finish it; the company to whom I lent the $300 never paid me; they left; I bought of Daniel Casey, one of this company, all the things the company had left; searching their house I found a trunk; the trunk was open and full of clothes; I took them; I wore part of the clothes during the remainder of my stay; one night afterwards I went to Mr. Dodge's house and had a game of monte; lost I suppose that night about $200; considered I was cheated and thought I would be even with them; so I stopt that night up at a tent and saw him put his money in a chest; when they had got to sleep I went in and took the chest; opening the chest found $4300; had one piece worth about $1558 another $738, the rest in dust and about $600 in silver; I took all this and secreted most of it in my garden; I then went to work again as usual; worked about 10 days afterwards; I was then apprehended for stealing the trunk; having bought all in the house, considered the clothes belonged to me also; was admitted to bail in $500 to appear at Marysville for trial, and deposited the money, three days afterwards was taken up for stealing the $4300; for that I was committed again at Marysville, on charge of grand larceny; the mob that night wanted to hang me; the judge swore in about 60 men to protect me; the next morning Capt. Dodge, the largest loser, came to me and said if I would give him the money he would let me go and see that I was not hurt. Another party came to me and told me that his wife and family were suffering at home, so I concluded to give it up, and all but about $150 was found; allowed I had lost this; remained with the Sheriff this afternoon, and then asked the judge about selling my things; called an auction, sold my things, and gave my boat away to a friend; my things brought about $170. The Sheriff kept this money in his possession (Edward Bar, sheriff); went out at night to collect some of this money, and while gone his cook came to me and said "if he was in my place he'd go;" told him I could't well go without money; he said I had better go without it; I consequently went; went about 8 miles that night, and took a mare; next night about 10 o'clock arrived in Sacramento; sold the mare the next day; stole the mare; had no money to buy one; staid in Sacramento about a fortnight; got acquainted with two or three Americans and one Sydney man, they did nothing but steal horses and mules; I used to sell them for them; the cholera broke out in Sacramento; the names of the men are "Dab," James Peate, Jonny Griffith was getting away from the prison brig with irons on, and was drowned, went down to bail him out; a boy told Griffiths there was a brig in the river with a good deal of money on board, about $20,000; we went aboard the brig and got all there was—about $1200; went on board with Griffiths (dead), Edward brown (dead); next day we agreed to come down to San Francisco; Edwards told us we could get some money out of a vessel in the harbor; a man came down with us called "Jimmy-from-town," (Burns), came down in the New World; "Jimmy-from-town" robbed a Spaniard on board of thirty ounces in coin; "Jimmy-from-town" gave me the money, and it was divided among four of us; the same night we went aboard this vessel in San Francisco and robbed her; myself, Edwards, Brown, and Smith accomplished the deed; the vessel was the J. Casket; had some hard fighting on board; the captain was desperate and we left him almost dead; in the fight his wife came out of the cabin with a sword in her hand, I took it away from her; I acted as captain in that mob; left the others in charge of the captain; we were all masked; I searched the cabin; she gave me up what money there was on board; I then asked her if there was any arms on board, she gave me one of Allen's six-shooters, large size; I gave the money and pistols to one of the party; do not remember which; the woman begged me not to take her husband's life; I said I did not want to do it if he would be quiet; I then looked in the cabin and saw that she had a splendid gold chronometer watch; she hoped I would not take it, as her mother had given it to her; I said, "on these conditions I will not take the watch"; the others kicked up a row for not taking it; I told them I was master. They had made me so, and I would act as I liked; tied the captain's hands behind him and shut him in the cabin; told his wife not to speak for two hours, as I should not leave the ship, also tied some boys who were on board at the time, and then went ashore; supposed we should get $15,000 or $18,000, and only got $170; he afterward stole of $400; when his wife gave me the money she said she had sent it nearly all home in the previous packet, or we should have got it, no doubt. Staid in San Francisco five or six days; tried to rob Grayson & Guild's store; stopped in it all one night and found I could not do it; wanted nothing but the money, but could not get it; the safe was too heavy! three or four days afterwards I went to Sacramento alone; stopped at Moore's house in L street; did nothing but play cards, and won a deal of money; sold mules and horses for others, as they were brought in, in the name of Campbell; Moore, who kept the house, died; bought his wife out for $150; paid $70 rent; all the things stolen in Sacramento were brought to this house; John Griffiths, John Jones (boy,) Bill Noland, and "Old Jack" were hourders of mine; a few days afterwards, Griffiths was arrested for picking a man's pocket of $800 in an auction store on J street; on Monday he was committed to the prison brig; was bailed in the sum of $1500. They were kicking up a row in Sacramento at this time, and would not draw bail—as I took a team, loaded it for my house with stolen goods, and started for Sherman Island; sold all at Mormon Island and Salmon Falls, and returned to Sacramento county. Went to the Sheriff of Sacramento, procured an order to go on board brig and see Griffiths. Got on board and found that the night before, in trying to escape, he was drowned. While I had gone to the mines some one robbed my house of everything. Did not think it worth while to open another house, and went to live in a small house near the burying ground. Few days after was arrested for house breaking, and employed Mr. Pixley; he got me out of it by one of my men swearing false. Old Jack swore false. I gave him $20, and Mr. Pixley agreed to get me out of the scrape if I would give him $50 more. I told Pixley I was guilty. About a week or ten days after was arrested again for breaking into a house in a lumber yard. I very near got short there—through my hat at all events; got taken, and committed aboard the brig for trial. Previously robbed a house Sunday night, corner Front and K street, clothing store, with Mat Heywood. Good by name of Big Brummy, (sydney man); got from $800 to $900 worth of property. About two days after I was on board brig. Employed Mr Pixley again and paid him $50. Also paid him $50 for Big Brummy, for robbing a woman. Two days after I had been on board prison brig a constable came down from Auburn and identified me as shooting the sheriff of Auburn. Two or three hours afterwards two more constables came on board—one from Foster's Bar and one from Marysville. The one from Foster's Bar identified me as the man having committed murder at Foster's Bar—one Chas Moore—one has a warrant—they go on shore to Judge Sackett—he gave them an order to bring me ashore: take me to the Judge's office in J street. Mr. Pixley appeared for me, and would not allow the Judge to examine me. Was then sent on board brig again. The Judge then gave Sheriff orders to take me to Marysville. Sheriff came for me the next morning, and Mr. Pixley told him that the warrant was not legal, and he could not take me. So he had to go to Marysville for another. I then gave Mr. Pixley my bag of gold dust to weigh out $600, and an order for $130, which he told me he had got and would pay me next day. The same night I made my escape from the brig. I walked that day to Dry Creek—half way to Stockton. Next day got into Stockton, disguised myself and came to San Francisco on a steamer—somewhere in the middle of December. Then went and stopped in Edward's house in Sydney Valley.

Never went out of the house during the day. During the night went to Port Phillip House, kept by M'Cormick and Whittaker—(Edwards did not know of my escape.) Jansen, at that time, lived next door to Whittaker's. Whittaker had got information of there being $4000 or $5000 in a safe in a butcher's shop in Broadway. Myself, J. Edwards, Whittaker and George Adams, went, took the window out, got the safe into the street, and could get it no farther. The next was Minturn's; there were a great many in this mess. We got this information from ———. Had gone several times during the three days previous to inquire about the money—he was acquainted there. Myself, Edwards, Edward McCormick, (Teddy), Whittaker, George Adams, ———, Bob McKenzie—we took a boat with us full and tackle, made sheers to take with us, put a feather bed in the boat, augurs, saws, &c., to cut away with, and all went pretty well armed. We managed to get inside three or four of us, and moved the safe somewhat, made a few augur holes in the door, and intended cutting the door away—some one came to the door—a false alarm—we had to run—Mackenzie spoilt it by not knowing his instructions. We should not have stirred for on many or two, with so big a haul. Mackenzie gave wrong signals, and we jumped into the water and swam away. ——— outside. The next thing was a jeweller's shop ——— had examined—he allowed that there was $20,000 or $30,000 in diamonds, &c. We went to look at it at night—myself and Edwards; gave my opinion that we could not do it; too much risk; some four or five people in shop below—gave it up as a bad job. The next thing ——— got for us was Macondray's store—he had been watching it for a month. He told us there were three safes, and a vault with lots of money, as much as we could take away in a boat; come up to the night to do it, and some one backed out, considering there were some clever men in the building—gave it up. The night after, Whittaker informed us of Jansen's place, said that when Jansen moved he had a bag which he supposed contained 10 or $15,000; we agreed to go and get it. Myself, Jim Briggs, (from Monterey) J M Morgan, S. Whittaker, Edward McCormick, (Teddy) Billy Kewes, ———, Edwards—all of us had been together for 10 days, except Briggs and Morgan, who had just come up from Monterey. Briggs and Morgan were at Macondray's; had a falling out with Mackenzie, and he had to go. Morgan went into Jansen's store first, the rest stopped in the road. Whittaker and myself stood at the window during this time. I thought he was too long and would get no money, so I went in to help him. I got half way up the shop behind the counter, heard Jansen ask Morgan what he wanted there; Morgan told him that he wanted to look at some blankets; he turns round and sees me behind the counter; also told him I wanted blankets. He stepped about two yards to show me some blankets, (we had cloaks on for a disguise.) I hit him on the head with a sling shot and knocked him down. I then left Morgan to take charge of him, whilst I looked after the money. I only hit him once; opened a desk, and took out a shot bag containing money.

We then carried the money home to Sydney Valley. I carried the money; I counted the money; there was $4568 in gold coin. We divided it in eight parts, making $196 each. We then came down town again; went into Mrs. Hogan's; stopped there two or three hours, and then went home again. Mrs. Hogan lived on Sansome street. Next day there was quite a fuss about town. We did not commit more robberies while the men arrested for striking Jansen were under trial, as we did not wish them hung as they were innocent. We would have shot fifty men rather than they should have been hung.—We agreed that if the above men were hung, which we expected they would be on Sunday night, to burn down the town.

A few nights after we agreed to rob a bank kept by Bebee, Ludlow & Co., on Montgomery street. In this we were to be assisted by —— and ——. We tried two nights; opened the outside door by false keys. Watched it two days and concluded there was not money enough to attempt the robbery, as we observed the porter of the bank come each morning from Argenti's with bags of money deposited the evening previous.

The next night went to the bank next to the El Dorado in Washington street. Morris Morgan helped build the money vault and gave us the information. Went down El Dorado steps, opened the door with false keys, entered and found two beds; discovered there were too many people sleeping about there; considered it too dangerous and gave it up. —— was an accomplice with us; there were eight of us in the gang; —— was generally an outsider, did the watching.

Next night stole a small safe out of Emerson & Dunbar's auction store, Sunday night, there was but twenty-four dollars in this safe. Adams stepped out at the time of Minturn's robbery.

Next night stole a safe from Gladwin & Whitmore; took it up on the sand hills, were discovered before we had broken it open. I brought the safe down stairs; Morris Morgan and James Briggs were arrested by the police in this scrape. Here we lost all our tools, which were worth $500 to us. Then went to Mrs. Hogan's house; Bill Howe went home that night. Not liking to see men go to the watch house, I waited the rest to come and take them from the watch house by force, but they refused; they thought by employing Mr. Parhurt and other lawyers they would be cleared. Next day Morgan was acquitted and Briggs committed to jail.

Next day I went to Gold Bluff in schooner B. L. Allen; had twenty-seven days passage to Trinidad. I there saw Bob McKenzie; also saw Dabb, the horse thief, with Jew Pete; they came from Oregon; they said that five horse-thieves had taken about sixty horses from Sacramento city to Oregon and there sold them. I found Trinidad to be a bad place for me. I played cards with Dabb and won all his money, about three hundred dollars; I then came back in the B. L. Allen, and paid the passage of Dabb and Peat also to San Francisco. Arrived in San Francisco on a Sunday, Dab threatened to inform on me if I didn't give him some money, so I gave him $50.

I went to Jas. Kitchen's house, and sent him on board the schooner for my bed and blankets. The same day Dab and a policeman stopped me in the street; the policeman wanted me to go to the Recorder's with him; I drew my pistol to shoot him and he stood off; there were many people about, and I gave him (the policeman) one hundred dollars to quiet him. I then went to Kitchen's and stopped that night. I went and saw Mrs. Hogan; she told me that there was a warrant out for Whittaker and Long Charley for robbing a man in her house of fifteen hundred dollars; she advised me to leave the town; said the police were searching her house; said she had secreted Whittaker at the Mission.

Next morning I hired a horse at a stable and rode to Monterey. At this time I had just taken the name of Carlisle, previously was called Campbell. The day I arrived at Monterey the men were about to be tried for robbing the Monterey Custom House. My things were left at Kitchen's and have been there ever since. I went to Monterey purposely to attend the trial. Went to the watch house and saw the prisoners. The second night my horse was stolen from me. Dick Oeman was first put on trial. Parhurt was down from San Francisco to defend him, and I appeared as a witness in his favor. Whittaker was also at Monterey. Kitchen arrived at Monterey in the steamer. Briggs was then in custody. We all knew the parties were guilty. Although they took thirteen thousand dollars from San Francisco, all that was robbed was eight thousand dollars, though Randall said he had lost thirty thousand dollars. The fact is that Parhurt, McDonal and Judge Merritt, were counsel for prisoners, and Col. Weller, Botts and Wallace for prosecution—there was a great deal of swearing falsely and bribery. All the money was taken from the prisoners; the Court charges, amounting to one thousand dollars, was first taken out, and the balance of thirteen thousand dollars, say twelve thousand dollars, was equally divided between the prisoners and prosecuting counsel. The prisoners then paid their own lawyers. Randall got one half and the prisoners the other half of the twelve thousand dollars. Morgan, Tom Quick and Ryan were in jail, but O—n was tried and consented to the division. Parhurt told me to let the prisoners out of jail, and I broke the door down and let them out.

I then started on foot from Monterey to the Southern mines; reached San Jose. In San Jose stole a horse, saddle and bridle, but was captured near San Joaquin; got in a row with eleven Mexicans, who took my gun from me, stating I had stolen their horse; they took me back to Livermore's Pass; I gave them my watch and chain to release me, and went on foot to Sonora; from there went to Stullrs and worked about a week; did not like mining; then went to Mariposa; there worked about five weeks; met there two Americans who knew me; did not think myself safe, and left for San Francisco on foot.

Arrived here last Tuesday night; saw Kitchen in the El Dorado; went to the house where he used to live; then went to ——— and slept that night. Wednesday morning arose and went to the Mission to see an acquaintance who lived at a bakery at the Mission; this same acquaintance previously wished me to rob a Spaniard's house at the Mission.

I went to see about robbing a Spaniard at the Mission. The acquaintance at the Mission is short and had on a black hat. [It is known to our Committee who this friend is.]

I went into the Mansion House and looked at the safe and told him I would see him again about it. I took the hills on the way back from the Mission to avoid being seen, and was arrested on the sand hills doing nothing. I was on the way to North Beach.

In coming from San Jose to San Francisco last January or February, I came in the steamer New Star with one Smith, who was afterwards shot in Sacramento City, robbing a house. We went from San Francisco to San Jose on purpose to rob the churches of the silver and gold hearts. We were told there was a gold image weighing ten pounds, but we could not find it.

Got sick on a mud flat on the passage. In the morning all hands were called in the cabin and told that a passenger had been robbed of $1000 in gold dust; they took my gold dust and that of another man's, a passenger; but I did not rob it, and know nothing about it.

On arrival here, I advised robbing the New Star; I met Teddy McCormick and John Edwards and went down to the steamboat. I went on board, opened the window, and robbed the desk of about $250.

Cross Examination—Knew Jenkins; knew Winfred; thinks he is gone out of the country; knows Adams; does not know where he is now; knows Nelson and Wilson horse thieves in Sacramento City; when I landed from the J. Caskie, went to Edward's house; John Edwards has red whiskers; is an Englishman; broke into Smith's lumber yard about 6 o'clock at night; Jemmy-from-town stole a trunk from Mr. A. J. Ellis' house; Jemmy-from-town robbed Daw's safe, and blew it up with powder; gave Pixley order for my money in the name of Jas. Campbell; arrived at Foster's bar about the middle of April; hired Sullivan, Hunt and Hews to work at Foster's bar; never committed more crimes at Foster's bar than I have stated: Dodge & Co. kept a gambling house at Foster's bar; names of three Americans and one Sydney man, horse thieves; Dabb, Peat and another name forgotten; think I knew of every robbery committed in Sacramento, when I was there; have worn a scrape and rode on horseback in San Francisco; I generally board at Edward's house; some of my friends have boarded at the Port Phillip house; John Morgan is known here as John Morris and lives with Briggs. is 50 years old, large, stout, fellow, and weighs 15 stone. Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers ——— and ——— for a long time; they were concerned with us in the robbery of Young's bank, next to the El Dorado. Don't know who makes burglar's tools; Briggs makes some. Knew Otis, a horse thief, saw him arrested and saw him on trial. Knew Pico, did not know Fisher nor Hill or Hull at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for $113 on Lowe, lives on Front street, Sacramento City; has a bow window in it; very pretty house. Money stolen from Jansen was divided in Edward's house, near Clark's Point. A quarrel between ——— and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Jansen been hung. The men who committed the jewelry robbery here were George Adams and Teddy McCormick. I have been to Angel Island; generally stop at Daniel Whitter's house; think there are no robbers there. Mrs. Hogan's house is a crib for stolen property; she wears my Daguerreotype; she knows all about our motions. Mr. Hogan is innocent.

☞ Our amiable friends of the Miner's Cottage have our thanks for their kind attentions during our brief sojourn in Downieville.

Hon. W. L. Yancey has declined his nomination for Governor, by the Southern Rights' Club, of Dallas county.

Cal. Courier, July 2. 1851. Editorial comment on Slip -

$70 rent; all the things stolen in Sacramento were brought to this house; John Griffiths, John Jones (boy), Bill Nelson, and "Old Jack" were boarders of mine; a few days afterwards, Griffiths was arrested for picking a man's pocket of $600 in an auction store on J street; on Monday, he was committed to the prison brig; was bailed in the sum of $1500. They were kicking up a row in Sacramento at this time, and would not go straw bail, so I took a team, loaded it from my house with stolen goods, and started for Mormon Island; sold all at Mormon Island and Salmon Falls, and returned to Sacramento county. Went to the Sheriff of Sacramento, procured an order to go on board brig and see Griffiths; got on board and found that the night before, in trying to escape he was drowned. While I had gone to the mines, some one robbed my house of everything; did not think it worth while to open another house, and went to live in a small house near the burying ground. Few days after was arrested for house-breaking, and employed Mr. Pixley; he got me out of it by one of my men swearing false; Old Jack swore false. I gave him $20, and Mr. Pixley agreed to get me out of the scrape if I would give him $50 more. I told Pixley I was guilty. About a week or ten days after was arrested again for breaking into a house in a lumber yard; I very near got shot there—through my hat, at all events; got taken and committed aboard the brig for trial; previously robbed a house Sunday night, corner Front and K street, clothing store, with Mat Hopwood; goes by name of Big Brummy, (Sydney man;) got from $800 to $900 worth of property. About two days after, I was on board brig; employed Mr. Pixley again, and paid him $50; also paid him $50 for Big Brummy, for robbing a woman. Two days after I had been on board prison brig a constable came down from Auburn and identified me as shooting the sheriff of Auburn. Two or three hours afterwards two more constables came on board, one from Foster's Bar and one from Marysville. The one from Foster's Bar identified me as the man having committed murder at Foster's Bar, one Chas Moore; one has a warrant; they go on shore to Judge Sackett; he gave them an order to bring me ashore; take me to the Judge's office in J street. Mr. Pixley appeared for me, and would not allow the Judge to examine me. Was then sent on board brig again; the Judge then gave sheriff order to take me to Marysville; sheriff came for me next morning, and Mr. Pixley told him that the warrant was not legal, and he could not take me; so he had to go to Marysville for another. I then gave Mr. Pixley my bag of gold dust to weigh out $600, and an order for $130, which he told me he had got and would pay me next day. The same night I made my escape from the brig; I walked that day to Dry creek, half way to Stockton. Next day got into Stockton, disguised myself, and came to San Francisco on a steamer, somewhere in the middle of December; then went and stopped at Edwards' house in Sydney Valley.

Never went out of the house during day. During the night went to Port Philip House, kept by McCormick and Whittaker. Edwards did not know of my escape. Jansen at that time lived next door to Whittaker's. Whittaker had got information of there being $8000 or $9000 in a safe in a butcher's shop in Broadway. Myself, J. Edwards, Whittaker and Geo. Adams, went, took the window out, got the safe into the street, and could get it no further. The next was Minturn's; there were a great many in this mess. We got this information from ——— ———. Had gone several times during the three days previous, to inquire about the money—he was acquainted there. Myself, Edwards, Edward McCormick, (Teddy) Whittaker, Geo. Adams, ———, Bob McKenzie—we took a boat with us, fall and tackle, made shears to take with us, put a feather bed in the boat, augers, saws, &c., to cut away with, and all went pretty well armed. We managed to get inside three or four of us, and moved the safe somewhat, made a few auger holes in the floor, and intended cutting the floor away—some one came to the door—a false alarm—we had to run—Mackenzie spoilt it by not knowing his instructions. We should not have stirred for one man or two, with so big a haul. Mackenzie gave wrong signals, and we jumped into the water and swam away. ——— outside. The next thing was a jeweller's shop ——— had examined—he allowed that there was $2000 or $30000 in diamonds, &c. We went to look at it at night, myself and Edwards—gave my opinion that we could not do it; too much risk; some four or five people in shop below; gave it up as a bad job. The next thing ——— ——— got for us was Macondray's store; he had been watching it for a month; he told us there were three safes, and a vault with lots of money; as much as we could take away in a boat; come up to the night to do it, and some backed out, considering there were some eleven men in the building, gave it up. The night after, Whittaker informed us of Jansen's place; said that when Jansen moved he had a bag which he supposed contained 10 or $15000; we agreed to go and get it. Myself, Jim Briggs, (from Monterey,) J. M. Morgan, S. Whittaker, Rev. McCormick, (Teddy,) Billy Keyes, ———, Edwards—all of us had been together for ten days, except Briggs and Morgan, who had just come up from Monterey. Briggs and Morgan were at Macondray's; had a falling out with Mackenzie, and he had to go. Morgan went into Jansen's store first, the rest stopped in the road; Whittaker and myself stood at the window during this time. I thought he was too long, and would get no money, so I went in to help him; I got half way up the shop behind the counter; heard Jansen ask Morgan what he wanted there; Morgan told him that he wanted to lock at some blankets; he turned round and seen me behind the counter; also told him I wanted blankets. He stepped about two yards to show me some blankets, (we had cloaks on for a disguise.) I hit him on the head with a slung shot and knocked him down; I then left Morgan to take charge of him, whilst I looked after the money. I only hit him once; opened a desk and took out a shot bag containing money.

We then carried the money home to Sydney Valley. I carried the money; I counted the money; there was $1568 in gold coin. We divided it in eight parts, making $196 each. We then came down town again; went into Mr. Hogan's; stopped there two or three hours, and then went home again. Mrs. Hogan lived on Sansome street. Next day there was quite a fuss about town. We did not commit more robberies while the men arrested for striking Jansen were under trial, as we did not wish them hung, for they were innocent. We would have shot fifty men rather than they should have been hung. We agreed that if the above men were hung, which we expected they would on Sunday night, to burn down the town.

A few nights after we agreed to rob a bank kept by Beebe, Ludlow & Co., on Montgomery street. In this we were to be assisted by ——— an ———. We tried two nights; opened the outside door by false keys. Watched it two days, and concluded there was not money enough to attempt the robbery, as we observed the porter of the bank come each morning from Argenti's with bags of money deposited the evening previous.

The next night went to the bank next to the El Dorado, in Washington street. Morris Morgan helped build the money vault, and gave us the information. Went down El Dorado steps, opened the door with false keys, entered and found two beds; discovered there were too many people sleeping about there; considered it too dangerous, and gave it up. ——— was an accomplice with us; there were eight in the gang; ——— was generally an outsider; did the watching.

Next night stole a small safe out of Emerson & Dunbar' auction store; Sunday night; there was but $24 in this safe. Adams stepped out at the time of Minturn's robbery.

Next night stole a safe from Gladwin & Whitmore; took it up on the sand hills; were discovered before we had broken it open. I brought the safe down stairs. Morris Morgan and James Briggs were arrested by the police in this scrape. Here we lost all our tools, which were worth $500 to us. Then went to Mrs. Hogan's house. Bill Hews went home that night. Not liking to see men go to the watch-house, I wanted the rest to come and take them from the watchmen by force, but they refused; they thought by employing Mr. Parburt and other lawyers, they would be cleared. Next day Morgan was acquitted and Briggs committed to jail.

Next day I went to Gold Bluff in schooner B. L. Allen; had twenty-seven days passage to Trinidad Bay; I there saw Bob McKenzie; also saw Dabb, the horse thief, with Jew Peet; they came from Oregon; they said that five horse-thieves had taken about sixty horses from Sacramento City to Oregon and there sold them. I found Trinidad to be a bad place for me. I played cards with Dabb and won all his money; about three hundred dollars; I then came back in the B. L. Allen and paid the passage of Dabb and Peet also to San Francisco. Arrived in San Francisco on a Sunday; Dabb threatened to inform on me if I didn't give him some money, so I gave him $50.

I went to Jas. Kitchen's house, and sent him on board the schooner for my bed and blankets. The same day Dabb and a policeman stopped me in the street; the policeman wanted me to go to the Recorder's with him; I drew my pistol to shoot him and he stood off. There were many people about, and I gave him (the policeman) one hundred dollars to quiet him. I then went to Kitchen's and stopped that night. I went and saw Mrs. Hogan; she told me that there was a warrant out for Whittaker and Long Charley for robbing a man in her house of fifteen hundred dollars; she advised me to leave the town; said the police were searching her house; said she had secreted Whittaker at the Mission.

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I then started on foot from Monterey for the Southern mines; reached San Jose. In San Jose stole a horse, saddle and bridle, but was captured near San Joaquin; got in a row with eleven Mexicans, who took my gun from me, stating I had stolen their horse; they took me back to Livermore's Pass; I gave them my watch and chain to release me, and went on foot to Sonora; from there went to Sullivan's and worked about a week; did not like mining; then went to Mariposa; there worked about five weeks; met there two Americans who knew me; did not think myself safe, and left for San Francisco on foot.

Arrived here last Tuesday night; saw Kitchen in the El Dorado; went to his house where he used to live; then went to ———, and slept that night. Wednesday morning arose and went to the Mission, to see an acquaintance who lives at a bakery at the Mission; this same acquaintance previously wished me to rob a Spaniard's house at the Mission.

I went to see about robbing a Spaniard at the Mission. The acquaintance at the Mission is short, and had on a black hat. [It is not known to our Committee who this friend is.]

I went into the Mansion House and looked at the safe, and told him I would see him again about it. I took the hills on the way back from the Mission, to avoid being seen, and was arrested on the sand hills doing nothing. I was on the way to North Beach.

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Got stuck on a mud flat on the passage. In the morning all hands were called in the cabin and told that a passenger had been robbed of $1000 in gold dust; they took my gold dust, and that of another man's, a passenger; but I did not rob it, and know nothing about it.

On arrival here I advised robbing the New Star. I met Teddy McCormack and John Edwards, and went down to the steamboat. I went on board, opened the window, and robbed the desk of about $250.

Cross-Examination—Knew Jenkins; knew Windred; thinks he is gone out of the country; knows Adams; does not know where he is now; knows Nelson and Wilson, horse thieves in Sacramento City; when I landed from the J. Caskie, went to Edward's house; John Edwards has red whiskers; is an Englishman; broke into Smith's lumber yard about 8 o'clock at night; Jemmy-From-Town stole a trunk from Mr. A. J. Ellis' house; Jemmy-From-Town robbed Dow's safe, and blew it up with powder; gave Pixley order for my money in the name of James Campbell; arrived at Foster's Bar about the middle of April; hired Sullivan, Hunt, and Hews to work at Foster's Bar; never committed more crimes at Foster's Bar than I have stated; Dodge & Co kept a gambling house at Foster's Bar; names of three Americans and one Sydney man, horse thieves, Dabb, Peet, and another, name forgotten; think I knew of every robbery committed in Sacramento, when I was there; have worn a crape and rode on horseback in San Francisco; I generally board at Edward's House; some of my friends have boarded at the Port Phillip House; John Morgan is known here as John Morris, and lives with Briggs; is 50 years old, large, stout fellow, and weighs 15 stone. Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers ——— and ——— for a long long time; they were concerned with us in the robbery of Young's Bank next to the El Dorado. Don't know who makes burglar's tools; Briggs makes some. Knew Otis, a horse thief, saw him arrested and saw him on trial. Knew Pico; did not know Fisher, nor Hill or Hull at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for $113 on Lowe, lives on Front street, Sacramento City; has a bow window in it; very pretty house. Money stolen from Jansen was divided in Edward's house, near Clark's Point. A quarrel between ——— and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Jansen been hung. The men who committed the jewelry robbery here were George Adams and Teddy McCormick. I have been to Angel Island; generally stop at Daniel Wilder's house; think there are no robbers there. Mrs. Hogan's house was a crib for stolen property; she wears my daguerreotype; she knows all about our motions. Mr. Hogan is innocent.

Evidence.

John Sullivan—sworn—I know Wm. Stephens, prisoner; I first knew him at Slate Range; I met with Stephens half way between Slate Range and Foster's Bar, about the 20th May, 1850; he carried part of my baggage down to Foster's Bar; he asked me if I did not wish to go to work for him next morning, I told him I would, and would work for him for $100 per month; he agreed to give it, and I went to work for him; I worked for him two weeks at Foster's Bar, I worked for him also at Winslow's Bar two weeks; I was one week sick; afterwards I worked for him at Slate Range one week; Stephens worked well when I saw him; I saw him the last three weeks of the fire; I knew the prisoner to have lots of money; I don't know where he got it; he did nothing at Foster's Bar, but did well at Winslow's Bar; Stephens was not charged with any crime during the time while I was with him; I knew this man by the name of English Jim and Jim Stuart; on the third of July he came to Slate Range to redeem a watch; he paid the money for it on the fourth; he bought a claim with me on the day he redeemed the watch for $100; worked in it on the 5th until 2 o'clock, and on the 6th he left; did not see him again until he was arrested for the robbery of about $4000, of Dodge & Co., about the month of October, am not positive as to date; I was on the Bar when one or two lumps were dug up and proved to be Dodge & Co.'s; I left the Bar on that day, and have not seen him since until now.

Cross-Examined.—I did not see the lumps dug up, but the men who brought them in at Dodge & Co.'s, and said that they dug them from under the bed of prisoner; I have been in Callao; I never saw prisoner in Callao; I left Callao in Dec. 1849; I did not see him there; I was told to my knowledge; the bark J. W. Coffin was at Callao at the time I was there; I don't think I ever saw him until I saw him between Slate Range and Foster's Bar.

Direct resumed.—The prisoner told me that he came from Adelaide to Callao; to the best of my recollection he there shipped on board the bark J. W. Coffin; the Captain discharged him; he secured himself on board the Coffin; the Captain discovered him and put him on shore at Payta; from there he went to Panama, and shipped on board the steamer Tennessee as a deck hand, and came to San Francisco; he told me he came to Panama in a launch; about the 8th or 10th of April, 1850, the steamer Tennessee arrived, and the Coffin arrived about the last of April, or the last day of May; I got to Foster's Bar on or about the 6th of May; prisoner was there and seemed to have been there some time; I do not think I could be mistaken in the man; he is the man I worked for and with; he is the man I saw on examination for a robbery committed on Dodge & Co.; I now recollect that prisoner told me once in the tent, that he had seen me in Callao; prisoner had three watches besides a gold watch he went to redeem; one night he dressed himself with a large coat, fur cap, large bowie knife, a brace or one double-barrelled pistol, and went out; does not recognize the bowie knife.

James Adair.—I have a small house on the top of the hill near Col. Stevenson's, at the head of California st.; a man at a wood-pile came and told me that my house was open—that he would get in the bushes and look out for the burglar, as he had not finished his work, and requested me to get others and come also—I did so; while looking through the bushes we met a man on no road, that said he was coming a direct way from the Mission; the road he chose being sandy and hilly, I thought the reason was a bad one; I thought it would be well enough to follow him and watch his movements; after passing a little over the summit of the hill, he stood and looked for a few moments down on the city, and then hurried in another direction; I called to a few carpenters who were at work on the hill, and we followed and called to him, he turned and came towards us; I mentioned the suspicious circumstances to him, and requested that he should come down and give an account of himself to the Vigilance Committee—to this he assented and came; a trunk with clothes worth $40, and $40 in money, had been taken from my house, which has not been found as yet; this man was taken about half a mile from the house; the house the trunk was taken from was locked; I don't know the precise time the trunk was taken.

Cross-examination by Wm. Stevens.—Prisoner was from a quarter to half a mile from the house when taken; a gentleman stated that the man had a beard and hat on like Stevens, but had on light pants and boots over, and a light coat or shirt sleeves; my reason for thinking that the man Stevens had changed his clothes, was, that the coat and pants looked as if they had not been out of some trunk or bag but a few moments, as they were much wrinkled and the shoes were not dusted; Stevens stated that he had worn the clothes since he left Sonora.

Wesley Diggins—sworn.—I left the house on the hill at the head of California street, about 9 o'clock this morning; I locked the door and left my trunk with very little money in it, and about 11 or 12 o'clock I went back and found the door broken open; the door was opened with a piece of iron; I saw my trunk was taken away and a chest dragged to the door; the trunk had about $40 in it, ank two broadcloth coats. It was a China trunk bound with brass, painted blue; a pocket-book with notes and other papers, also duplicate bills of exchange drawn by Burgoyne & Co., in favor of Eliza Diggins, one for $600, one for $620, also a small carpet bag, contents removed; I placed my trunk key in a vest hanging in the house; the key I found was taken, but the vest was still hanging where I left it; I then ran down to my wood yard and called to the men there to go with me and look through the bushes for the burglar; I immediately started for the places where I thought most likely for the things to be concealed; after going through the valleys and hills, I met Stevens and thought that he looked suspicious and asked him where he came from; he replied from the Mission; what excited my suspicion was that his breath was rather short; I asked him if he had seen any one in his travels; he replied that he had seen two or three; I asked him if they had anything with them; he answered that one had a handkerchief with something in it; we had several men out, and I stated to Mr. Adair that he had better see where Stevens went and I would go on which I did, for a mile or more; saw no one, and hunted thoroughly; found no trunk; I don't think he has any of my clothes on.

John B. Brady—I think I saw Stevens this morning on Powell street, near California, about 11 or half past 11. I would swear to it, if he had on white pants and light coat or shirt sleeves; my reason for looking at him so particularly was, he looked so much like Stuart; I feel satisfied and will swear that this is the man I saw on the hill. When I saw him he was within two feet of the house that was broken open. I know the house that was opened; some thought he was coming from the plank road on Mission street; when I first saw him, it was about one hour before I heard the house was broken open.

Cross-examined by Stevens—My house was about one hundred feet from the house broken open; I first stated that is not the man. I said he had on light pants and boots outside, and light coat or white shirt.

Direct examination resumed—I said that is not the man, because I thought he might go more quietly if I should say so. I will swear this is the man, no matter how he is dressed; I never saw this man before to-day; I should say he was skulking along.

Tappan C. Kilburn—I am repairing a house a short distance from the house broken open, about 150 feet; I was going up to the house with some cooking utensils for Mr. Perry, and I met the man who lost the trunk; he told me he had been robbed, and I went in the bushes to search for the man or clothing. There was another man with me, who first saw this man, and he called me to him and told me to go and speak to Stephens, the prisoner. I called to him to stop, and he turned and stood still until I came to him, when I came up to him and asked what he was doing here; he looked frightened and confused, but said he was coming from the Mission. I remarked to him that this was a d——d pretty way to come from the Mission. He told me several different stories, and I thought it suspicious. He stated he lived on North Beach, but could not tell where, or who with, but said they were friends of his. I found some stockings similar in color to those he has now on in the bushes near where Stephens was taken. I heard some shrill whistle in the bushes this afternoon about 3 o'clock; never heard them before.

recollect the date, but think it was about the 1st of December; we started about 9, A.M. from the Embarcadero. The next morning it was reported that a man had lost $1000; all the passengers were called below for the purpose of being searched; a bag of dust was taken from me, another bag from one of the passengers; the contents of both bags were turned upon the table, and the owner of the lost money could not tell which belonged to him. I told them I had about $630 in my bag; the other person had just $600. I requested the captain to take possession of both bags and seal them, which he did. A search was then made about the vessel; one of sailors found a bag of dust in the cabin; our bags were then returned to us. The person who lost the money stated that it was not all there, that some had been taken out; it was then put upon the stand and laid out and weighed. The amount was $625. Mine was then weighed, $618—the other passenger's weighed $600. It was then agreed that both bags were to be detained by the captain until I could return with him to San Jose to prove that it belonged to me. The next morning I went down to the boat to return with the captain to San Jose. The captain was not ready to go. I told him he could do either of these things—give me my money or put me in the hands of the marshal, else I should stop the boat. The captain returned me the money. I then went to Mr. Miles, and exchanged my dust for coin; I hired a horse to go to San Jose to meet Smith the gambler, to accompany him to Monterey. Smith had left town. I have not seen him since. We have kept a monte bank together. I worked for Gilroy about two months; received of him from three to four dollars per day; spent this as fast as I earned it; had $1300 when I commenced with Gilroy; had about this sum when I left; won about $160 the same night at San Jose; left for San Francisco the next morning. Smith I believe to be an Englishman. I was told by Mr. Matthews that he had left the country. Smith left San Jose for Monterey Sunday morning; don't know by what conveyance; followed him by stage next morning. The gamblers at San Jose told me that Smith had left for Monterey; thinks that he might have known something to cause an immediate departure. Smith stands about five feet seven inches, dark complexion, dark hair, no whiskers. Have known him eight or nine months; first I saw him in Stockton 16 months ago. I knew Snow and Brour at Sonora, two convict men, miners. Went from San Jose to Sonora for the purpose of mining. Worked with two sailors at the mines, one called Frele; can't think of the other's name. I believe the late troubles at Sonora commenced the day I left for San Jose; have been into the French hotel at Sonora three or four times, and gambled there.

William Stevens, born in Brighton, England, raised in Montreal, aged 32, in March next, left London in 1835 for Canada in the ship Sophia, was sixteen years old when I left England, was apprenticed to a tailor in Brighton; and went to work at tailoring, when I arrived at Montreal; left Montreal two and half years ago, for Chagres; arrived here in the Am. bark J. W. Coffin, from Panama, had ninety passengers; arrived here in November or December, 1849, went to the Southern mines, has worked the last five months at Sullivan's creek; two months on the Tuolumne, four months at Savage's camp on the Mariposa. I arrived in this city last night, and walked here via Livermore's ranch, where I have a horse and mule; they have been there this past six months; I slept last night on North Beach; a man by the name of Kitchen showed me the house; do not know the occupants; it is a private house; went to the above named place with Kitchen a little after dark, about 9 o'clock. There were only three persons in the house where I slept. There was a female in the house; her name I decline mentioning. The man I do not know. Went to bed about ten o'clock, and did not go out during the night, and got up this morning soon after day light, about five o'clock, went over to the Mission; arrived at the Mission about 6 o'clock, remained there at least till ten o'clock; left the Mission and took the road over the hills, thinking it the nearest road; saw two men with only one bundle; was questioned by four men whether I had seen any parties carrying a trunk; told them I saw two men with a bundle; they told me there had been a house robbed and pointed the house out to me; I know nothing farther of the charge of robbery or of any person connected with it. I have known James Kitchen since last November, he is a boatman; an Englishman by birth, and sailor by profession. Knows not what port Kitchen sailed from, or how long he has been in the country. I know, nor have I heard any thing detrimental to the character of Kitchen; has learnt that Kitchen has a wife and family in New York. Knows Capt. Henry Ravenon who brought a vessel here from Panama, the vessels name I do not know. There are two brothers by the name of Wilson, cutting wood on the other side of the bay, Canadians, Dr. Ramsey, a Scotchman, and General Quitman, who I worked alongside of in the mines.

3d July 1851. E. Goenge, sworn.—In the case of Stephens, prisoner introduced, whom he recognizes.

I was deputy sheriff in Stockton in June, July, August, September and October last. The prisoner was delivered to me by Dr. Ash, sheriff of the county. I took charge of him, and being obliged to leave for Sacramento, prisoner escaped from my vessel, the Susanna, on board which he was confined. Was arrested upon the charge of murder; do not recollect the name he went under at the time; can swear to prisoner,s identity; can produce my books if necessary. His name is registered in my books; placed the chains upon him myself. I was deputy sheriff for nine months.

Cross-questioned by prisoner.—Can any one else identify me?

Answer.—A man the name of Schmidt knows him; stood guard over him.

Prisoner.—At what time was it that you had me in charge?

Answer.—Will produce my books. It was about the same time as the Sacramento riot that prisoner escaped. I think it was in August. I do not recollect for what murder, but can produce my book which will state. Dr. Blunt placed prisoner in my charge; was in my charge about two weeks. I know positively that this is the man; he escaped during the time of the Squatters riot in Sacramento, from Stockton.

July 4, 1851. George Mason, sworn.—Come from North Fork of Feather river; formerly on Foster's Bar, Yuba river. I know the prisoner, (Stevens;) have worked beside him at Foster's Bar. He hired men to work; was absent from Bar great part of the time. He went by the name of Jim Stuart; I was witness in Marysville in case against J. Stuart; that man at Marysville is not the James Stuart; the man they have there was arrested for murder. This man (Stevens) left Foster's Bar last October, having committed a robbery there; he escaped. He was taken up by a Frenchman for stealing clothing; he was required to give security therefor, and took out gold which was recognized as having been stolen from under a man's bed there. He escaped from there, came down to Marysville, and from thence to Sacramento City. Shortly after I went to Sacramento City, and met the prisoner in the street; I spoke to him; I asked him what he was doing there; he pretended he did,nt know me; asked me are you staying here; nothing further passed. I heard nothing of him but through the papers and hearsay; it was in November I heard he was taken up in Sacramento City under the name of Campbell, for robbery. The constable, Mr. Burr, who arrested him at Foster's Bar told me this; said he was the same man he had taken at Foster's Bar in October; I was called upon to identify him. This man was put on board the prison brig and cut his way out; he did not bear a good character at Foster's Bar; was a good deal away; had money and gambled a good deal; he robbed a trunk of $5000, and gave it up when discovered, excepting a small amount.

Cross examined by prisoner.—I knew you at Foster's Bar; don't remember how long, but while digging race.

Direct examination.—I am positive this is the man; he knows me well.

Wm. Stevens.—I have told you Kitchen lived on the hill near the North Beach. I refuse to tell the name of the woman with whom I stayed. Kitchen showed me the house; Kitchen was here on Tuesday night, 1st July. I saw him at the El Dorado; I knew where he lived; but looked for him there; I went from the El Dorado to the Bella Union; from thence to North Beach; he then showed me the house; I have known the woman before; I had 6 or 7 dollars with me; I don't know Mr. Pixley, a lawyer I left the woman soon after day-light next morning, and went to the Mission; I have a cousin there named John Stevens; he is working at a baker's; he has been in the country about 16 months; has been at the Mission two months; Kitchen told me my brother was living at the Mission; I left the Mission same morning at about ten o'clock; I got there by 6; about 11 o'clock was taken; I consider it as near again to come over the hill as to keep the plank road. I have traveled same road often before; I came back from the Mission alone.

Charles Hughes, sworn—I know prisoner by the name of English Jim, also by the name of Jim Stuart; I have not the slightest doubt but what this is the man; I was present at Foster's bar when prisoner was examined before Justice Stidger; this was about the month of August, but will not state positively; prisoner was in my employ some days; I had engaged him for one week but he did not fulfil his time; Mr. Hunt was with me when I engaged Mr. Jim Stuart.

Mr. Hughes states that the examination of prisoner before Justice Stidger was on the 4th October, and not in the month of August.

George F. Hunt, sworn—I know the prisoner by the name of English Jim, or Jim Stuart or James Stuart; I have no doubt this is the man; I was present at the time prisoner was tried before Justice Stidger, for the robbery of some $4000 or $5000 of gold dust, from Dodge & Co., at Foster's bar; I wish to state that I was not influenced by any previous statement, but I could identify him better by his speech.

W. A. Thorp, sworn—I think I know him very well, the first time I saw him in the Station House in this city for stealing a safe; I also saw him several times before this in and about town; it was after the Jansen affair, I never saw him since; he escaped out of the back door of the Station House the same time that Mathias escaped; he went by the name of Briggs, and some other name, I do not think I can be mistaken in the man, to the best of my knowledge and belief this is the man; he looks a little like Berdue; I think Stevens is an inch or so taller than Berdue, hair about same color; Stephens wears his hair and whiskers longer than when I first knew him; at the time I took persons into the prison to see Berdue, I saw prisoner, Stephens, there.

Cross-Examined—I decline asking questions.

The statement of Hetherington we are compelled to defer for want of space.

EDITOR CALIFORNIA COURIER:

The accompanying documents in the case of Stephens alias Stuart, alias Campbell, alias English Jim, alias Carlisle, alias Mason, are handed you by order of the Committee of Vigilance for publication, your doing so will much oblige them and disabuse the public mind touching the affair. Respectfully,

THE EXECUTIVE COMMITTEE,
Per order of Committee of Vigilance.

Confession.

Left England about 16 years of age, committed forgery and went to New South Wales for life; intercession of friends procured emancipation; from there to South Australia, Adelaide; stayed some five years; then went to Callao; was about 1½ years knocking about the southern continent; finally reached Panama in the J.W. Coffin, or went to Payta in the Coffin, and from thence to Panama in a launch; shipped in the Tennessee, and came to San Francisco; the day I arrived left for Sacramento in the Senator; next day went to Marysville; from Marysville to Foster's bar; joined the Rock Mining Company and went to work; 17 in one company, and 16 employed in cutting a race; worked in this company one month, I hired Sullivan, the witness who appeared against me, to work in my place for one month; then went down the river about four miles, and worked for myself, mining; worked two weeks by myself; went up and hired a man to work in Sullivan's place, and took him with me; finished his mouth out down the river, and for 3 days' extra work paid him $20; we then went to Foster's bar together; I then bought another claim of the next company, and paid $300 for it; bought a life boat for $400; subsequently lent this boat to another company, and they worked it on half shares as a ferry boat; then went with Sullivan to Slate Range, about 8 or 9 miles; bought the horses of a claim and paid $50 a month to work this claim for half of a day; did not make wood enough left Sullivan there and returned to Foster's bar, thought I would return and work in the winter; went to work and finished the race, and turned the river; lent the Missouri Company $300 to finish their business; the day the race was turned, found the claim would not pay more than $12, and abandoned it; then went down the river to the old place, and worked three weeks or one month longer; had a row with Col. Prentice, left and went up to Foster's bar; two of us made a claim, and did very well; built myself a house; subsequently did no work at mining; received about $6 per day from my boat; I let the claim I paid $300 for to others, and they gave me a share for privilege of working it; received from 10 to $12 per day from this; I then took a partner, Bernard Feather, a German, and commenced store keeping in my house; was previously in the same company as myself, the Rock Mining Company, did clothing for a week, and became tired of the life; concluded to stay all winter, and commenced building a house, the largest one there for boarders; did not finish it; the company to whom I lent the $300 never paid me; they left; I bought of Daniel Casey, one of this company, all the things the company had left; searching their house I found a trunk; the trunk was open and full of clothes; I took them; I wore part of the clothes during the remainder of my stay; one night afterwards I went to Mr. Dodge's house and had a game of monte; lost I suppose that night $300; considered I was cheated and thought I would be even with them; so I stopped that night up at a tent and saw him put his money in a chest; then they had got to sleep went in and took the chest; opening the chest found $4300; had one piece worth about $1568; another $736; the rest in dust and about $200 in silver; I took all this and secreted most of it in my garden; I then went to work again as usual; worked about 10 days afterwards; I was then apprehended for stealing the trunk; having bought all in the house, considered the clothes belonging to me also; was admitted to bail in $500 to appear at Marysville for trial, and deposited the money; three days afterwards was taken up for stealing the $4300; for that I was committed again to Marysville, on charge of grand larceny; the mob that night wanted to hang me; the next morning Capt. Dodge the largest loser, came to me and said that if I would give him the money he would let me go and see that I was not hurt. Another party came to me and told me that his wife and family were suffering at home, so I consented to give it up, and all but about $150 was found; allowed I had lost this; remained with the sheriff this afternoon, and then asked the judge about selling my things; called an auction, sold my things, and gave my bed away to a friend; my things brought $170; the sheriff kept this money in his possession; (Edward Barr, sheriff) went out at night to collect some of this money, and while gone his cook came to me and said, "If he was in my place he'd go;" told him I couldn't well go without money; he said I had better go without it; consequentially went; went about 3 miles that night, and took a mare; next night about 10 arrived in Sacramento; sold the mare next day; stole the mare; had no money to buy one; staid in Sacramento about a fortnight; got acquainted with two or three Americans and one Sydney man; they did nothing but steal horses and mules; I used to sell them for them; the cholera broke out in Sacramento; the names of the men are "Dab," James Peete; Johnny Griffith was getting away from prison brig with irons on and was drowned; went down to bail him out; a boy told Griffiths there was a brig in the river with a good deal of money on board, about $20,000; we went aboard the brig and got all there was—about $1200; went on board with Griffiths (dead), Edwards, Brown (dead); next day we agreed to come down to San Francisco; Edwards told us we could get some money out of a vessel in the harbor; a man came down with us called "Jimmy-from-town," (Burns); came down in the New World; "Jimmy-from-town" robbed a Spaniard on board of thirty ounces in coin; ("Jemmy-from-town" was stowed away by me on board the Tennessee); he gave me the money, and it was divided among four of us; the same night we went aboard this vessel in San Francisco and robbed her; myself, Edwards, Brown, and Dabb accomplished the deed; the vessel was the J. Caskie; had some hard fighting on board; the captain was desperate and we left him almost dead; in the fight his wife came out of the cabin with a sword in her hand; I took it away from her; I acted as captain in that case; left the other in charge of the captain; we were all masked; I searched the cabin; his wife gave me up what money there was on board; I then asked her if there were any arms on board; she gave me one of Allen's six-shooters, large size; I gave the money and pistols to one of the party; do not remember which; the woman begged me not to take her husband's life; I said I did not want to do it if he would be quiet; I then looked in the cabin and saw that she had a splendid gold chronometer watch; she hoped I would not take it, as her mother had given it to her; I said "on these conditions I will not take the watch"; the others kicked up a row for not taking it; I told them I was master; they must made me so, and I would act as I liked; tied the captain's hands behind him and shut him in the cabin; told his wife not to speak for two hours, as I should not leave the ship; also tied some boys who were on board at the time, and then went ashore; supposed we should get $10,000 or $16,000, and only got $170; he advertised a bag of $600; when his wife gave me the money, she said she had sent it nearly all home in the previous packet and should have got it, no doubt. Staid in San Francisco five or six days; tried to rob Grayson & Gulick's store, stopped in it all one night, and found I could not get what I wanted; nothing but the money, but could not carry it, the sack was too heavy; three or four days afterwards, I went to Sacramento alone; stopped at Moore,s house in L street; did nothing but play cards, and won a good deal of money; sold mules and horses for others, as they were brought in, in the name of Campbell; Moore, who owned the house, died; bought him with out for $150; paid

Pacific Star July 18

put in file

The Suppressed Portions of Stuart's Confession.

SAN FRANCISCO, July 17th, 1851.

Editors Pacific Star:—The Committee of Vigilance have directed the Executive Committee to request you to republish the evidence and confession of Stephens, alias Stuart, disclosing all the suppressed matter and names which had been kept back on first publication.

By order of the President.

[We take up the narrative of Stuart at the point where he had been remanded to the prison brig after the Sheriff of Yuba had been frustrated in taking him off to Marysville in consequence of the informality of the warrant. The portion hitherto suppressed is in italics.]

The same night I made my escape from the brig; I walked that day to Dry Creek—half way to Stockton. Next day got into Stockton, disguised myself and came to San Francisco on a steamer—somewhere in the middle of December; then went and stopped in Edward's house in Sydney Valley.

Never went out of the house during the day. During the night went to Port Phillip House, kept by McCormick and Whittaker—(Edwards did not know of my escape.) Janson, at that time lived next door to Whittaker's. Whittaker had got information of there being $8000 or $9000 in a safe in a butcher's shop in Broadway; myself, J. Edwards, Whittaker and Geo. Adams, went, took the window out, got the safe into the street, and could get it no further. The next was Minturn's; there were a great many in the mess. We got this information from *Belcher Kay*. Had gone several times during the three days previous, to inquire about the money—he was acquainted there. Myself, Edwards, Edward McCormick, (Teddy,) Whittaker, Geo. Adams, *Belcher Kay*, Bob McKenzie—we took a boat with us, fall and tackle, made shears to take with us, put a feather bed in the boat, augers, saws, etc., to cut away with, and all went pretty well armed. We managed to get inside three or four of us, and moved the safe somewhat, made a few auger holes in the floor, and intended cutting the floor away—some one came to the door—a false alarm—we had to run—McKenzie spoilt it by not knowing his instructions. We should not have stirred for one man or two, with so big a haul. McKenzie gave wrong signals, and we jumped into the water and swam away. *Belcher Kay* outside. The next thing was a jeweller's shop *Belcher Kay* had examined—he allowed that there was $20,000 or 300,000 in diamonds, etc. We went to look at it at night, myself and Edwards, gave my opinion that we could not do it; too much risk; some four or five people in shop below; gave it up as a bad job. The next thing that *Belcher Kay* got for us was Macondray's store; he had been watching it for a month; he told us there were three safes, and a vault with lots of money; as much as we could take away in a boat; come up to the night to do it, and some backed out, considering there were some eleven men in the building, gave it up. The night after, Whittaker informed us of Janson's place; said that when Janson moved he had a bag which he supposed contained ten or fifteen thousand dollars; we agreed to go and get it. Myself, Jim Brigg, (from Monterey,) J. M. Morgan, S. Whittaker, Edw. McCormick, (Teddy,) Billy Kewes, *Belcher Kay*, Edwards; all of us had been together for ten days, except Briggs and Morgan, who had just come up from Monterey. Briggs and Morgan, were at Macondray's; had a falling out with McKenzie, and he had to go.

Morgan went into Janson's store first; the rest stopped in the road; Whittaker and myself stood at the window during this time. I thought he was too long and would get no money, so I went in to help him; I got half way up the shop behind the counter; heard Janson ask Morgan, what he wanted there; Morgan told him that he wanted to look at some blankets; he turns round and sees me behind the counter; also told him I wanted blankets. He stepped about two yards to show me some blankets, (we had cloaks on for a disguise.) I hit him on the head with a slung shot and knocked him down; I then left Morgan to take charge of him, whilst I looked after the money; I only hit him once; opened the desk, and took out a shot bag containing money.

* * * * * * *

A few nights after, we agreed to rob a bank kept by Beebe, Ludlow & Co. on Montgomery street. In this we were to be assisted by *Bob McIntyre* and *Andy McCarty*. *They told us whenever we were ready they would take the watch off that beat. These police officers used to know all we were about those times.* We tried two nights; opened the outside door by false keys. Watched it two days and concluded there was not money enough to attempt the robbery, as we observed the porter of the bank come each morning from Argenti's with bags of money deposited the evening previous.

The next night went to the bank next to El Dorado in Washington street. Morris Morgan helped to build the money vault and gave us the information. Went down El Dorado steps, opened the door with false keys, entered and found two beds; discovered there were too many people sleeping about there; considered it too dangerous and gave it up. *Belcher Kay* was an accomplice with us; there was eight in the gang; *Kay* generally an outsider, did the watching.

Next night stole a small safe out of Emerson & Dunbar's auction store Sunday night; there was but twenty-four dollars in this safe. Adams stepped out at the time of Minturn's robbery.

Next night stole a safe from Gladwin & Whitmore; took it up on the sand hills; were discovered before we had broken it open. I brought the safe down stairs.—Morris Morgan and James Briggs were arrested by the police in this scrape. Here we lost all our tools, which were worth $500 to us. Then went to Mrs. Hogan's house. Bill Howe went home that night. Not liking to see men go to the watch-house, I wanted the rest to come and take them from the watch-house by force, but they refused; they thought by employing Mr. Parburt and other lawyers they would be cleared. Next day Morgan was acquitted and Briggs committed to jail.

I went to James Kitchen's house and sent him on board the schooner for my bed and blankets. The same day Dabb and a policeman stopped me in the street; the policeman wanted me to go to the Recorder's with him. I drew my pistol to shoot him and he stood off. There were many people about, and I gave him (the policeman) one hundred dollars to quiet him. I then went to Kitchen's and stopped that night. I went and saw Mrs. Hogan; she told me that there was a warrant out for Whittaker and Long Charley for robbing a man in her house of fifteen hundred dollars; she advised me to leave the town; said the police were searching her house; said she had secreted Whittaker at the Mission.

Next morning I hired a horse at a stable and rode to Monterey. At this time I had just taken the name of Carlisle, previously was called Campbell. The day I arrived at Monterey the men were about to be tried for robbing the Monterey Custom House. My things were left at Kitchen's and have been there ever since. I went to Monterey purposely to attend the trial. Went to the watch-house and saw the prisoners. The second night my horse was stolen from me. Dick Osman was first put on trial. Parburt went down from San Francisco to defend him, and I appeared as a witness in his favor. Whittaker was also at Monterey. Kitchen arrived at Monterey in the steamer. Briggs was then in custody. Ryan was in jail, but Osman was tried and consented to the division. Parburt told me to let the prisoners out of jail, and I broke the door down and let them out.

I started on foot from Monterey for the Southern mines; reached San Jose. In San Jose, took a horse, saddle, and bridle, but was captured near San Joaquin, got into a row with eleven Mexicans, who took my gun from me, stating I had stolen their horse; they took me back to Oliver Lord's Pass; I gave them my watch and chain to release me, and went on foot to Sonora, from there went to Sullivan's and worked about a week; did not like mining; then went to Mariposa; there worked about five weeks; met there two Americans who knew me; did not think myself safe, and left for San Francisco on foot.

Arrived here last Tuesday night; saw Kitchen in the El Dorado; went to his house where he used to live; then went to ——— and slept that night. Wednesday morning arose and went to the Mission to see an acquaintance who lives at the bakery at the Mission; this same acquaintance wished me to rob a Spaniard's house at the Mission.

I went to see about robbing a Spaniard at the Mission. The acquaintance at the Mission is short and had on a black hat. [It is known to our committee who this friend is.]

I went into the Mansion House and looked at the safe and told him I would see him again about it. I took the hills on the way back from the Mission to avoid being seen, and was arrested on the sand hills doing nothing. I was on the way to North Beach.

In coming from San Jose to San Francisco last January or February, I came in the steamer New Star, with one Smith, who was afterwards shot in Sacramento City robbing a house. We went from San Francisco to San Jose on purpose to rob the churches of the silver and gold images. We were told there was a gold image weighing ten pounds, but we could not find it.

Got stuck on a mud flat on the passage. In the morning all hands were called in the cabin and told that a passenger had been robbed of $1000 in gold dust; they took my gold dust and that of another man's, a passenger; but I did not rob him, and knew nothing about it.

On arriving here I advised robbing the New Star. I met Teddy McCormick and John Edwards, and went down to the steamboat. I went on board, opened the window and robbed the desk of about $250.

Cross-examination.—Know Jenkins; knew Windred; thinks he has gone out of the country; knew Adams; does not know where he is now; knew Nelson and Wilson, horse-thieves in Sacramento City, when I landed from the J. Knox. I went to Edwards' house; John Edwards had red whiskers; is an Englishman; broke into Minturn's banker tried about 6 o'clock at night; house; Jemmy-from-town stole a trunk from Mr. A. J. Ellis' house; Jemmy-from-town robbed Adam's safe, and blew it up with powder; gave Pixley an order for my money in the name of James Campbell; arrived at Foster's Bar about the middle of April; hired Sullivan, Hunt and Reeves to work at Foster's Bar; never committed more crimes at Foster's Bar than I have stated; Dodge & Co. kept a gambling house at Foster's Bar; names of three Americans and one Sydney man, horse thieves, Dabb, Pete and another man, name forgotte; think I knew of every robbery committed in Sacramento, when I was there; have worn a serape and rode on horseback in San Francisco; I generally board at Edwards' house; some of my friends have boarded at the Port Phillip House; John Morgan is known here as John Morris, and lives with Briggs; is fifty years old, large, stout fellow, and weighs 16 stone.—Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers *McIntyre and McCarty* for a long time; they were concerned with us in the robbery of Young's Bank, next to the El Dorado. Don't know who makes burglar's tools; Briggs makes some. Know Otis, a horse thief, saw him arrested, and on trial. Know Pico; did not know Fisher or Hill or Hull at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for $113 on Lowe; lives on Front street, Sacramento City; has a bow window in it; very pretty house. Money stolen from Janson was divided in Edward's house near Clark's Point. A quarrel between *Belcher Kay* and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Janson been hung.

The suppressed portion of Hetherington's testimony, related to the fact that he knew Belcher Kay, Briggs, Earl and Arrantrue. The following paragraph is confirmatory of the statement of Stuart relating to the connection of these individuals with the operations of the gang:

Two men have recently endeavored to get Whittaker to join them in robbing the El Dorado and the present Custom House; the name of one of the men was *Earl*, who was often with Whittaker. Whittaker was afraid to trust them, otherwise he would have joined them. *Earl* suggested the robbery of the El Dorado, and *Jack Arrentrue*, that of the Custom House. *Earl* and *Arrentrue* are very intimate; *Arrentrue* is constantly going in and out of the prison.

When Hogan gets his business settled up, which was the only reason for my staying at his house until he returned; I will give you much more serious information on some other points, involving pretty much the same parties.

Friday, July 11.

Joseph Hetherington examined—*Do you know B. Kay, Briggs, Earl, Arrentrue? I know B. Kay*, Jim Briggs, Sam Whittaker and English Jim alias Stuart; I have seen Stuart, the prisoner, in your custody; I know him to be the same man that I saw at the house of Mrs. Hogan; these men did not all board there, except Whittaker, who was a constant boarder; these men frequented the house; some of them ate and slept there occasionally; I never saw them commit any acts to my own knowledge; I never knew Whittaker engaged in any ostensible business from which to earn a living; from my knowledge of the parties, I suspected them of crime, from their general conduct and from subsequent information received from Sam Whittaker, which confirmed my opinion. I have also seen Edwards at Mrs. Hogan's house in company with these men. I have frequently seen Sam Whittaker and Mrs. Hogan in bed together; Whittaker was aware that I had seen him in bed with Mrs. Hogan; Mrs. Hogan had said she had done wrong (alluding to Whittaker,) and would not live with Mr. Hogan again.

[At the request of Mr. Hetherington, the Executive Committee, except Mr. Wadsworth and Mr. Payran retired, when he stated—

Whittaker told me that English Jim, alias Stuart, was travelling up to Marysville from Nicholas, with two Americans, who were hunting their mules, which they had lost; the men were out of money, and concluded that they might as well be dead as without money; they agreed to go up to the mountains and rob every man they met till they each had $30,000; that the man Moore (whom they murdered) was the first man they met, and they murdered him; Long Jim shot him; he shot him with a shot-gun before any one else came along; they (Long Jim and his companions) were discovered; the names of the Americans I never learned; one of them escaped from the prison brig; Sam Whittaker said to me that there was a specimen in this city which Long Jim said he took from the body of Moore, and, said it had been shown to him (Whittaker), and that he was confident that Berdue was innocent of it. Sam Whittaker told me that he had a plan of Macondray & Co.'s building; that he could rob the safe; that he had a plan of Dewitt & Harrison's, which he could rob at any time; also, Young's, next to the El Dorado.

The foregoing, and what I have stated in my first examination, is all that I know.

Subsequently, Marsh certifies that the John Goff brought before the Committee and in his presence, was the same person spoken of by him.

John Goff's statement.—I have resided in New South Wales; don't know Judge Forbes; think I know a man by the name of Foss; I kept a grocery store in a town called Windsor; I never bought any goods of Mr. Foss, but have taken goods from Mr. Foss's store to people in the country; I was born in a town called Huntingdon, in England; left England in 1822 or '23; was sent away from England for house-breaking, and was assigned to one Smith at Hunker's river; I was not transported to Norfolk Island; I never worked on the jail; I came from Sydney here; I never knew Judge Forbes; I was transported for life; I got a ticket of leave from the Government, to work at any part of the Colonies or any other country except Great Britain; I think I was about 23 years of age when I left England.

(Signed) JOHN GOFF.

Re-examination of John Goff—I have been here about 16 months; came in the ship Victoria; we had about 200 passengers; I knew some few of them; there were some convicts among them; I have a wife and family; I also brought James Smith and Wright; (Wright was Wright's wife is here; James Smith is at the mines; I do not know where; do not correspond with him; Berdue, the man now being tried for murder at Marysville, also came in the ship; I never heard of any harm of him at home; he was quiet on board the ship; he had a wife at Sydney; I have seen him several times since he has been here; he brought four or five pounds of gold dust, which he left at my house; I do not recollect the names of any others; I never saw Stevens (the prisoner) before; he is not Berdue; some slight likeness; Berdue is a shorter man; it was about ten months since Berdue deposited the gold dust with me; I never knew Jenkins; I never knew Byrnes; I keep the Panama House; have never been there since the Mission house has been erected, the police have boarded with me; she (Mrs. Windred) writes to say that we must excuse her not calling on us; I will produce the letter; she sends an order to draw six or seven hundred dollars on lawyer McAllister. Signed, JOHN GOFF.

Goff subsequently acknowledges that he knew Marsh (whose testimony is given) in Sydney.

Thomas Burdeu, SAN FRANCISCO, May 6th, 1851.

To Mrs. Mary Windred,

Lent money to Mrs. Walton	$400
Lent money to witness	100
Board and washing	125
	$625

Mr. McAllister—Have the kindness to see that Mr. Benham pays the money due to me to Mr. Goff, and you will oblige your obedient servant,

MARY WINDRED.

SAN FRANCISCO, May 6.

Mr. Goff—Should poor Tom ever be permitted to return to San Francisco, tell him that I never got any of his money. Mr. McAllister and Benham still holds it—thnt I assure him is the case. Tell him that I paid Walton 400 dollars and other expenses I can scarcely recollect. However I trust he will soon be down and settle his own affairs. And by doing so you will oblige yours,

M. WINDRED.

SAN FRANCISCO, May 6, 1851.

Mr. Goff—I hope you will not think it strange of me in not coming down to see you before I start; but I have only half an hour to get ready, so the time is short and you know how I am situated, so that you will not be angry. I shall see you in our own country I hope soon. I trust Mrs. Goff will get over her trouble soon and be sure to come back to our own welcome home. I would tell you more, only time is short. Should they never let poor Berdue come into the town—should they murder him for another man's crime, I enclose the following bill, to be presented to Mr. McAllister, and you will oblige.

Should Tom come down to him, let him do as he likes, only I would like to see him rob his wife or me either; for Tom knows I borrow 500 dollars from two parties, and they will look to be paid some day or other. The 500 was on Tom's account, so I am responsible for the sum, and would like to pay it.

M. W.

Goff has in his possession a CONDITIONAL pardon, given at Sydney on the 1st May, 1849, by Sir Charles Augustus Fitz Roy, Governor of New South Wales;—In which document appears the following: "And whereas John Goff, whose description is hereunto annexed, has been indicted and convicted at Devon Assizes, on the 14th day of August, one thousand eight hundred and twenty-four, of the crime of ———, was, in pursuance of said conviction, sentenced to transportation, and was accordingly transported to the said colony, (New South Wales) for the period of his natural life. And whereas, in consideration of the good conduct of the said John Goff, since his arrival in the said colony, I, Sir Charles Augustus Fitz Roy, as such Governor of New South Wales, recommended the said John Coff to her Majesty for a pardon, to take effect in all parts of the world, EXCEPT THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND: * * * Now know ye, that I, &c. &c. &c. do hereby grant unto the said John Goff a pardon for this offense, * * * which shall take effect in all parts of the world except the United Kingdom of Great Britain and Ireland: *Provided always*, and it is hereby expressly declared to be a condition of this pardon, that, if the said John Goff, at any time during the continuance of the term of this said sentence, go to, or be in any part of the United Kingdom of Great Britain and Ireland, then this pardon shall thenceforth become wholly void, as by her Majesty's commands expressly limited and directed: And all her Majesty's officers and ministers of justice, and all other, her Majesty's subjects, are hereby required to take notice accordingly."

Published by order of the VIGILANCE COMMITTEE.

From the Vigilance Committee.

In yesterday's *Picayune* we find the following evidence, taken by the Vigilance Committee, in the case of John Goff, who has received notice to leave our city:

JOHN GOFF.

As there has been sympathy excited in the breast of some persons in this community, in consequence of the *notice to quit* which has been served by the Committee of Vigilance upon one John Goff, said committee would lay before their fellow citizens, the following evidence taken in his case:

Charles Marsh's Statement—Goff, in Happy Valley, was transported to New South Wales, and assigned to Judge Forbes; he had conducted himself so well that the Judge allowed him to keep a little grocery shop for his own account, he working also for the Judge; while he kept the shop there was a person named Foss, a druggist and wholesale grocer; Goff and the porter at Foss' were connected together; Goff began to sell goods cheap, and did a large trade, he sold goods cheaper than Foss could; it was discovered that this man Goff obtained his goods through the porter; Goff was arrested, tried, and transported again to Norfolk Island; I think before he had been there long, he, through interest, was brought back to work with prisoners on new jail; he worked his seven years out and then went to Windsor; from there he came here; he is a bad character; keeps Panama Restaurant; his name is spelled properly Gough; my office in Sydney was Governor's house and land steward; I had 50 or 60 convicts under me, and 5 or 6000 acres of land to take care of.

(Signed,) CHARLES MARSH,
Formerly Steward for Sir Richard Bourke, at Sydney and Paramatta.

Subsequently, Marsh certifies that the John Goff brought before the Committee and in his presence was the same person spoken of by him.

John Goff's Statement.—I have resided in New South Wales; don't know Judge Forbes; think I know a man by the name of Toss; I kept a grocery store in a town called Windsor; I never bought any goods of Mr. Toss, but have taken goods from Mr. Toss's store to people in the country; I was born in a town called Huntington, in England; left England in 1822 or '23; was sent away from England for house-breaking, ank was assigned to one Smith at Hunker's river; I was not transported to Norfolk Island; I never worked on the jail; I came from Sydney here; I never knew Judge Forbes; I was transported for life; I got a ticket of leave from the Government, to work at any part of the Colonies or any other country except Great Britain; I think I was about 23 years of age when I left England.

Signed, JOHN GOFF,

Re-examination of John Goff—I have been here about 16 months; came in the ship Victoria; we had about 200 passengers; I knew some few of them; there were some convicts among them; I have a wife and family; I also brought James Smith and Wright; (Wright was Wright's wife is here; James Smith is at the mines; I do not know where; do not correspond with him; Berdue, the man now being tried for murder at Marysville, also came in the ship; I never heard of any harm of him at home; he was quiet on board the ship, he had a wife at Sydney; I have seen him several times since he has been here; he brought four or five pounds of gold dust, which he left at my house; I do not recollect the names of the others; I never saw Stephens (the prisoner) before; he is not Berdue; some slight likeness; Berdue is a shorter man; it was about ten months since Berdue deposited the gold dust with me; I never knew Jenkins; I never knew Byrnes; I keep the Panama House; have kept no other place; Berdue sent back for his wife; left his direction in my book; I cut it out; "Thomas Berdue, city of Auburn, Dry Diggings; to be found at the German baker's there; write to the care of Mr. Gymas, storekeeper." I knew Windred; I lived near him at Windsor; I was on intimate terms with Berdue and Windred in this country; Windred has gone home; I received a letter from Windred's wife; some of the police have always boarded at my house; ever since the station house has been erected, the police have boarded with me; she (Mrs. Windred) writes to say that we must excuse her not calling on us; I will produce the letter; she sends an order to draw 6 or $700 on Lawyer McAllister. Signed, JOHN GOFF.

Goff subsequently acknowledges that he knew Marsh (whose testimony is given) in Sydney.

San Francisco, May 6th, 1851.

Thomas Berdue,

To Mrs. Mary Windred,

Lent money to Mrs. Walton,	$400
Lent money to witness,	100
Board and washing,	125
	$625

Mr. McAllister,—

Have the kindness to see that Mr. Benham pays the money due to me to Mr. Goff, and you will ablige your obedient servant. MARY WINDRED.

San Francisco, May 6.

Mr. Goff—Should poor Tom ever be permitted to return to San Francisco, tell him that I never got any of his money. Mr. McAllister and Benham still holds it—thnt I assure him is the case. Tell him that I paid Malton $400 and other expenses I can scarcely recollect. However I trust he will soon be down and settle his own affairs. And by doing so you will oblige yours,

M. WINDRED.

San Francisco, May 6, 1851.

Mr. Goff:—I hope you will not think it strange of me in not coming down to see you before I start. But I have only half an an hour to get ready, so the time is short and you know how I am situated, so that you will not be angry. I shall see you in our own country I hope soon. I trust Mrs. Goff will get over her trouble soon, and be sure to come back to our own welcome home. I would tell you more, only time is short. Should they never let poor Berdue come back to this town—should they murder him for another man's crime, I enclose the following bill, to be presented to Mr. McAllister, and you will oblige,

M. WINDRED.

Should Tom come down to him, let him do as he likes, only I would not like to see him rob his wife or me either; for Tom knows I borrowed 500 dollars from two parties, and they will look to be paid some day or other. The 500 was on Tom's account, so I am responsible for the sum, and would like to pay it.

M. W.

Goff has in his possession a CONDITIONAL pardon, given at Sydney on the 1st May, 1849, by Sir Charles Augustus Fitz Roy, Governor of New South Wales;—In which document appears the following: "And whereas John Goff, whose description is hereunto annexed, has been indicted and convicted at Devon Assizes, on the 14th day of August, one thousand eight hundred

I went to James Kitchen's house and sent him on board the schooner for my bed and blankets. The same day Dabb and a policeman stopped me in the street; the policeman wanted me to go to the Recorder's with him. I drew my pistol to shoot him and he stood off. There were many people about, and I gave him (the policeman) one hundred dollars to quiet him. I then went to Kitchen's and stopped that night. I went and saw Mrs. Hogan; she told me that there was a warrant out for Whittaker and Long Charley for robbing a man in her house of fifteen hundred dollars; she advised me to leave the town; said the police were searching her house; said she had secreted Whittaker at the Mission.

Next morning I hired a horse at a stable and rode to Monterey. At this time I had just taken the name of Carlisle, previously was called Campbell. The day I arrived at Monterey the men were about to be tried for robbing the Monterey Custom House. My things were left at Kitchen's and have been there ever since. I went to Monterey purposely to attend the trial. Went to the watch-house and saw the prisoners. The second night my horse was stolen from me. Dick Osman was first put on trial. Parburt went down from San Francisco to defend him, and I appeared as a witness in his favor. Whittaker was also at Monterey. Kitchen arrived at Monterey in the steamer. Briggs was then in custody. Ryan was in jail, but Osman was tried and consented to the division. Parburt told me to let the prisoners out of jail, and I broke the door down and let them out.

I started on foot from Monterey for the Southern mines; reached San Jose. In San Jose, took a horse, saddle, and bridle, but was captured near San Joaquin, got into a row with eleven Mexicans, who took my gun from me, stating I had stolen their horse; they took me back to Oliver Lord's Pass; I gave them my watch and chain to release me, and went on foot to Sonora, from there went to Sullivan's and worked about a week; did not like mining; then went to Mariposa; there worked about five weeks; met there two Americans who knew me; did not think myself safe, and left for San Francisco on foot.

Arrived here last Tuesday night; saw Kitchen in the El Dorado; went to his house where he used to live; then went to ——— and slept that night. Wednesday morning arose and went to the Mission to see an acquaintance who lives at the bakery at the Mission; this same acquaintance wished me to rob a Spaniard's house at the Mission.

I went to see about robbing a Spaniard at the Mission. The acquaintance at the Mission is short and had on a black hat. [It is known to our committee who this friend is.]

I went into the Mansion House and looked at the safe and told him I would see him again about it. I took the hills on the way back from the Mission to avoid being seen, and was arrested on the sand hills doing nothing. I was on the way to North Beach.

In coming from San Jose to San Francisco last January or February, I came in the steamer New Star, with one Smith, who was afterwards shot in Sacramento City robbing a house. We went from San Francisco to San Jose on purpose to rob the churches of the silver and gold images. We were told there was a gold image weighing ten pounds, but we could not find it.

Got stuck on a mud flat on the passage. In the morning all hands were called in the cabin and told that a passenger had been robbed of $1000 in gold dust; they took my gold dust and that of another man's, a passenger; but I did not rob him, and knew nothing about it.

On arriving here I advised robbing the New Star. I met Teddy McCormick and John Edwards, and went down to the steamboat. I went on board, opened the window and robbed the desk of about $250.

Cross-examination.—Know Jenkins; knew Windred; thinks he has gone out of the country; knew Adams; does not know where he is now; knew Nelson and Wilson, horse-thieves in Sacramento City, when I landed from the J. Knox. I went to Edwards' house; John Edwards had red whiskers; is an Englishman; broke into Minturn's banker tried about 6 o'clock at night; house; Jemmy-from-town stole a trunk from Mr. A. J. Ellis' house; Jemmy-from-town robbed Adam's safe, and blew it up with powder; gave Pixley an order for my money in the name of James Campbell; arrived at Foster's Bar about the middle of April; hired Sullivan, Hunt and Reeves to work at Foster's Bar; never committed more crimes at Foster's Bar than I have stated; Dodge & Co. kept a gambling house at Foster's Bar; names of three Americans and one Sydney man, horse thieves, Dabb, Pete and another man, name forgotte; think I knew of every robbery committed in Sacramento, when I was there; have worn a serape and rode on horseback in San Francisco; I generally board at Edwards' house; some of my friends have boarded at the Port Phillip House; John Morgan is known here as John Morris, and lives with Briggs; is fifty years old, large, stout fellow, and weighs 16 stone.—Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers *McIntyre and McCarty* for a long time; they were concerned with us in the robbery of Young's Bank, next to the El Dorado. Don't know who makes burglar's tools; Briggs makes some. Know Otis, a horse thief, saw him arrested, and on trial. Know Pico; did not know Fisher or Hill or Hull at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for $113 on Lowe; lives on Front street, Sacramento City; has a bow window in it; very pretty house. Money stolen from Janson was divided in Edward's house near Clark's Point. A quarrel between *Belcher Kay* and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Janson been hung.

The suppressed portion of Hetherington's testimony, related to the fact that he knew Belcher Kay, Briggs, Earl and Arrantrue. The following paragraph is confirmatory of the statement of Stuart relating to the connection of these individuals with the operations of the gang:

Two men have recently endeavored to get Whittaker to join them in robbing the El Dorado and the present Custom House; the name of one of the men was *Earl*, who was often with Whittaker. Whittaker was afraid to trust them, otherwise he would have joined them. *Earl* suggested the robbery of the El Dorado, and *Jack Arrentrue*, that of the Custom House. *Earl* and *Arrentrue* are very intimate; *Arrentrue* is constantly going in and out of the prison.

Auction Sales this Day.

Hutton & Co. sell at 10 o'clock, A. M., at sales-room, corner of Clay and Sansome streets, a large and extensive sale of boots, shoes and brogans; dry goods and clothing; hats, blankets, and China silks. Also, to close a concern, the storeship of Nellis & Co., together with the right and title to the ground on which she lays.

"JIMMY-FROM-TOWN."—We learn from the messenger of Freeman & Co., that this notorious individual was brought down from Sacramento last evening, in charge of some of the San Francisco Vigilance Committee. He was arrested at Marysville.

"*Dab*," mentioned by Steuart, in his confession, as having been connected with the gang, was arrested on board the New World last night, after the boat left Sacramento. He is also in the hands of the Vigilance Committee. The necks of the remainder of the villains will begin to feel uncomfortable by-and-by. The Committee are "doing the country some service."

A few nights after, we agreed to rob a bank kept by Beebe, Ludlow & Co. on Montgomery street. In this we were to be assisted by *Bob McIntyre* and *Andy McCarty*. *They told us whenever we were ready they would take the watch off that beat. These police officers used to know all we were about those times.* We tried two nights; opened the outside door by false keys. Watched it two days and concluded there was not money enough to attempt the robbery, as we observed the porter of the bank come each morning from Argenti's with bags of money deposited the evening previous.

The next night went to the bank next to the El Dorado in Washington street. Morris Morgan helped to build the money vault and gave us the information. Went down El Dorado steps, opened the door with false keys, entered and found two beds; discovered there were too many people sleeping about there; considered it too dangerous and gave it up. *Belcher Kay* was an accomplice with us; there was eight in the gang; *Kay* generally an outsider, did the watching.

Next night stole a small safe out of Emerson & Dunbar's auction store Sunday night; there was but twenty-four dollars in this safe. Adams stepped out at the time of Minturn's robbery.

Next night stole a safe from Gladwin & Whitmore; took it up on the sand hills; were discovered before we had broken it open. I brought the safe down stairs. Morris Morgan and James Briggs were arrested by the police in this scrape. Here we lost all our tools which were worth $500 to us. Then went to Mrs. Hogan's house. Bill Howe went home that night. Not liking to see men go to the watch-house, I wanted the rest to come and take them from the watch-house by force, but they refused; they thought by employing Mr. Parburt and other lawyers they would be cleared. Next day Morgan was acquitted and Briggs committed to jail.

Surrender of Le Bras to the Sheriff.—On yesterday morning, three of the Vigilance Committee brought Le Bras to the Sheriff and surrendered him into his custody. He is now confined in the county prison, ready to stand his trial on the charge of murder, for which the Grand Jury has found a true bill against him. There is certainly a mystery about this case which leaves the mind in great doubt what to think, but the weight of evidence appears to be in favor of the prisoner's innocence. So, doubtless, thought the Committee.

William Stevens, born in Brighton, England, raised in Montreal, aged 32, in March last, left London in 1835 for Canada in the ship Sophia, was sixteen years old when I left England, was apprenticed to a tailor in Brighton, and went to work at tailoring, when I arrived at Montreal; left Montreal two and a half years ago, for Chagres; arrived here in the Am. barque J. W. Cobb, from Panama, had ninety passengers; arrived here in November or December, 1849, went to the Southern mines, has worked the last five months at Sullivan's creek; two months on the Tuolumne, four months at Savage's camp on the Mariposa. I arrived in this city last night and walked here via Livermore's ranch, where I have a horse and mule; they have been there this past six months; I slept last night on North Beach; a man by the name of Kitchen showed me the house; do not know the occupants; it is a private house; went to the above named place with Kitchen a little after dark, about 9 o'clock. There was only three persons in the house where I slept. There was a female in the house; her name I decline mentioning. The man I do not know. Went to bed about ten o'clock, and did not go out during the night, and got up this morning soon after day light, near about five o'clock, went over to the Mission; arrived at the Mission about 9 o'clock; remained there at least till ten o'clock; left the Mission and took the road over the hills; thinking it was the nearest road, saw two men with only one bundle; was questioned by four men whether I had seen any parties carrying a trunk; told them I saw two men with a bundle; they said the men had been a house robbed and pointed the above out to me; I know nothing farther of the charges of robbery or of any person connected with it. I have known James Kitchen since last November, he is a boatman; an Englishman by birth; and sailor by profession. Knows not what port Kitchen sailed from, or how long he has been in the country. I know, nor have I heard any [illegible] detrimental to the character [illegible] Kitchen has a wife and [illegible] Henry Ravenswood [illegible] by the name of [illegible] Kitchen also [illegible] I worked longside of in the mines. Gen'l.

We do know the parties were [illegible] they took passage [illegible] all that was [illegible] Randall [illegible] Hart in that [illegible] vessel for [illegible] for prosecution [illegible] falsely and [illegible] $700 and a gold [illegible] prisoners; and Morrison, a juryman, held out for [illegible] Carthy was constable. He received $600 for false swearing. [illegible] for prosecution and swore back in favor of prisoners. The judge knew nothing about it. Jim Carson, a juryman, held out for guilty. He was bribed by the prosecution.—All the money was taken from the prisoners; the court charges, amounting to one thousand dollars, was first taken out, and the balance of thirteen thousand dollars, say twelve thousand dollars, was equally divided between the prisoners and prosecuting counsel. The prisoners then paid their own lawyers. Randall got one-half and the prisoners the other half of the twelve thousand dollars. Morgan, Tom Quick and Ryan were in jail, but Osman was tried and consented to the division. Parburt told me to let the prisoners out of jail, and I broke the door down and let them out.

Roman

THE HERALD.

Wednesday, June 11, 1851.

REMOVAL.—The Publication Office of the San Francisco Herald has been removed to Clay Street, three doors below Montgomery, North side.

The Execution last night.

We give elsewhere a report of the lynching of Jenkins by the citizens at 2 o'clock this morning. We have barely space to say, that he was tried by a jury of the highest respectability, and was unquestionably guilty of the crime for which he was condemned. The example was terrible, but if it have the effect of [illegible] thieves who infest our [illegible] and assassinate [illegible] of our citizens are nightly threatened, we shall not regard the punishment as too severe. There is reason to believe that the unfortunate man was of the most hardened character. He was from Sydney.

Cotton Grants.

[illegible] the im- Col- cept- ttee" hold- nocent ncern- on of clause on of ater lot relin- relin- condi- ll lots ence— grant ronand- y Har- ary of ainre, reets; and olders presi- con- was as mento which ast of ecord- ceru- city, pera- and condi- ourse l that e re- e iso- tion this olton nces, spira- period relin- l, con- rty, a subse- destroy the re- and oc- roperty e to in- he city Alcalde. ot exer- rant, or ficiaries not con- grants, hen, by ted, she y claim- it must very fact d to be confirma- avors this rst place, property condition he sales, ol. Pear- rance at ned that le in his merely Colton she de- co will grants, tion of y-nine na-

GREAT EXCITEMENT.

A Man Arrested for Stealing a Safe.

HIS TRIAL AND EXECUTION.

Last night a man was apprehended who had entered the store of Mr. Virgin, who keeps a shipping office in Washington block on Long Wharf, and, in the absence of the proprietor, had carried off a safe about two and a half feet square. Shortly after a boatman met two men with a square package in a bag slung across the shoulders of one of them. The safe was missed—the alarm given—and the man with the safe pursued. He got into a boat and sculled out into the bay, hotly pursued by a dozen boats filled with men. They gained upon him and he threw the safe overboard. Part continued the pursuit and finally overtook the fugitive, and after a fierce struggle succeeded in capturing him—another portion of the boatmen got a pair of oyster-tongs and raised the safe. The prisoner was committed to a man who at once carried him up to the corner of Sansome [illegible] A few moments before ten o'clock, [illegible] led by two taps repeated [illegible] Engine House. It was [illegible] Secret Committee, [illegible] for the pun- [illegible] time some eighty of the [illegible] were admitted into the [illegible] interrogs. All who did not know [illegible] word were resolutely excluded. A number of citizens, not members of the society, soon assembled around the building as rumors of what was going on spread through the city. The number outside gradually increased, but great order prevailed. For two hours and a half the citizens paced the streets opposite the house without offering any interposition to the proceedings within. Anxious and excited knots congregated discussing the propriety of the course pursued by the society—some approving and others disapproving it.

About midnight the bell of the California Engine House commenced to toll and struck upon the ear with awful solemnity in the silence of the night. It was the death knell of the prisoner. His judges had condemned him to be hung. Thus was the silence of the night broken by these melancholy sounds, while the Society within preserved the most impenetrable silence and those without had but vague rumor to found a judgment upon.

Immediately after sentence of death was passed upon the prisoner, who gave his name as John Jenkins, he was asked if he had anything to say, he replied: "No, I have nothing to say, only I should wish to have a cigar." A cigar was handed him, and he afterwards asked for brandy and water, which was given him. He betrayed not the slightest trepidation or compunction. It is probable he expected to be rescued up to the moment the rope was placed around his neck.

At a quarter before one o'clock, A. M., Mr. Brannan came out and ascended the mound of sand to the east of the Rassette house. The crowd followed, and Mr. Brannan addressed them, stating that he was deputed to inform them of the action of the committee. They had taken the evidence against the prisoner, and that evidence was clear as to his guilt of the crime of which he was charged. They had before them the persons who saw him drop the safe into the water. The committee, after hearing the evidence, had decided he should then be punished, and the punishment be death by hanging—the execution to take place on the Plaza in an hour. He called on them as they valued the importance and gravity of the occasion to make no rush or disturbance.—The committee would conduct all things to the entire satisfaction of the citizens. They had sent a request to the clergymen to come and assist the unfortunate man in his preparation for death. He asked the people whether the action of the committee was satisfactory?

A tumultuous cry, mingled with cheers, and some 'noes" was the response.

A Voice in the Crowd.—"Who is the speaker?"

Mr Brannan was named.

Another Voice.—"Who are the committee?"

This was answered with the cry of "no names! no names!" and the crowd broke up and the greater portion repaired to the Plaza, some remaining behind to see the prisoner taken out.

Two and a-half O'Clock.—A clergyman was sent for who remained with the prisoner about three quarters of an hour. A little before two o'clock the committee came from the building, having the prisoner with his arms pinioned, in a ring formed by a rope around which those entrusted with the execution closely clustered to prevent a rescue. Two men were within the ropes having hold of the arms of the condemned.

The procession was formed and the crowd moved slowly up Sansome street to California, thence through Montgomery up to Clay street, thence to the Plaza, where the necessary preparations for the execution had been previous made.

Arrived at the flag-staff, some were climbing up it to arrange the halter, when an earnest cry was raised by some [illegible]'s sake not to hang him on the liberty [illegible] appeal was heard, and those in charge of the execution mounted the beams on the south porch of the adobe—a rope was stretched across between two of the supporters, to the middle of which a block and pulley were fastened, another rope was run through this with a noose at one end. Volunteers were called for to man the other end. The prisoner, who had not spoken a word as far as we could hear during the whole march and the dreadful preparations going on before him, was taken by his guard beneath the beam, the noose adjusted around his neck, and in an instant, at ten minutes past two o'clock, he was jerked high into the air and hung dangling from the beam.

He was a very tall, stout, heavy man, and his struggles were violent and continued several minutes. Gradually they ceased, and he swung slowly round and round. Those who were executing him held steadfastly on the end of the rope—keeping it tense and allowing no interference. They held him thus for twenty minutes, when, no doubt, the effort being very great, or the rope stretching, the hanging wretch imperceptibly lowered until his feet hung several inches below the top of the railing. No effort was made to avert his fate. Several hundred persons were on the ground at the time of his execution. When we left at half-past 2 o'clock, he was still hanging, and a proposition had been offered to appoint a committee to hold him there until day-light. He is probably dead at the time of writing this.

Four O'Clock—He is still hanging—dead.

Mr. Solomon Heydenfeldt.

The last fantastic trick (of the Governor) that we have heard of is the appointment of Judge Heydenfeldt to the United States Senate for six years! It is true that this appointment, if it has been made

CALIFORNIA COURIER.

JAMES M. CRANE.....Editor.

FRIDAY, JUNE 13, 1851.

Constitution of the People's Committee of Vigilance.

Whereas, It has become apparent to the citizens of San Francisco, that there is no security to the life and property, either under the regulations of society as it at present exists, or under the laws as now administered; therefore the citizens, whose names are hereunto attached, do unite themselves into an association for the maintenance of the peace and good order of society, and the preservation of the lives and property of the citizens of San Francisco, and do bind ourselves, each unto the other, to do and perform every lawful act for the maintenance of law and order,—and to sustain the laws when faithfully and properly administered; but we are determined that no thief, burglar, incendiary, or assassin, shall escape punishment, either by the quibbles of the law, the insecurity of prisons, the carelessness or corruption of the police, or laxity of those who *pretend* to administer justice.

And to secure the objects of this association we do hereby agree—

First. That the name and style of the association shall be The Committee of Vigilance, for the protection of the lives and property of the citizens and residents of San Francisco.

Second. That there shall be a room selected for the meeting and deliberations of the Committee, at which there shall be some one or more, members of the Committee appointed for that purpose in constant attendance, at all hours of the day and night, to receive the report of any member of the Association, or of any other person or persons whatsoever, of any act of violence done to the person or property of any citizen of San Francisco, and if in the judgment of the member or members of th committee present, it be such an act as justifies the interference of this committee, either in aiding in the execution of the laws, or the prompt and summary punishment of the offender, the committee shall be at once assembled for the purpose of taking such action as a majority of the committee, when assembled, shall determine upon.

Third. It shall be the duty of any member or members of the committee, on duty, at the committee room, whenever a general assemblage of the committee is deemed necessary, to cause a call to be made, by two strokes upon a bell—situated —— which shall be repeated with a pause of one minute between each alarm—the alarm to be struck till ordered stopped.

Fourth. That when the Committee have assembled for action, the decision of a majority present shall be binding upon the whole committee; and that these members of the committee, whose names are hereunto attached, do pledge their honor, and hereby bind themselves, to defend and sustain each other in carrying out the determined action of this committee, at the hazard of their lives and their fortunes.

Fifth. That there shall be chosen monthly, a President, Secretary and Treasurer; and it shall be the duty of the Secretary to detail the members required to be in daily attendance at the committee room. A Sergeant-at-Arms shall be appointed, whose duty it shall be to notify such members of their detail for duty.

The Sergeant-at-Arms shall reside, and be in constant attendance at the committee room. There shall be a standing committee of finance and qualification, consisting of five each, and no person shall be admitted a member of this Association, unless he be a respectable citizen, and approved of by the committee on qualification, before admission.

S E Woodworth, S Brannan, E Gorham, F A Woodworth, Geo J Oakes, Frank S Mahoney, Francis E Webster, R D W Davis, James C Ward, Wm N Thompson, Wm H Jones, R S Watson, Clinton Winter, Edw A King, George Mellus, Jas B Hule, W A Howard, J D Stevenson, B Frank Hillard, Henry Dreschfelt, Charles E Bond, S W Haight, James Ryan, B B Arrowsmith, George H Howard, Wm Browne, S E Teschmaker, Caleb Hyatt, Robert Wells, C H Brinley, Saml R Curwen, H D Evans, J W Salmon, Jas F Cutt's, John Y Bryant, Benj Reynolds, L Hulsemann, E Kirtus, A W Macpherson, A G Randall, Jno S Eagan, Thos Deblois, J U L Wadswo th, N T Thompson, Stephen Payran, Wm Hart, N Reynolds Davis, C Spring, Geo M Garwood, Gabriel Winter, A Wheelwright, R S Lemot, James Shindler, B J Fourgeaud, Jesse Southam, J W Ryckman, A Jackson McDuffie, Z H Robinson, W S Bromley, R D Headly, Geo R Ward, A Ottenheimer, S B Marshall, C L Wilson, B H Davis, Hazen Hazeltine, W H Taber, P Frothingham, W Iken, Isaac Bluxome, Jr, Z E Schenck, George D Lambert, Lothrop S Bullock, Geo Austni Wors, John P Haff, John W Ryder, E Bothcher, Joseph F Haman, Thos W Walker, Theodore Kuhnman, Samuel Mark, J Seligman, Joseph E Dall, Daniel J Thomas, Jr, H F Von Lengerk, Julius D Schultz, J E Farwell, J E Derby, J Pratt Stevens, Jacob P Leese, F J West, Thos McCahill, Edgar Wakeman, W T Coleman W Peake, A Wardwell, J S Clark, Jonas Minturn, Samuel A Sloan, E H Clark, Lloyd Minturn, W B Lucas, H R Haste, F O Wakeman, H F Teschemacher, J Thompson Hule, J W Jackson, Wm L Hobson, Wm Meyer, Jos R Curtis, W H Tillinghast, John G McKaraher, Wm H Graham, J F Hutton, John Raynes, J H Fisher, Horace Morrison, John H Watson, Joshua Hilton, F L Dana, John Quincy Cole, James Pratt, O P Sutton, Geo W Douglass, Wm G Badger, A J Ellis, Chas H Vail, S J Stabler, Henry M Nagles Wm Forst, Wm J Sherwood, Otis F Sawyer, A L Tubbs, E W Travers, W H Hostin, N D Hill, Wm Langermean, Eugene Hart, B E Babcock, T K Battalle, J C Treadwell, Hartford Joy, Augustus Belknap, Wm Burling, John F Osgood, Horatio P Gates, Thos N Cazneau, B Kemp, Jer Spalding, Wm C Graham, J Mead Huxley, Jno M Coughlin, Chas Minturn, Samuel Moss, Jr, Geo Clifford, Howard Cunningham, C O Brewster, Chas Soule, Jr, Charles L Case, Charles L Wood, Robt P. Baldwin Chas Moore, Wm Pell, N Smith, Jas B Duff, Jas Dows, John O Earle, B M Earle, B W Crowel, E M Cooley, J L Van Bockkelin, A E Glidermeister, Chas N Hill, George N Blake, Samuel S Phillips, J Neale, Jr, Dewitt Brown, Charles Del Yeckie, F A Atkinson, E F Baker, Jos Post, Chester Miller, F Argenti, James King of Wm.

The above, a portion of the Committee of Vigilance lately established in this city for the preservation of order, punishment of vice, and for the purpose of meting out justice, so long withheld from criminals, unwilling that the names of a few of their associates should be selected by the coroner's jury as the principal actors in the trial and execution of Jenkins, inform the public, that they, with all the members of the committee are equally responsible for the first act of justice that has been dealt to a criminal in San Francisco since California became a State of our Union.

Our fellow citizens, remembering the escape of Withers, Denslow and Adams, of Stuart, Windred, and Watkins, and the tardy manner in which the incendiary Lewis is being brought to justice, will see the necessity of the stringent measures we have adopted.

This publication also informs those friendly to the cause, that the Committee of Vigilance have nothing secret in their proceedings, but such matters as would tend to defeat the object for which we are associated, were not made public.

The following resolutions were unanimously passed and ordered to be published.

Whereas, the citizens of San Francisco, convinced that there exists within its limits a band of robbers and incendiaries, who have several times burned and attempted to burn their city, who nightly attack their persons and break into their buildings, destroy their quiet, jeopardise their lives and property, and generally disturb the natural order of society. And whereas, many of those taken by the Police have succeeded in escaping from their prisons by carelessness, by connivance, or from the want of proper means or force to secure their safe confinement. Therefore, be it

Resolved, That the citizens of this place be made aware that the *Committee of Vigilance* will be ever ready to receive information as to the whereabouts of any disorderly or suspicious person or persons, as well as the persons themselves, when suspected of crime.

Second. That as it is the conviction of a large portion of our citizens, that there exists in this city a nucleus of convicts and disorderly persons, around which clusters those who have so seriously disturbed the peace, and ff ected the best interests of our city. Such as are known to the police of the city, or to members of the Committee of Vigilance, as felons by conduct or association, be notified to leave our port within *five days* from this date, and at the expiration of which time they shall be compelled to depart, if they have not done so voluntarily within the time specified.

Third. That a safety committee of 30 persons be appointed whose sacred duty is shall be to visit every vessel arriving with notorious or suspicious characters on board, and unless they can present to said committee evidence of good character and honesty, they shall be repipped to the places from whence they come, and not be shermitted to polute our soil

Fourth. That all good citizens be invited to join, aid and assist the committee of diligence in carrying out the above measures so necessary for the proper restoration of the peace, safety and good order of our community.

From Sacramento and Marysville.

We received by Freeman & Co., yesterday's papers from up the river.

Judge Robinson has been compelled to adjourn his Court from illness.

G. S. C. Vail, of bogus-money notoriety, has been elected a Justice of the Peace, of Shasta County.

Stanley, one of the prisoners who broke jail at Marysville, has been re-taken at Sacramento.

Newand very rich diggings have been discovered at Murderer's Bar, on the Middle Fork of American river.

The dead body of a man was found at Rich Bar, last week. Another was found at Parks' Bar on the 3d inst. The names of the persons, or the circumstances connected with their deaths, is wholly unknown.

The names of the persons drowned at Parks' Bar, last week, are as follows: J. Stull, B. Modesburgh, Charles Cox, Mr. Hodge, Samuel Miller, (found on the Island) Jougou, a Frenchman from Bordeaux, and another Frenchman named Vincent.

Wm. Jenkins, of Ohio, was killed a few days since, in a conflict with the Indians, on the North Fork of the American river. He was 33 years of age.

Dup-

THE HERALD.

Saturday Morning, June 14, 1851.

REMOVAL.—The Publication Office of the San Francisco Herald has been removed to Gray [illegible] three doors below Montgomery, [illegible]

Second Edition of the Steamer Herald.

We shall issue this morning the SECOND EDITION OF THE DOUBLE-SHEET STEAMER HERALD, for the Atlantic States and Europe. It will contain the news up to the moment. An account of the Lynching of Jenkins; full report of the testimony before the Coroner's Jury with the Verdict of the Jury; the dinner to Terence Bellew McManus, Esq.; full reports of the attempt to lynch Lewis; detailed account of the three meetings of the citizens in the Plaza; excitement in this city and Stockton; the constitution and names of the Committee of Vigilance; the recent intelligence from Los Angeles and the Southern country; shipping and commercial intelligence; law reports; a review of the markets and price current; articles on a variety of subjects; together with a summary of the events of the last fortnight.

Single copies done up in wrappers, ready for mailing to be had at the Publication Office, and at the bookstore of Marvin & Hitchcock, Montgomery st. Price 25 cents.

Since the Sailing of the Last Steamer.

As will be seen by articles in our steamer edition, the mines have yielded for the last fortnight more abundantly perhaps than ever before, and from the extent of mining operations now in progress, it is fair to suppose that a larger amount of gold is being obtained from the mines than at any former period. The attention of many whose business has been deranged by the fire in this city, is directed to working the quartz mines, and that source of wealth will doubtless be fully developed. From the extended review of the market published elsewhere, the condition of our commercial interests may be judged of.

The most gratifying event we have to record since the sailing of the last fortnight's steamer, is the arrival of Terence Bellew McManus, Esq., one of the five gentlemen exiled to Van Dieman's Land three years ago for their participation in the Irish insurrection. The condition of the State prisoners previous to the escape of Mr. McManus, was most lamentable. By the orders of the tyrannical Governor, Sir William Denison, two of those ill-fated gentleman, McManus and O'Donoghue, for a trifling infraction of discipline in going out of their prescribed limits to pay a visit to Mr. Smith O'Brien, were condemned to the chain-gang for three months and were actually sent to the Cascades Station, the severest and lowest place of punishment set apart for the vilest class of felons. By the return to a writ of *habeas corpus*, sued out for the purpose of rescuing Mr. McManus from this place, it appeared that he was made to perform the severest manual labor, and to wear the regulation garb of a felon. The Court sustained his [illegible] and he was re- [illegible] Under this condition did not [illegible] the Governor to relent, for an order [illegible] to drag Mr. McManus from his bed of sickness to the Convict Hospital. Fortunately, when the order arrived, he had disappeared. On his arrival in this city he was visited by our citizens, who in the warmest manner congratulated him on his escape. A public meeting was held on the Plaza to take measures to give him a public reception, and a public dinner was given him on Thursday last, at which the attendance was large and of the highest respectability. A full report of the reception and dinner is given in our steamer edition.

The other prominent event of the last two weeks is the hanging of a man named Jenkins on the public Plaza without the ordinary formalities of law. The frequency of crime had produced on the part of the people the determination [illegible] the law into their own hands; believing, as they did, that from some cause justice was not meted out to the culprits who throng the city. A very large and influential organization was effected, embracing some two hundred of the most respectable citizens, and this organization resolved itself into a Committee of Public Safety. The first case of crime which occurred was the stealing of a safe by a Sydney man named Jenkins. He was caught in the act, and his guilt was substantiated by the clearest testimony of a number of witnesses. He was arrested at 8 o'clock in the evening, tried by the committee, convicted and condemned by half past twelve o'clock; was allowed two hours for preparation—taken to the Plaza and executed at half past two. Meetings have since been held and a variety of opinions expressed as to the summariness of the proceeding;—but there is a large majority in favor of sustaining the action of the Committee. An Inquest has been held on the body and the jury has brought in a verdict, which will be found in another column.

As a natural consequence of this state of things, a good deal of excitement has prevailed—but matters are assuming their wonted quietude, and no interruption to business has occurred.

DEPARTURE OF THE STEAMER.—The regular semi-monthly mail steamer California leaves today, at 4 o'clock. The mails close at the Post Office at 1 o'clock. We shall as usual keep a newspaper bag open at our office until 3 o'clock.

Samuel Stanley, one of the convicts who recently broke jail at Marysville, has been arrested at Sacramento.

G. S. C. VAIL.—We learn, from a person just down from Shasta county that G. S. C. Vail, of "bogus" memory, has been elected and is now discharging the duties of Justice of the Peace in Shasta county. This man was bound by the terms of his condemnation to leave the State and remain without its limits for the period of twelve months. —*Sacramento Transc.*

[illegible] & ALTA

June 14

Do not copy 88 199

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[illegible] boards. The third story is occupied by several of the Judges, and by parties who pay rent.

ACTION OF THE VIGILANCE COMMITTEE.—Many persons were under the impression that the Vigilance Committee was organized on the spur of the occasion for the punishment of Jenkins. In this they are very much mistaken. Their object extended much further—their aim was not only to punish for offences committed, but to prevent the future perpetration of outrages. The assassin and villain, when caught in the overt act, were to be punished, but a still more effectual remedy for the protection of society was adopted by warning all who had become notorious by their connection with criminals to leave the city. This latter course has been entered upon after due deliberation and is prosecuted with unflagging energy. As previously stated, many have received notices to quit, and their good sense has induced them in almost every instance to obey the mandate and relieve the city of their presence. Burns, upon whom such a notice was served, asked a hearing from the Committee to give him an opportunity to prove that the character of his house had been misrepresented. Such an opportunity was readily afforded by the Committee, and in the meantime an extension of his permit to remain has been granted. Hetherington, who had in vain applied to the various city officials for protection against the decree of the Committee, finally determined to refuse obedience on his own responsibility. He had the idea that their energetic action had ceased and that he might with impunity overstay the time allowed him to depart. But he was yesterday convinced that he had mistaken the character of the men with whom he had to deal. They not only issue an order, but they see that it is obeyed. Accordingly, Mr. Hetherington's five days of grace having yesterday expired, and he refusing to obey the decree of banishment, the Committee assembled in great numbers, probably two or three hundred, and took their way towards North Beach, where was the residence of the proscribed. They surrounded the house of the offender, and despite his remonstrances and bluster, carried him off to the committee room, opposite the Rassette House, where he was condemned for contumacy, and ordered to be sent back to Sydney by the first vessel that leaves for that port. In the meantime, it is understood that he has been removed on board a vessel in the harbor—not a revenue cutter, for safe keeping. It is probable that such prompt and efficient action on the part of the Committee will have its effect upon others upon whom their process has been served and induce them hereafter to pay ready obedience to their instructions.

Dup.

Auction Sales This Day.

[illegible] will offer at the California Exchange, at 12 o'clock, [illegible] valuable building lots of ground, in this city; also, two valuable lots. [illegible] Washington, between Monte

many

Note sailing

IN DISTRICT COURT.

OF THE FOURTH JUDICIAL DISTRICT, State of California, for the County of San Francisco.

Francis Salmon and John S. Ellis, trading under the name and style of Salmon & Ellis, vs. Seth B. Horton.

The People of the State of California to Seth B. Horton, send Greeting:

You are hereby summoned to appear and answer the plaintiffs' complaint in the above action, (a notice of the nature whereof, the proceedings therein and the time and place of filing said complaint is published with this summons,) and file the same in the office of the Clerk of the said District Court for the county aforesaid, on or before the fourth Monday in June, 1851.

Witness, the Honorable Levi Parsons, Judge of said court, at the court house in the city of San Francisco, this 21st day of December, 1850.

B. H. Bancroft Collection
Bancroft Library

JAMES FOSTER, and [illegible]

THE VIGILANCE COMMITTEE.—This body of citizens united together for the purpose of executing justice and giving force to the laws, did not include in the beginning more than one hundred members. Since the execution of Jenkins, however, and the rigorous and effective measures that have since been taken to rid the city of the pests that infest it, large additions have been made to their ranks from among the most influential and respectable citizens—so that the Committee now comprises several hundred members. The uninitiated do not know how extensive are the ramifications of this body. The names previously published are not a moiety of the present members. Rogues and scoundrels generally should therefore be cautious—for they cannot know at what moment one of the Committee may be at their elbow. The organization is complete and effective.—Stated and frequent meetings are held, at which regulations to give efficiency to their actions are adopted, and every effort made to ferret out the vile and infamous characters who have so long and with such impunity made this city the scene of their depredations. Any good, respectable and honest citizen can become member on the recommendation of two of the Committee. Since the publication of the constitution and the names of those composing the Committee—but above all, since the vast amount of good which has been effected calmly and dispassionately by ridding society of its pests—the objections of a great many who honestly and from conviction opposed the institution of such a body in our midst, have been removed, and they now join with the original supporters of the Committee in saying "amen" to their well directed efforts.

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Dup.

Clarke - Jeremiah, lawyer
Tender for professional services
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Vigilance Committee.—At a meeting of this Committee, held on Friday evening, June 27th, it was resolved, that each and every member of said Committee shall report himself at the committee room once in every twenty-four hours.

San Francisco, June 28, 1851. y

The Members of "Pacific Independent Fire Association," hold themselves bound to return their thanks to Messrs B. [illegible] T. W. Barry, proprietors of the Saloon called The Corner, for refreshments furnished during the trial of [illegible] June 27 & 28.

je28 y FLORENCE MAHONEY, Foreman.

VOLUNTARY SURRENDER.—A man who gave his name as Alfred Edmondson, of respectable appearance, yesterday came into the Sheriff's office and stated that he desired to surrender himself into the custody of the law, having shot a man by the name of Fluley McKinley. The shooting occurred, as he stated it, in the morning, at a place 30 miles distant, in the southern portion of this county, known as McKinley's ranch. He states the occasion of the shooting to be a quarrel growing out of some transactions between them in which he alleges McKinley defrauded him. The latter received two shots, (from a pistol): one in the arm, and the other in the side; but Edmondson could not say what was the effect of the wounds, having left immediately.

In the two cases we have contrasted, was justice done? Was it just that the law should be used to deprive an honest man of his liberty for seven days on the one hand, and to prevent the knave from being punished on the other, that a writ should issue before his arrest? Mr. Walker's counsel were able, full of zeal, and certainly unremitting in their efforts to procure his release. Why is it that in that case seven days elapsed, and in Kay's case relief was granted before it was necessary? If this be the equal justice of the courts, then we say a Vigilance Committee is necessary to regulate the courts, and our correspondent will see that this is the position we took in our first article. We care not what the judge's intentions are. We shall always take them to be correct until we know the contrary and it will take a strong presumption to make us ascribe improper motives;—in this case we have not ascribed such motives:—we only look to results:—the Superior Court, it is but justice to add, has been more free from taint than any other we are acquainted with; but these two habeas corpus cases prove that the whole machinery of courts is out of order, and that the great end and aim of their existence, the administration of equal justice to all, is not at present accomplished.

RECORDER'S COURT.—Before Hon. R. H. Waller.

There was quite an array of bruised heads and black eyes in the Recorder's Court yesterday morning, as is usual on the morning succeeding the day of rest.

Henry Johnson, Manuel Rapessa, Jas. Robinson, Matthew Keith, Geo. Thomas, Henry Bradford, and Wm. Howard were all up on the charge of being drunk, and were required to fork over the usual fine of $5, or ten days imprisonment. Most of them paid the fine.

Isaac Latkin was up for burglariously entering the house of a French lady on Dupont st., and making sundry ungenerous and ungentlemanly demands upon the lady. He was discharged.

James Maynard, Wm. Rodgers, Matthew Maume, James Kenny, B. Hessinger, and W. McContine were up for fighting and rowdyism—fined and imprisoned according to the offence.

Sixteen individuals were up on citations for violating the license ordinance.

CITY NEWS.

CHARGE OF KIDNAPPING A CHILD.—For several days past advertisements and notices have appeared in the papers of the disappearance of a little boy, the son of Capt. Willett. The father left some time since for the Atlantic States to bring out his family. By some mishap they, consisting of his wife and little son, had started to join him here, and passed him on the way. They were residing here anxiously awaiting his return, when some three or four days ago the child disappeared. When last seen he was in company with another small boy on his way to buy some fruit. The wretched mother has been almost frantic at her loss, and has resorted to every possible means to recover her child. A bellman has been traversing the city in every direction in search of the little wanderer but without discovering any traces of him until yesterday evening, when a man named John Hughes approached him on Pacific street wharf and asked how much he would give for the recovery of the boy. After some further conversation, finding that Hughes would make no further disclosures without a reward, he offered to give him twenty dollars and a treat for any information by which he might be recovered. That was scouted at as too small a sum. Assistant Captain Treaner of the second district, hearing what was going on, asked the man if he knew anything about the child. From his replies he was fully convinced that he was in his possession and was detained for the purpose of extorting a reward. He accordingly arrested Hughes on a charge of kidnapping and took him to the station house. If such be the fact, and this man has thus attempted to wring money from the agonized, no punishment too severe can be inflicted upon him. A more heartless and villanous act cannot be conceived. With the true unselfishness of a mother's love, whose purity and intensity man can hardly appreciate, as soon as Mrs. Willett heard of the circumstances, in an agony of passion, she besought her friends to sell all she had and give the man everything, provided only he would return her son.

Admit that San Francisco has suffered from six fires, and at each time "scarcely a square remained unconsumed," could our unhealthy people, "declining in their moral conditions," succeed in rebuilding it each time within the space of one month? California has been severely afflicted with fires, but her people were ready as soon as the flames were out to remove the rubbish, and commence building again. In all other cities the world over, one fire, equal to the smallest which afflicted us, the people have folded their hands and cried for help, and they had to receive it before they could have courage and energy enough to attempt to rebuild their city. Fires in all other cities generally breed disease, pestilence and death, but not so with the fires of San Francisco. A large majority of the present resident population of California have had to sleep in the open air, and in most cases in the open rain. This state of things was not confined to men, but to women and children, also. In what country out of California could such frequent exposure take place with such ordinary sickness and with so few deaths. The history of the world will not present a parallel spot with California under similar circumstances. The bill of mortality in this city, compared with any Eastern American city, or European city, for the population, will show that San Francisco has no equal for healthfulness. In the settlement of America by the colonist of England at the most favorable periods of the year, the diseases of the country were more destructive to life than was the cholera to both Europeans and Americans in San Francisco, while it was raging at its very highest point.

All new countries have been more or less subject to some local disease; but California, in her most sickly periods, has held her own, in point of health, with the most favored States in Europe and America. Save and except when the cholera visited this State, the people felt more safety in sleeping, at any season of the year, in the open air, than in houses in many streets in London, Paris and New York. The real cause of the most of the deaths in California is not the result of local or contagious disease.—Nearly every person has realised such sudden prosperity, and has enjoyed such remarkable health, that they have been indifferent to even ordinary precautions. They have fared well, and with many too well. One half of the deaths in this State have been brought on by dissipation. In this particular, there is working a great reformation. We can see no reason why the climate should be "destructive to Europeans." The statistics of the city and the State do not show such a result. No European here considers that he

RECORDER'S COURT.—Before the Hon. R. H. Waller.

DRUNK AND DISORDERLY.—Hugh McCassey, Edward Bucker and Thomas Fynch—It not appearing that the defendants were any more tipsy than the statute allowed, they were discharged.

FIGHTING.—Wm. Dwine and Geo. Whitmore—The witness to prove the offence charged, did not appear. There was no testimony against the defendants except the "manifest" symptoms upon their countenances, which his honor thought could not be received, on the principle that a man was not bound to criminate himself.

Ten different parties, to wit:—Capt. Wolf, C. F. Webster, Samuel Hewing, C. H. Notemaire, C. A. Smith, Mr. Road, Mr. Ainslee, H. Francis, Chas. How, and John Brady, were severally fined for pursuing the business of steamboat runners, without a license, in the sum of $10 each. It is understood that they intend to appeal their cases to the higher tribunals, to test the constitutionality of the law.

Henry Holtxman and Peter Jacob Ellert, two respectable persons engaged in the milk trade in the neighborhood of the mission Dolores, were brought up on a charge of grand larceny, a stolen horse being found in their possession. It appearing in evidence that they purchased the horse from a Spaniard in good faith, they were honorably discharged, the horse being restored to the rightful owner.

Several parties were fined for a violation of the license law, and others complained against, were discharged.

ARREST FOR LARCENY.—Henry Smith was arrested in the harbor yesterday afternoon, by officer Robinson, on a charge of stealing $150.

CHARLES DUANE, who had given bail in the sum of $15,000, we learn, was delivered over by his bail and committed on yesterday.

POPULAR EXCITEMENT.—The excitement of our citizens, wrought up by the recent criminal developments, still continues, though in a milder form than yesterday. A posse of officers conducted some prisoners from the station house to the county court rooms, this morning, when the report was circulated that the men Stuart and Wildred, were among them, and a rush was made after the fellows. It was stated that the culprits were petty prisoners, which had the effect of quieting the populace.

IMPORTANT ARREST.—About a week since we published an account of an extensive robbery having been committed upon a miner named Stephenson, at Cigar Bar, on the Yuba River. The amount stolen was about $1700, and consisted of dust and specimens. Suspicion was immediately fixed upon a negro, who vamosed the camp about that time. Information was thereupon sent to officer Howard, of this city, who has been on the look-out for the thief for several days past, and yesterday morning, about 4 o'clock, he succeeded in arresting him. He gave his name as John Erme, and was instantly recognized by Mr. Stephenson, who will convey him back to the bar for examination.

June 14
Cal Courier

CITY MATTERS.

THE REV. T. DWIGHT HUNT, pastor of the First Congregational Church, has, for the past few Sabbath mornings, been preaching a series of discourses from the text in James, 1st chap. and 15th verse: "There where lust hath conceived it bringeth forth sin, and sin where it is finished bringeth forth death." The preacher has thus far illustrated his text with great power and interest under the general heads of Intemperance, Licentiousness, Gambling, and Covetousness, showing how a life of continued sin results in death. Under this last general head, Covetousness, he, last Sabbath morning, dwelt upon the sin of avarice in its various features, as developed in the daily transactions of life. At the close of the discourse, he gave notice that, on next Sabbath (to-morrow) morning, he would further illustrate the same text under the general head of Covetousness, by considering the sin of Prodigality.

AN OLD TRICK—THE BOX GAME.—The stale and oft-repeated trick of the box-game was successfully played off yesterday—of course on Long Wharf, on a miner about to return home. He had just reached the city, and a very genteelly dressed individual made his acquaintance, who, by one of Mr. Peter Magnus's "extraordinary coincidences," was just going home too. The new acquaintance gradually became sociable and affable, and in time quite confidential. They happened, of course by accident, to stumble upon one of those genius ses who carry a small box, and who after deliberately and publicly placing a half dime in the aforesaid box and screwing down the lid, are so reckless of their property as to stake their all that there is no such piece of money within. The new acquaintance was duly astonished at such stupidity on the part of the genius of the box, and taking his friend, the miner, on one side, commenced dilating upon the ease with which they might win the fellow's money—that they had better have it, who would make a good use of it, and who needed it, than he who was thus attempting to swindle honest men. At the same time he privately informed his friend of the trick, and told him how he might trap the trapper. He offered too, with great liberality, to go halves in the bet. So they both returned to the genius, and a bet of $200 was made by the miner that he could open the box, and that it contained the half dime. Of course he lost.—With such characters a man cannot trust his own senses. The poor miner was thus fleeced out of nearly all the funds he had to take him home; but his kind and deeply chagrined friend, who expressed his indignation at the loss in no measured terms, had gone halves with him, and would return $100 of the amount, only he had'nt it about him at the moment. If his friend would accompany him to his lodgings he would refund him the amount. Accordingly they repaired to a house with a number of lodging rooms; the new acquaintance requested the miner to wait at the foot of the steps while he went up stairs after the money. In a few moments another lodger apparently, with a large pair of bushy whiskers, moustaches, &c., came down stairs, and without looking to the right or left, passed out and walked up the street. The miner had a vague idea of having seen somebody like him before, but continued waiting for his friend to descend with the $100. Finally becoming tired, he went up stairs in search of him, but the bird had flown. His friend was the big whiskered man who had passed him at the door, and who was a confederate of the genius of the box.

Moral.—Never receive the advances of a stranger that takes a sudden fancy to you, and never attempt to win money on the box-game.

[illegible] Committee.

It is stated that one Peter Metcalf has brought an action against F. Argall, Atkinson and others, laying his damages at twenty thousand dollars, for an alleged injury to his character, caused by the defendants examining his premises and searching a number of trunks found in his house. The facts stated to us by a member of the Committee are as follows:

A carman named Metcalf, agreed for fifty dollars to take charge of four loads of furniture and wearing apparel during the recent fire. When called upon, he returned but three loads and could not account for the fourth,—the load not forthcoming being the most valuable of the four. The excuses made were so confused and so contradictory as to create strong suspicion, and the matter was brought before the Vigilance Committee by the parties interested. The Committee called upon Metcalf and found a house up among the sandhills, out of the way, richly furnished and provided with a capacious bar. Some twelve or fifteen trunks, most of them containing new and valuable wearing apparel, and a large number of firearms and swords, &c., were found on the premises, and for these he could not satisfactorily account. Of these facts the very respectable counsel who have undertaken the suit, could not, of course, have been aware, else they would not have lent their aid to mulct the Committee in damages for doing what was purely a matter of public duty. To counterbalance this, however, we rejoice to learn that several of the most eminent members of the bar have proffered to the Committee their gratuitous services for the defence of this action.

The Committee will harm no honest man.—They are organized for the detection and punishment of criminals only, and none else have aught to fear from them. In such times as these no man who has the public welfare at heart will object to suffer a little inconvenience to promote the ends of justice. If Mr. Metcalf was so honest as to be above suspicion, his character could not have suffered, and this suit must be projected by him not from a desire to relieve his reputation from an injurious imputation, but solely for the purpose of annoyance and revenge. Of course the gentlemen who conduct it have been led by his representations to take a very different view of the matter.

ERRATUM.—In the letter of the Executive Committee to Capt. Wakeman, published yesterday, it reads "when corruption in all departments of *trade*," instead of saying "all departments of *State*."

THE HERALD.

Friday Morning, July 4, 1851.

No Paper.

In accordance with universal custom, and in order that all connected with the *Herald* may have an opportunity of participating in the festivities of the day, no paper will be issued from this office to-morrow.

To-Day.

Others celebrate the birthdays of their kings and queens, and afterwards with equal zeal and loyalty the birthdays of other monarchs who succeed: this day, American citizens throughout the world commemorate by suitable festivities and with legitimate enthusiasm, the birthday of a nation. Twenty-three millions of human beings in the United States will this day rejoice, and with glad hearts unite in the observance of the greatest political festival a nation has ever had to honor. And they have abundant reason for this gladness. Their government is scarcely three quarters of a century in existence, and already the country stands superior to the nations of the earth in every attribute of greatness. She is indeed mistress of the seas, for never have the elements been brought under such complete control as by her ships and steamers. In arts pre-eminent, in arms invincible,—limitless in resources, and with a future of glory and power such as the world has never seen, her people would indeed be insensible to the blessings of Providence and unappreciative of the grandeur of their position if they did not honor with becoming gratulations and rejoicings the anniversary of the AOT which laid the foundation of the country's greatness.

They have especial cause at present to observe suitably, and spiritedly honor this august occasion. The Union has since the last occurrence of this anniversary escaped the greatest peril it has ever yet encountered. The madness of a few had threatened the stability of the confederation, and the enemies of republican institutions rejoiced over the prospect of a nation divided and her people at variance. Those who guide the helm of State now pronounce the danger past, and declare the skies of the country's prosperity bright and cloudless. It is then an appropriate moment to wake up all the memories of the glorious days of old, when a small band of fearless men flung defiance in the teeth of the most powerful government then on earth, and made a declaration which changed the destinies of the world for all future time.

In California this anniversary will be celebrated with as much of glad feeling and hearty patriotism as in any portion of the Union. Although, from distance and other circumstances, cut off from immediate communion with our friends and brethren in the States, the people of California will nevertheless manifest on this, the first national anniversary since their admission, by thanksgiving to God and by pleasant commingling with each other in joyous intercourse, that fealty and attachment to the Union which they are prepared to prove, if ever the necessity should arise, by the cheerful sacrifice of their lives and fortunes.

Cal Courier

From Los Angeles—Terrible Tragedy.

The Goliah arrived yesterday afternoon from the ports below, bringing late and important news.

By the politeness of Gregory we have the Los Angeles Star of May 31 and June 7th. They are filled with accounts of the massacre or killing of Irving and his party. We have heretofore published the only account in regard to the matter and the cause of the fight. The following is from the *Star* of the 31st May:

About two months since, a party of men, some twenty-five in number, arrived at this place, and encamped a short distance from the city. They were under the command of Capt. John Irving, said to be an old Texan ranger. We do not suppose that many persons here were informed as to the objects of the company. Irving gave out that he was going to Sonora to fight the Indians. One member of the company, in endeavoring to induce a citizen to join them, stated that they were going to Mexico to rob some of the specie conductas between the mines and Mazatlan. When here, they excited the terror of the citizens, and many offences were charged upon them. About ten days since they took their departure, moving in the direction of the Colorado, and probably not one in ten of our citizens supposed they should ever again hear of the party.

On Sunday last letters were received in town from Col. Magruder, at Chino, and Mayor Wilson, representing a state of things which seemed to indicate that actual war existed between Irving's men and the native Californians. It was said that Irving and his party were killing cattle, stealing horses, and conducting themselves in such a lawless manner, as to render it necessary that they should be speedily checked.

In the course of the forenoon a public meeting was held in the court-house. Addresses were made by various citizens, and suggestions made as to a proper course of action. The prevailing opinion seemed to be that it was advisable that the men should be pursued and brought to justice. There was much excitement in the community, and all our citizens were prompt in denouncing the marauders.

The Sheriff summoned a posse, and on Monday morning proceeded to Chino, were it was represented that forces were concentrating.—The Sheriff was armed with a warrant, issued by Jonathan R. Scott, Esq., for the arrest of Irving's party, on the charge of grand larceny.

On Tuesday morning the Sheriff proceeded to Roubideux's ranch, where they were informed that Irving had encamped there on the previous night. Roubideux says that they treated him very civilly, and up to this time the sheriff could obtain no authentic information of any serious depredations having been committed. From spies sent to Temascal, it was ascertained that a body of men, supposed to be Irving's men, had crossed over towards Lugo's on Tuesday morning, and the sheriff, fearing they had gone there for no good purpose, deemed it advisable to follow them.

The sheriff had not proceeded far before he learned that Irving's party had been all killed by the Apolitans, a tribe of the Cowie Indians. The story seemed at first to be improbable, and gained but little credence. As they proceeded, however, it gathered confirmation, and at last was made certain by eye-witnesses. From various sources, we have collected information concerning this tragic affair. The full particulars of every thing connected with the transaction, will probably never be ascertained, at least not until a judicial investigation has been held, and great caution is needed to guard against exaggerated statements. In the following account we have aimed to give only such facts as are corroborated by men of veracity.

[illegible] at a glance [illegible]
dar we o[illegible]

Whole [illegible]	
Court [illegible]	
Of these, [illegible]	
Discharged [illegible]	
Acquitted and discharged by [illegible]	
Pardoned	
Escaped and not retaken	
Died	

Of the number [illegible] have been arraigned, tried and [illegible] them convicted of serious offences, as follows:

1850.
Aug 24..Gregorio Cordero, grand larceny, 1 year.
24..Seth H. Hastins, " 18 months.
16..Francis Murray assault and battery, 1 year.
24..Francisco Rontido, *nolle prosequi*.
21..Thomas Curry, " "
Sept 9..Allan Cooper, grand larceny, 1 year.
9..James Pitcher, having stolen goods, 6 months.
9..Jose Miguel, manslaughter, 6 months.
9..Pedro Logue, " "
Nov 19..W. McGregor alias Billy [illegible] receiving stolen goods, *nolle pros*
20..Stephan Hendrickson, [illegible]
21..Wm. Greenwood, [illegible]
21..Alex. Hamilton, forgery, [illegible]
21..[illegible]
22..J. H[illegible]
27..Jam[illegible]
27..J[illegible]
27..J[illegible]
27..Ca[illegible]
28..J[illegible]
29..[illegible]
29..[illegible]
Dec. 2..[illegible]
1851.
Jan. 9..[illegible]
Feb. [illegible]
10..[illegible]
10..[illegible]
13..[illegible]
13..[illegible]
16..J[illegible]
Mar. 15..T[illegible]
20..J[illegible]
24..J[illegible]
Jun. 20..[illegible]
21..[illegible]
[illegible]
The [illegible]
the ab[illegible]
alty of [illegible]
1850.
Nov. 27..Jno. [illegible]
Nov. 20..S. H[illegible]
Aug. 24..G. C[illegible]
Sept. 9..A. Co[illegible]
Nov. 27..John [illegible]
1851.
Jun. 19..M. G. Costa, [illegible]
21..F. Brier, [illegible] 5 years.
26..W. Watkins, [illegible]
Stuart [illegible] [illegible] life, 14 years.

Now, we wish to know what has become of the others. Where are they? Why are they not in prison? By what process have they been enabled to evade the penalty of their crimes?

We have at present no charges or comments to make. We submit the above figures to the public for their consideration, and we ask do they not furnish the most convincing argument in favor of the action of the Vigilance Committee? Where such was the administration of criminal justice, it is not to be doubted that some urgent and extraordinary measures were necessary for the purpose of bringing criminals to [illegible]

QUARTZ CONVENTION.—The [illegible] gained at Sacramento on We[illegible] ceedings are crowded out, but [illegible] in our next.

Dup.
d
7/4/57

Execution of Stuart.—Further Particulars.

When the bell tolled on Friday morning, just after 9 o'clock, for the assembling of the Committee, many of the citizens who knew what it meant repaired at once to the space in front of the Committee Rooms, on Battery street, whither the members were rapidly hurrying from all quarters of the city. A crowd soon collected outside in the street, discussing in little knots the object of the assemblage and the probable consequences.

From the length of time taken by the Committee in their deliberations, many became convinced that it was merely an ordinary consultation and that nothing serious would be done. They left the ground, therefore, so that towards noon comparatively few were in waiting.

The evidence and the confession of Stuart were before the Committee, and after grave and solemn deliberation, it was decided about half past 12 o'clock that he should suffer the extreme penalty of the law—death. During this time, the prisoner was in the adjoining room of the Executive Committee, manacled. Though aware that his own fate was the subject of discussion, and that his life hung by a thread, he preserved the most imperturbable coolness and nonchalance. Once or twice during the three hours of the session, he leaned back, put his manacled hands behind his head and yawned, and declared that "it was d—d tiresome." He asked one of the members for a piece of tobacco, which was given to him, and he continued to chew until sent for to hear his sentence. This he received with the same apparent indifference. He was allowed two hours to prepare for the awful doom that awaited him. The Rev. Mr. Mines was sent for, to minister the consolations of religion to the dying man. He was closeted with the prisoner during the time allotted

In the interim, the four hundred members in the Committee Room sat like statues on their seats—not a word was uttered, not a sound was heard to break the solemn stillness. So profound was the silence preserved that the dropping of a pin could have been heard. Gravity sat upon every countenance, for all doubtless felt the awful extremity to which they were forced. [illegible] son went out and addressed the citizens [illegible] briefly the evidence in the case, th[illegible] the prisoner and the sentence that [illegible] upon him, and put the questio[illegible] they would approve the c[illegible] had decided upon. Almo[illegible] of approval was the response.

At the expiration of the two [illegible] prisoner was brought out [illegible] walked two abreast, arm in [illegible] funeral, to the place of execution. [illegible]fore related, he was hung. At h[illegible] was not blindfolded. W[illegible] eternity, the hapless ma[illegible] clasped his hands. The w[illegible] and after he had bee[illegible] moments, his hat blew off and [illegible] with his waving hair. After [illegible] hanging some time, Coroner Gallagh[illegible] the ground and attempted to make his way through the crowd to the gallows. He was refused admittance. He demanded in the name of the law possession of the body, and attempted to force his way through; but without offering any violence to him, his attempts were resolutely resisted. At the expiration of about twenty-five minutes, however, he was allowed access, and lowered the body, which was immediately placed in a boat and carried to the Happy Valley Station House.

There, attempts were made by several physicians to resuscitate the deceased by bleeding in various parts of the body. His neck was of course not broken, as is usual with those hung by cutting away the drop of the gallows, and it was evident that the vital spark had not entirely fled. The blood, however, had stagnated, and refused to flow at the stroke of the lancet, until about three hours after he was cut down, when it gushed out, and he was dead.

Stewart was about five feet nine and a half inches in height, well proportioned, and of a highly intellectual cast of countenance. His forehead was high and full, his nose aquiline, his mouth compressed, and his chin slightly prominent. His hair was of a chestnut color. He wore a moustache and whiskers, and was about thirty-three years of age. He was dressed in a dark pea-jacket, white shirt, brown pants and patent leather shoes.

THE INQUEST.—The coroner held an inquest upon the body. Messrs. J. S. Wethered, Jno. W. Rider, and A. J. Ellis, were examined as witnesses before the Jury. The latter, after a few minutes' consultation, rendered the following verdict:

"We the Jury find that the deceased came to his death by strangulation by hanging at the hands of a body of men styling themselves the Vigilance Committee of San Francisco."

MR. KEWEN AND THE SQUATTER TRIALS.—The Hon. Elcan Heydenfeldt has published

FEMALE ROBBERY.—A Frenchman named Guarne was robbed of $15 on Saturday, in a house in Card's Alley, by the notorious "Mrs. Yales." She was arrested and locked up to appear before the Recorder this morning.

BURGLARY.—The house of Mr. Alexander Richards, in Broadway, was entered on Saturday morning, while the inmates were absent, and a number of Trunks were ransacked, the valuable part of the contents of which were carried off.

FOR OREGON.—The Pacific Mail S. S. Co's

Dup-

THE HERALD.

Monday Morning, July 19, 1851.

...r Department and the Pacific Division.

...ey injudicious arrangements pro... Department of War at Wash... to the disposition of the ... Pacific, have been pain... recent insurrection ...ns, and the melan... of the Army, a ... who performed ...ican war, and ...ral engage... Yet that es... n braved in ...his country ... death of ... arms, he ...sh by the ... friends of ... who have ...ims to th... in Oregon ... criminal ...esight dis... ering the ...at a time ...re so ne... le, and so ...preserving ...preceding ...gon he ...ttle... ...es. ...eculi... ...uired in ...d there ... United ... much ...co, and ...could ...d In... the... ...mme... ...from ...other ...ir de... ...valua... settle... ...y days ...ter, in ...ndians ...sperate ...defend... ...ending ...oods.— ...ave as... ...hering ...extent ...at Gov. ...obliged ...n. All ...y inex... ...nent in ...excusa... ...nt. the ...of the ...in arms ...e State ...ligi... ...or

SAN FRANCISCO, July 18, 1851.

GENTLEMEN,—I beg to acknowledge, and I do so with many thanks, the kind communication of the 12th inst., received on the 15th, wherein you are pleased to notice the services recently rendered by me on occasions of great solemnity, doubtless as trying to you as myself.

On one of these occasions, I regret to say, to all human appearance, my ministrations were not of the least avail. The unfortunate man, whom I had exhorted to depart this life with the prayer of Saint Stephen, and of the penitent thief, on his lips, employed the last moments of his earthly life, at least so long as he could speak, in exclamations of indecency, revenge and blasphemy. I never before had seen the man that came so fully up to one's ideas of a being "given over," and no longer able to control the evil influences he had drawn around him, and it is risking nothing to say, with our knowledge of the laws and processes of the human mind, that the condition of mind in which I found and left him, could not have been attained but by a long continued course of sin and crime. The dominant passion of his dying hour was the vindictive, which I labored without the slightest avail to soften, warning him how unsafe it would be to appear before God with so dark and deadly a passion rankling in his breast. But the fearful passion seemed now inseparable from his being, and he passed away apparently an unresisting prey to the evil influences he had gathered around him in life. I beg, however, to say, in correction of the report that he was insolent and rude, that he treated me personally with all the respect I could have looked for, and at parting said, "I am much obliged to you; God bless you."

Much less is it true, that the man Stuart, (whose real name has not been given to the public) received me rudely. When I first proposed to him my services, he did indeed insist that it was not worth while. "I," said he, "have not thought of God for fifteen years; and I cannot expect that he would think of me in the few moments that are left me now. If there are everlasting burnings," he added, "I expect to go to them, for I have led the life that must take me to them." I reminded him that the fires were in his own breast, and if, in the moments left him, he could extinguish or subdue them by the tear of repentance and the blood of the Lamb, he might yet be saved. He said "it was too late; so great a work could not be done in so short a time." Besides, he hardly knew any longer, he said, whether the religion of his youth was true.

After reasoning with him that the convictions of his mind, while it was yet unclouded by sin, and those of a large and excellent family (parents, he had told me, and eleven brothers and sisters,) were more likely to be true than his, which had been darkened by a life of sin and passion; and after reasoning from the instance on the cross so like his own, and pressing on him the memories of his early baptism and youthful communions (as I ascertained) at the altars of his church, a change of the thought and feeling appeared to come over him greater and in a shorter time, than I had ever met with in my life before.

At first, like Jenkins, he was vindictive, though certainly less sullen in his temper. At my second interview, he promised that he would try to lay aside the feelings in which it was so unsafe to die. At the third meeting (having left him a space to his reflections,) he acknowledged the justice of his fate, and declared he could die without resentment and in charity with all; and that, with the crucified malefactor, he could confess that he received the due reward of his deeds, and could trust only in the mercies of the cross for pardon. As he declined my offer, twice made, to accompany him to his execution—although I should have persisted in going if I had supposed that such decorum would have prevailed—I begged him to renew those confessions in his last moments to those who might be near him; which I am gratified to learn that he did. As he died penitent, professedly, and receiving the church's absolution. I afterwards desired the Coroner to have me notified of his funeral, that he might receive the rites of church burial. I did not get the notice.

I very much regret that I did not know of the suspicions of murder which, I now hear, rested on Stuart; for I am quite sure that if he had been put upon his conscience, he would have revealed to me information, to be made use of after his execution.

Long as this letter is, I cannot close it, gentlemen, without expressing the satisfaction felt, I do not doubt, by this whole community, and felt very deeply by myself, at the humane consideration of your Committee, in invoking the offices of religion on these trying occasions. The eternal world will undoubtedly bring more instances to light than the one recorded in the Gospels, in which, through God's unbounded mercies, good has triumphed over evil even in the last desperate moments of this mortal life. And while we so believe, we cannot hide from the eyes of the dying, however steeped in guilt, the light and healing of the cross!

May wisdom and moderation and a due regard to the dictates of humanity, continue to guide you in your difficult and self imposed task! But, better, still, may the day soon come when, in the judgment of all the good, the safety of our citizens and the restored tranquility of our city, shall make your terrible organization no longer necessary!—a result not looked for, we fear, until an outraged community, merging the trivial distinctions of political party, shall rise at the next polls and drive our profane and profligate, obscene and drunken ministers of law from their places, and raise men to power who have families and interests in the country, and at least shall be above suspicion and collusion with fiends and felons. It is really sickening to think how fair and beautiful might have been our world-renowned city, and how happy might have been its teeming population, where poverty is not known, and how much greater, too, that population itself might have been, this moment, and this in spite of all the felons in the land, if a purer ermine had rested on our judiciary and the officers and counsellors and makers of the law had all been decent men and above the influence of gold.

While it is to be hoped that these and offices will be seldom required hereafter, yet, I beg to assure you, gentlemen, that in all cases, and especially such as like the two which have occured already, are associated by the memories and ties of other days with the church to which I belong myself, my services will be most cheerfully and gladly rendered.

I am, gentlemen, very respectfully,
Your obedient servant,
FLAVEL S. MINES.

To Stephen Payran, Esq, President of the Executive Committee and Members of the Committee of Vigilance Committee of San Francisco.

The Police.

We copy from our evening cotemporary the following card:

Messrs. Editors:—In the "confessions" of the Stuart, hanged by the Vigilance Committee, we of the blanks left in the pro... by our names. We pronou... against us *absolutely false*, and challenge any ... to prove them in the slightest ... Stuart is dead, and unless the ... us can be substantiated by liv... certainly be very unjust for ... tion of our friends as the ... the justice and good sense of the ... in this matter.

A. J. McCARTY,
ROBT. C... TYRE.

We have ... the two gent... to the abo... against ... na... tio... a c... ko... Co... plicating ...ssrs. McCarty and McIntyre in ... revelati... and, ... ted, the best service ... the C... could ... done them was to give ... portunity to purge themselves of ... them. There has not ... test idea of ... of t... shall h... wrong ... that ... com... aver... less it ... criminals ... the police, and the more th... ...rasness of several members of that ... people have begun to look with distrust ... the whole force. That there were among them, nevertheless, men of the strictest probity, of unimpeachable character, and even of commanding talents in their profession, is most true. Amid the ... taken before the Com... ... ...

THE HERALD.

Monday Morning, July 28, 1851.

The Judiciary and the Bar.

In no State in the Union where the elective Judiciary system prevails, are a man's political sentiments made a test of his fitness ... judicial station: and although in this ... he election of a judge has once or twice ...ided as a party matter, there is ...nent in the present condition of ... the selection for this office ...ing canvass free from par... rejoice in the belief ...t a unanimous deter...ens to make an ef...ry to a state of ...ney, and if they ...those who now ...for the vacan..., industrious, ...be supported. ...en outraged ...tunity will ...those who ...none can ...are not ...xious in ...of the ...Court ...elec...al-

serve on juries as auxiliaries of the courts—they are told to quit the sacred precincts of the halls of justice as being incapable by reason of their membership of rendering a just and proper verdict. This is not the entertainment to which they have been invited, and considering all the circumstances we think the wisdom of the course extremely reasonable.

But this is not the only remarkable point of view in which the rejection of members of the Vigilance Committee by the counsel of the accused presents itself. Duane committed an assault—this is not denied. In doing so he offended against law and order. If the organization of the Vigilance Committee were so subversive of law and order as their opponents pretend, surely they would be expected to have a sympathy with all those who break the law, and of consequence they would be expected to have a sympathy with Duane. But the counsel of the latter objected to the members of the Vigilance Committee—because, it is to be presumed, he imagined they might be hostile to him. Well here is the strongest testimony from a gentleman opposed to the organization that they not only will not countenance but that they are actually hostile to those who attempt to subvert law and order. Our own opinion is th... Duane would have obtained from a full ... of the Vigilance Committee as impa... trial as he could possibly have got f... other twelve men in existence, and mo... that their verdict would have been to th... full as lenient as that which was rendered.

...Services in the County Prison.

Court of Sessions.
A. Campbell, Judge; H. S. Brown and E. McGowan Associate Justices.

Upon the opening of the Court the following charge was made to the Grand Jury by Judge Campbell:

Gentlemen of the Grand Jury:

The Court deem it their duty to call your attention to an event of the most startling and fearful character. We are informed that yesterday a man by the name of Stuart was taken by an organized association, to the Market street wharf in this city, and there hung. That a large force guarded the wharf to prevent the success of any attempt which might be made by the public officers or citizens to vindicate the law and to rescue the deceased. This outrage took place in open day. It is wholly without excuse or justification.

The question has now arisen, whether the laws made by the constituted authorities of the State are to be obeyed and executed, or whether secret societies are to frame and execute laws for the government of this country, and to exercise supreme power over the lives, liberty and property of our citizens. Whether we are now to abandon all those principles which lie at the foundation of American law and are the birthright of every citizen;—which from the earliest period of American history up to the present time, have ever been cherished by the good, the wise and the great. Are the people willing to throw away all safeguards which the experience of ages has proved unnecessary;—to trample the laws and constitution under foot;—to declare that law is inconsistent with liberty; and to place life, liberty, property and reputation at the mercy of a secret society?

If such be the disposition of the people—if the Spanish Inquisition is to be revived here with all and more than all its former terrors—if without, or in defiance of all legal process, by the mere order of a committee, men are to be arrested, secretly tried and suddenly executed; if the tap of a bell is to be the signal for hundreds of armed men to assemble together instantly, and to execute in open day their unlawful and treasonable designs, it is time for every man who values his life, safety and honor, to shake the dust from his feet and seek out some new home, where he may hope to enjoy the blessings of liberty under the law. But if on the other hand we have not quite forgotten all the principles upon which our government was formed; if we believe that the constitution and laws of our country should be reverenced and obeyed, that public order and tranquility should be preserved; if we believe that persons accused of crime should have an open, public and impartial trial by a fair jury of unprejudiced citizens, and should have a reasonable opportunity of making their defence—of employing counsel and summoning witnesses; if we believe that the good name and reputation of our citizens is to be protected from a secret scrutiny where accusations are made under the influence of fear by persons of questionable character; if we believe that our houses are to be protected from unreasonable searches, without color of authority; if, in short, we are friendly to peace, law and order, and opposed to anarchy, it is our solemn and bounden duty to take immediate and energetic measures for the suppression of the spirit of reckless insolence, which over-rides the laws and sets the constitution at defiance.

When you first assembled, the Court called your attention to the unlawful execution of a man named Jenkins by an association of citizens. We considered that act was greatly palliated by the circumstances under which it was committed;—that the laws had been defective, and perhaps there had been some laxity in their administration; that the county had had no sufficient gaol for the detention of prisoners; that crime had increased to a fearful extent, and that a portion of our citizens deeming that the law afforded them no protection, had, in that instance, undertaken to execute what they conceived to be summary justice in violation of the law, but with a sincere desire to advance the public interest. We further stated that the law had been amended in many respects so as to secure the speedy trial and conviction of offenders, and in some cases to increase the measure of their punishment; that the county jail had been put in a proper condition for the safe keeping of prisoners—and we expressed the hope that no attempt would be made to interfere with the legally organized tribunals of justice or to wrest from them their just powers and attributes. From the time of your assembling, the Court, the Grand Jury, and all the officers have been actively and constantly engaged in the performance of their duties. At the very time when they were making every possible effort to dispose of the criminal business of the county, and when the Court was in actual session and in the performance of its duties, an association of armed and organized men, has undertaken to trample on the constitution, to defy the laws and assume unlimited power over the lives of the community. There is no excuse or palliation for the deed. It is a gross and glaring outrage. It seems to have been done for the express purpose of bringing on a collision between the Courts and all friends of law and order, on the one side, and the association referred to, on the other. If the deceased was guilty of any crime, he could have been immediately indicted, and within a week, or at most, ten days, tried, convicted and sentenced. Public justice would have been vindicated without infringing upon public law.—Every person, who in any manner acted, aided, abetted, or assisted in taking Stuart's life, or counselled or encouraged his death, is unquestionably guilty of murder. It is your sworn and solemn duty, which you cannot evade without perjuring yourselves, carefully and fully to investigate this matter and to do your share towards bringing the guilty to punishment. Upon your fearless and faithful discharge of the trust confided to you, depend, in a great measure, the future peace, order and tranquility of the community.

from the odium which has attached to it.

The Vigilance Committee in the Courts.

In swearing in the jurors in the case of Charles Duane, arraigned for assault with intent to kill, reported in the *Herald* of Saturday—objection was repeatedly made to the competency of persons summoned as jurors, on the ground that they were members of the Vigilance Committee. We regret that this thing is done, as it must prejudice the case of anybody in whose behalf it is attempted. We fully admit Mr. Benham's right—far be it from us to deny it—to resort to every legal means to defend his client, and of the best means to achieve this end he is the proper judge;—but we can assure the members of the bar it will not serve to mitigate in any degree any harsh or stern feeling that may at present exist in the breasts of the community against criminals, to object to a respectable man serving as a juror on the trial of an accused person, simply because he belongs to the Vigilance Committee. It will be regarded by many as *prima facie* evidence of the badness of the case. If the entire Vigilance Committee and all who think with them are to be disqualified from serving as jurors, there will be very few left to try criminals.

But this course strikes us as more particularly inconsistent at a time when the Committee have been appealed to by every description of blandishment to trust the courts—to aid the courts—to act as auxiliaries to the courts;—now when they have shown a willingness to some extent and as an experiment to trust to the courts—when in obedience to the summons of the Sheriff they come forward to aid the courts—when leaving their business they present themselves ready to

THE HERALD.

Saturday Morning, July 26, 1851.

Political Parties.

It is to be regretted that the politicians ... themselves so much trouble as they seem ... to take about the approaching elec... have political bias will exert less ...election than in any yet ...l the result will in all ...n of men not much ... It is but in a ...hen there is no ... to occupy ...eisure for ..., there is ... opinion. ...ll what ... the two ... casuis... nor pa... alike on ... strong ...d the ...tional ... The ...ted by ...a, and ...tional ...e, the ... jargon ... public ... it not ... pres... united ...overn... crime? ... here... of the ...s, and ... of a ... to en... party ...ything ... which ... have ... each ... these ... Nei... for ... their ... t all ... San ... mass ... like ... It ...ter... ...arty ...osed ...In... ...d, a ...suf... they ...ess... ...oint ...

Trial of Duane.

The People v. *Charles Duane*—Indicted for assault with intent to kill, committed upon the person of F. Ball on Sunday night, July 20th, at the Cairo Coffee-house, in Commercial street.

This case being called for trial in the Court of Sessions, (A. Campbell, Judge,) Calhoun Benham, counsel for the accused, presented a motion for a change of venue founded upon affidavits sworn to by the accused, by A. B. Bertholf, and George Cornell, to the following effect: on information and belief that recent events have so poisoned and corrupted the public mind as to render it impossible for the said defendant to have a fair and impartial trial; that a vast proportion of the French population are embittered against defendant and have also prejudiced a portion of his fellow-citizens against him; and that said Duane has been heretofore indicted for the offence of assault with intent to kill, in which case a *nolle prosequi* has been entered, on which account there exists a special prejudice against defendant, etc. The motion was argued with much earnestness by Mr. Benham with regard to the prevailing excitement of the day, and was opposed by H. H. Byrne, prosecuting attorney.

The Court took a recess of fifteen minutes, for the purpose of deliberating upon the motion, at the conclusion of which time they returned, and rendered their decision, over-ruling the application.

The court then proceeded to empannel a jury from the following persons summoned by *venue*:

H. Allen, being questioned as to his competency, replied that he had formed an opinion of the case, and was discharged for cause.

F. W. Macondray, had formed no opinion; was peremptorily challenged by the defence.

W. E. Stoutenburgh, had formed no opiniou—was accepted.

J. C. Dall, had not made up his mind, was peremptorily challenged by defendant.

Horace Templeton, had formed no opinion, peremptorily challenged by defendant.

S. W. Hatch, had formed no opinion, peremptorily challenged by defendant.

James B. Roberts, had formed no opinion, was accepted.

Charles H. Harper, was accepted by defendant, but peremptorily challenged by the prosecution.

Francis Gassett, had formed no opinion, was accepted.

Charles H. West, had no bias or opinion against the prisoner, accepted.

James Harper, peremptorily challenged by the prosecution.

C. B. Young, thought he could give the prisoner a fair trial; was not a member of the Vigilance Committee, but approved of their proceedings; considered it a necessary evil; "Vox populi, vox dei." This gentleman was challenged for bias and referred to three triers, who reported him incompetent. Set aside for cause.

J. C. Sheppard, accepted.

J. C. Eddy, accepted.

J. L. Pool, accepted.

Joseph Kingsbury, accepted.

H. M. Lewis, peremptorily challenged by defendant.

W. H. Crowell, was a member of Vigilance Committee, reported incompetent by the triers and set aside.

Robert Wells, declined answering whether he was a member of the Vigilance Committee for the reason that it might implicate himself and others. Peremptorily challenged by defendant.

James Dearie, accepted.

W. A. Darling belongs to the Vigilance Committee.—Considered himself in a proper state to try the case.—Here, Counsellor Byrne arose and protested against the fact of membership of the Committee being considered a cause for challenge. The Court replied that it was for the triers to determine whether there was cause, &c., and charged the latter in the language of the statute. Mr. Darling being referred to the trier, was further questioned. He considered that there were occasions which would justify a departure from the observance of the law; but his connection with the Committee would not prevent him from rendering a fair verdict, &c. The majority of the triers reported him incompetent, and he was set aside.

F. A. Hussey was not a member of the Committee, and thought he could give a fair trial. Accepted.

C. Ludlum had formed and expressed a decided opinion. Was set aside for cause.

James De Long was a member of the Vigilance Committee, and justified a disregard of the law in case of public necessity. Reported incompetent by the triers, and set aside.

F. L. Jones was accepted.

Wm. Pearson was accepted.

The Jury being complete, at 5 o'clock, P. M., the Court took a recess until 6½ o'clock.

The Court being re-assembled, Mr. Byrne, the prosecuting attorney, stated the case to the jury, and proceeded to call the following witnesses:

F. A. Ball—Last Sunday night was at a ball in the Cairo Coffee House on Commercial street; had just finished dancing a figure of a quadrille when the accused stepped up to me and told me to step aside, he wanted to speak to me; I replied, "I am dancing now, I will see you after a while"; he said, "I want to see you now, you d——d son of a b——h"; I said I would see him at the proper time and at the proper place; he then said, "You G——d d——d son of a b——h, I want to kill you"; I said, "That is easily done, for I am unarmed," and turned to leave him; as I did so, he struck me in the face, and I fell; I was about to raise myself on my arm, when he stepped forward and kicked me in the upper part of the bowels; I remember nothing further; I have an indistinct recollection of some things that took place in the saloon afterwards; how long I do not know; I have since been confined to my room under medical treatment; I had no other conversation with Duane that evening than above related; within the last six weeks, the accused, on passing me, has said, "There goes the little d——d son of a b——h," as if to pick a quarrel with me; about a month ago, I was singing at Clayton's saloon a song about the hanging of Jenkins, when he (the accused, who was present,) got up and called me a stinking little puppy, for singing such a song about his friends, and said that the company present were the same, and cowards for listening to it.

Cross-examined—When Duane struck me, I know that his knuckles hit the blow; as far as feeling goes, I think his hand was clenched; I did not see him have any weapon; I went to the ball in the disguise of a black person; I had on the Bloomer costume, a short frock and two or three petticoats, some three skirts in all, gathered at my waist.

Dr. S. R. Gerry—Knows Mr. Ball; was called last Monday morning, at about 1 o'clock, to see him; found him stretched on a sofa, talking incoherently; proceeded to examine him, and found that he had received a contusion on the chin and a cut on the lip; his pulse was weak; he was attacked with violent retchings or vomitings, and threw up blood; soon evinced that he was attacked with violent cramps in the abdominal muscles; found the epigastrium very tender; he was apparently out of his mind; I found no external marks of violence on the stomach; saw a slight discoloration the next day. This incoherency lasted for about an hour, when he commenced to regain his senses, and recognise his friends around him; from that time to this he has been gradually improving. A severe blow on the stomach may produce death. The probable effect of a severe kick in the stomach would be to produce death. The complainant had on, at the time, a number of petticoats and other female apparel, which probably deadened the force of the blow.

Cross-examined.—I would not state positively that I think this kick would have produced death, though I think it was, from the effects, a pretty severe one.

Nathaniel Truesdale—Know Mr. Ball and Mr. Duane; saw Duane strike Ball on the floor; right opposite to where I was dancing I saw Duane standing against a post; saw him walk up and speak to Ball; then saw him strike him, and then kick him some place about the stomach; saw him kick him twice, while the latter was lying on the floor; myself and a friend picked him up and took him home; he appeared to be insensible.

Samuel Marks—Know Ball and Duane; Mr. Ball was standing in a quadrille; I stood talking with him; Mr. Duane came up to him, apparently very friendly, and told him he wanted to speak to him; Ball replied that he was dancing, he could not go then; Duane insisted upon speaking to him then; Ball persisted in refusing; Duane then told him "you black nigger—" and the first I saw then was, Duane knocked at him, when he fell down and Duane kicked him at the same time; think he kicked him as he fell.

Artemise Simon, proprietress of the Cairo coffee-house, where the ball took place, testified that she saw Duane strike Ball, nothing more.

Dr. Burdell—Know Mr. Ball and Mr. Duane. On two occasions—the last time about 3 weeks ago as he was coming out of Clayton's, the former just after he had been tried in the Fayol case—I heard Duane say he would "kill the red-headed son of a b——h, Frank Ball; I went to Mr. Ball, told him about it, and gave him my pistol, advising him to shoot if Duane approached him to attack him.

Cross-examined—I belong to the Vigilance Committee; the Committee never endeavored to cause any proceedings against Duane; I belong to the St. Francis Hook and Ladder Company. During an absence from the city a committee of the company declared me expelled; I have understood it was Messrs. Duane, Henriques and Parker who were the cause of this. I was reinstated on my return.

The case for the prosecution was here rested, when Mr. Benham opened the case for the defence by stating that he expected to show that the offence was nothing more than an assault and battery, and called the following witnesses:

Ira Cole—On Sunday night last, Duane, myself and others were pretty tight; went to the ball on Commercial street, where we drank a good deal; I was standing at one end of the bar, talking with Mr. J. Treadwell. Mr. Ball, dressed as a black woman, stepped towards the counter, when Treadwell asked me "who is that." I replied that it was a man who was on the jury in Dutch Charley's case. Ball overheard me, and asked what I had said. I repeated it; he said yes, and voted for hanging him; and he had tried to convict him; he was on the Grand Jury now, and would like to deliberate upon his case again. I then made some remark that Duane ought to do something about it, when officer Blitz came up and said don't have any difficulty here, &c. About that time Ball stepped away and Duane came up, asking what was going on; I repeated the conversation to him, and had told him that Ball had left the idea that he would meet him on an equality and give him satisfaction; thereupon Duane said he would see if he would, and would go speak to him—saying that if he would not step outside with him, he would slap his face. I turned around to drink—heard something, turned around and saw Ball on the floor.

Cross-examined—Went to this ball at about 11 o'clock; had been drinking very often all day and felt pretty good—pretty keen; was sufficiently sober to recollect the circumstances; Duane had drank more liquor that day than I had ever known him to drink before.

Officer Blitz—Saw Duane and party come into the Ball; afterwards heard some words between Ball and Cole, and fearing that there might be some fuss, went up and advised them not to have any.

I. Cole, recalled—Q. Did you not a day or two after this occurrence, say to Mr. Francis Panton that you were so drunk on that occasion, you did not recollect anything that happened. Do not recollect; if I did, the reason was that I was at that time threatened with an indictment and wanted to appear as innocent as possible.

Roberts—Was dancing in the same cotillion with Ball; Duane came up and said something to him; Ball said, "you will," and Duane knocked him down with his open hand; he then kicked once at his head; I will swear positively that he did not kick him in the stomach; he then stepped back and stood a few minutes; he had no weapon.

Cross-examined—Reside in Sacramento, where I have kept three public houses; this kick was given to Ball after he had fallen to the floor; Duane then stood about two or three feet from him; I do not think that Ball was hurt at all.

—— Carroll, Police officer.—Saw Duane strike Ball with his open hand, and, when the latter was down, kick him in the face with the side of his foot.

The defence was here rested, and the prosecuting witness called as rebutting testimony.—

F. Panton—Know Ira Cole slightly. About two days after the occurrence was at Clayton's saloon, and heard him say that he was so drunk on that occasion he could not recollect any thing about it. I was on the Grand Jury who found the bill against Duane.

F. A. Ball re-called.—When Cole and I had this conversation, he asked me if I was on the jury who tried his friend, Dutch Charley. I said yes, and had voted to punish him. He replied that I ought to have my d——d head stove in. I answered that I was responsible for what I did, and would on any other occasion, while on a jury, note according to the evidence. I said nothing about the Grand Jury. Cole commenced the conversation.

The testimony was here closed, at 10 o'clock, P. M.

The Jury were ably and eloquently addressed by Mr. Byrne for the prosecution, and Mr. Benham for the defence; the address of the former gentleman being followed by loud applause from the audience.

At 11½ o'clock the case was submitted to the jury, who were out at 1½ o'clock this morning, without a probability of agreement.

COMMON COUNCIL—June 25.

Board of Aldermen.

Met in the Superior Court-room.

Present—Messrs. Endicott, Grant, Greene, La... Morgan, Paulison and Ross.

In the absence of the President, Ald. Ro... to the chair.

Petitions Presented.—Of H. A... against the rapid driving of ... Referred to Select Comm...

Of Taaffe & McC... upper story of ... offices, &c. ... on Stree...

Of ne... laws. ...

Repo... proving ... funded ...

Of C... tory of ... reducin... on railr... pay a l... Laid o...

Of th... followi...

Of J... of Stoc... and Pi... W. Hea... —laid ... Hospit... ordere... R. O'B... ordere... ordere... buildin...

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The ... June a...

The ... a mess... followi... firmed.

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Third ... Whitne...

Fourth ... and Har...

Fifth ... Eagan, ...

Sixth ... *Sevent...* Howard ...

Eighth ... About ... the Poli... cussion ... mittee o... ballot, ... mittee o... liberate ... an hour ... through ... which w...

Captai... D. H. T...

Captai... *Captain...* *Policem...* F. A. Ne... U. E. Lil... G. Philli... Durkin, ...

A reso... police w... The Je... day next ...

REMOV... removed ... some stre... door to S... auction b... located. ... quarters. ...

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James ... between ... tobacco, ...

Wm. J. ... between ... spices, wi...

Wainw... from San ... stock of c...

W. H. J... Central w... dles, rice, ...

Hall, M... street an... tinware, c...

Cobb & ... Washingt... goods, cut...

L. Mint ... at 11 o'clo...

...rapid stride... ...at suburb, as it m... ...ote, a merchant wit... ...and of the city to the... ...Custom House. This... ...nd United States Dis... ...n the same building... ...s of the bar in travel... ...itizen in getting his... ...l be put to extreme...

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...Francisco.

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...rived at San Fran...

	June.	Total.
...	2,528	4,456
...	322	549
...	130	201
...	3,051	5,316

...bonded for the quarter ending ... $909,494 00
... 349,241
... 853,050 00

...withdrawn. $56,435 00
...for the quarter ending
... $216,856 35
... 201,300 21
... 208,046 50
... $626,203 06

...San Francisco during May and ...ages of vessels:

...FROM FOREIGN PORTS.

		JUNE.		
	Class.	No.	Tons.	Total.
...	Steamers.	1	360	.....
...	Ships....	8	3,716	.....
...	Barks....	15	4,993	.....
...	Brigs....	6	724	.....
...	Schooners	4	392	.....
...	Total....	34	10,085	10,085

...FROM FOREIGN PORTS.

...	Steamers.	6	4,441
...	Ships....	4	1,548
...	Barks....	4	921
...	Brigs....	9	1,005
...	Schooners	10	1,067
...	Total....	33	9,582

9,582

COASTWISE VESSELS.

...	Steamers.	12	5,300
...	Ships....	20	11,462
...	Barks....	8	850
...	Brigs....	5	2,543
...	Schooners.	13	1,174
...	Total....	57	21,421

21,421

...Tonnage..... 41,088

RECAPITULATION.

	Vessels.	Tons.
...	109	34,051
...	124	41,038
...	233	75,139

...FREMONT.—The propeller Fre... ...Lowe, commander, arrived in the ...evening, in twenty-seven days from ... Fremont passed the steamer Pa... ...St. Lucas, five days hence. Her list ... will be found in another column.

...OF THE ARCHITECT.—The ...ship ... Capt. Mayo, arrived in the harbor yes... ... days from New York, though only ...ing time. In lat. 45-40 S., lon. of W. ...experienced a very heavy gale for ..., causing her to run ... of 200 miles. During the gale a ship, ... a clipper, was observed lying on her ...

...Dup.

...a lance. The first drawing Spanish blood heated the imaginations of the troops, and the assailant fell amid a shower of balls. Save this incident the troops marched on regardless of the fire of the enemy; their advance in regular order, notwithstanding the harrowing influence of the guns, astonished the Sooloos.

In the meantime the three steamers and brig-of-war opened a brisk and effective fire on the fortresses, doing much execution; the corvettes anchored on the right, and discharged bombs and grenades in such parts of the town where masses of natives were seen. The success of the firing was mainly attributable to the circumstance of the engineer officers seating themselves on the masts, from whence they took the angles of the forts, &c., and gave instructions for the elevation of the guns with a degree of accuracy and precision not otherwise attainable. The fire directed to the left ceased about midday; this division was under the personal command of the Governor-General, who made an assault on Fort Daniel, regarded by the Sooloos as the strongest in the place. On the right, the firing was kept up until half-past one. In advancing to the assault of Fort Daniel, the troops bared their breasts and pressed on. The fire from the forts is said to have been incessant and tremendous, and the resistance offered extremely desperate; every inch of ground was disputed amidst cries of "Viva la Riena" on the one hand, and the war yell on the other. All their hope of security lay in Fort Daniel; here the fight was maintained, the slaughter fearful, each in succession possessing themselves of the place; but eventually the Sooloos were expelled.

The Spanish flag was hoisted on the fortress by Father Pascual Ibanez, a priest of the order of Recoletos, who paid for his daring by being slain. The assailants on the right had little to overcome; the Sultan's and other forts in that direction had been abandoned. The Sultan, in escaping from his fort, accompanied by his Datoos and a large force of Sooloos, encountered the right division, which appears to have been panic struck. At all events, the officers were, and two colonels were immediately after battle placed in arrest, and will be tried by a court-martial for cowardice. Had these officers acted with decision, the Sultan must have been either slain or made captive, and his escape naturally vexed the intrepid Governor-General. The left division suffered a loss of 33 killed and 84 wounded, while the loss of the other division was a single man,

The defenders of Fort Daniel fought to the last—every one of them perished. The whole of the forts and part of the town were destroyed on the same night; the captured artillery, consisting of 130 pieces of ordinance and a quantity of ammunition, were embarked. The number of the defenders slain could not be ascertained, but must have been considerable. The expedition then sailed for Samboangan, leaving the Spanish flag floating over the ruins of the deserted city of Sooloo. Owing to the advanced period of the monsoon, and the difficulties of following the Sultan into the jungle fastnesses, the Governor general did not carry out his promised extermination, but he will probably return to the work when the time is more favorable."

STEAMER OREGON.—The mail steamer Oregon leaves on Friday, the 1st of August, at 7 o'clock, P. M., for Panama. She is commanded by Capt. R. H. Pearson, who has been in charge of one of the Mail Steamship Company's boats ever since its origin. The Oregon it is known is one of the most comfortable and rapid steamers on the Pacific, which with the experience and courtesy of her officers, has justly secured for her the confidence of the travelling community. She has been, since her last arrival in port, elegantly painted and refitted throughout, and now looks as neat and as handsome as a new boat. Her staterooms are pleasant and scrupulously clean. The cabins in their new dress of mahogany, white and gold, set off with rich and luxurious furniture, have almost the appearance of a drawing room,

...day morning of the 1st of August,...

...who was killed by the mad bull on Sunday ... to the grave yesterday by a large procession of his fellow boatmen. A fine band headed the long line, playing the solemn marches appropriate to the occasion. The body was borne in a coffin covered with a black pall, by six of his friends, while the boatmen, dressed in their best costume, followed reverently arm-in-arm to the last resting place of the dead. As they marched through the streets, they locked their arms over each other's shoulders in token of brotherhood, and passed mournfully through the city. Such reverent care of the dead springs from the best feelings in the human heart.

Thursday, July 31.

STEAMSHIP INDEPENDENCE.—A pleasant and sociable party of gentlemen by invitation of Capt. Wakeman, sat down to a collation yesterday, on board the new steamer Independence, lying along side Central wharf. An hour was agreeably spent over the choice viands and sparkling wines prepared on the occasion, and a number of toasts were given and appropriately responded to.

On examining the build of the Independence, it will be found that she is admirably adapted for speed. Her cutwater is almost as sharp as a knife blade, and her gracefully tapering bow looks as if it could almost tunnel a mountain wave at a bound.

Her interior arrangements are all with an eye to the comfort of her passengers. The state rooms, and indeed the whole boat, are well ventilated, a matter of paramount importance in the hot climates through which she must pass. She is 238 feet keel and 250 feet over all, breadth of beam 30 feet, depth of hold 12 feet. Her engine is of 250 horse power and of the most approved model. Her burden is 800 tons custom house measurement Capt. Wakeman expects to make the trip down to San Juan del Sud in as good time as the Pacific, which boat was met off Cape St. Lucas, five days out, giving promise of making the whole distance from port to port in eleven or twelve days. It requires one day and a half to cross the Isthmus of Nicaragua, and about seven and a half days to run from San Juan on the Caribbean to New York, thus bringing the whole time consumed in the trip from San Francisco to New York, within twenty-one days. This still leaves a margin of four days short of the time promised, for detentions, &c.

Every cabin ticket in the Independence was taken by 10 o'clock last Monday morning. She has her full complement of passengers and very properly refuses to take any more. She leaves this afternoon from Long wharf, at 3 o'clock.

A MAN KILLED BY THE CARS.—Railroad accidents are becoming too common in our city. We had occasion but a few days ago to mention a dreadful accident produced by the cars running over a man and maiming him for life, and it is again our melancholy task to record another more horrible, arising from the same cause and resulting in the death of an unfortunate man named Mellison. The train of cars was as usual descending Market street, the deceased observing them attempted to avoid them by stepping one side, but unfortunately miscalculated the distance, as the arm of the car projecting about half a foot from the side struck him as it passed, on the right side of the head, and killed him instantly. He is described as being about five feet nine inches in height, apparently near forty years of age and lightly made. He was picked up some distance above the head of Battery street, and life was found to be extinct. On his person was found a pocket-book containing the miniature of a female, several letters of introduction, and some cards on which were printed "S. Mellison, Wine and Spirit Merchant, King's Arms, 44 Blackmar street, Borough, nearly opposite the police office."

Justice Shepheard held an inquest on the body in the afternoon, at which the Jury returned the verdict that the deceased came to his death by being struck by the railroad-cars.

THE COURTS.—For the last week great interest has been manifested by the community in the important criminal trials going on before the District Court and Court of Sessions. The Court Rooms have been crowded from morning until night. The counsel and jury in Hall's case must be pretty nearly worn out. The jurors have been sitting in the box for six days from 9 o'clock in the morning up to 11 at midnight, listening patiently to the testimony and the incessant sparring of the counsel, that thoroughly tires out a spectator in an hour.—Testimony of every kind has been brought forward, direct and indirect, irrelevant and cumulative, corrobora-

...Dup.

THE HERALD.

Friday Morning, August 8, 1851.

Division of the State.

We much regret to see that a political severance of the lower from the upper portion of this State, is at present boldly and unequiv- advocated in the Southern papers. An ...recently appeared in the *San Die-* ...an intelligent gentleman ...which the question was ... and the *Los Ange-* ...recommends that ... people be held ... Angeles, or ...ring a plan ...red object, ...for its ac- ...ound of ...aws go- ...st par- ...n their ...er pro- ...of the ...the di- ...vements ...itution; ...of the ...al alter- ...mpletely ...of the ...adopt- ...State ...oted to ...ment, ...n peo- ...pudia- ...ssions ...news on ...them- ...ection ...itorial ...if the ...ac- ...to decide upon the ... portion of the State may be productive of much benefit.

CORRECTION.—We see it stated that the burglar Adams was delivered to the custody of the Sheriff, Marshal and police. He was surrendered into the custody of Deputy Sheriff Caperton, and in company with that officer, the prisoner was escorted to the jail, by a deputation of the Committee. The Marshal and police had nothing to do with the affair. It is needless to say that no demand was made on the committee by the authorities or by the Sheriff for the body of Adams.

CONSOLATORY.—The Anti-Vigilance Committee organ has graciously signified its pleasure now that the members of the Committee have evinced a readiness to act as auxiliaries to the legal authorities, that the body may still retain its organization. It consents that the Committee should act as a Detective Police. It is to be presumed therefore that the Committee will not disband.

Whig General Committee.

At a meeting of the Whig General Committee, held on Tuesday evening, August 5th, the fol-

The Vigilance Committee.

We learn that some astute individuals have argued from the surrender of Adams to the custody of the Sheriff, that the Vigilance Committee is dissolved. By others, such a consummation is devoutly wished for, but we feel pleasure in stating for the information of the citizens, that the Committee have not dissolved, and furthermore that they have not fixed upon any point of time in the future at which their organization shall be disbanded. They have still much important work to do, and past experience shews they are not men to do things by halves. They have already broken up the powerful organization of thieves and cut-throats that infest our city. They have made themselves felt by that class, but they have yet to make themselves felt by the treacherous officials who have long abused the public confidence. They have not surrendered to the law. The law was in the gutter. The Committee have picked it up and are now guiding its tottering steps little by little. When it has become sobered and reformed—healthy and vigorous—the Committee will permit it to resume its entire functions, but not till then. The Committee have not succumbed to the law; and furthermore, if in the opinion of the body a necessity should arrive to-morrow for the exercise of all the powers they ever claimed, they will act precisely as they have acted heretofore.

We rejoice to learn that the Committee have for some time past devoted much of their attention to the Judiciary. They have already elicited much useful and interesting information on this subject, and a further prosecution of their inquiries cannot fail to be of much benefit to the community.—The truth is, the Committee are now in a position to effect more good than they have yet accomplished. Their labors heretofore, it is true, have been crowned with wonderful success, but there is still an ample field for their exertions.

...The Harbor...

...By a... Sydney ... Grea... news th... quantity ... flocked ... issued t... ernment ... little eff... some ti... the gold ... first pre... become ... doubtles... der mini... to issue ... ing. T... covery. ... The ... ho... tions:

...Dup.

S. F. Herald Aug 8

...Dup. of Courier Herald Aug 12

Pacific Star Aug 12

...It seems to us that, as a necessary consequence, they have a right to comment upon any apparent neglect of duty, on the part of the constituted authorities, even though such neglect might not amount to absolute crime. The mismanagement of public affairs in cities or counties is frequently remarked upon by Grand Juries. The voice of warning raised by bodies so respectably constituted, and so generally free from improper influences, often produces wise and salutary reforms.

Their opinions are not always expressed in the form of indictments or presentments, in the strict legal sense of the term. In every State of the Union, they are in the habit of visiting the different public institutions, and awarding praise or censure to public officers, according to the circumstances. The records of the District Court of this county afford at least one precedent upon this subject. The last legally constituted Grand Jury that sat in that Court, at the close of the session, presented an elaborate report, containing strictures upon the public officers, far more pointed and severe than those of which the presiding Judge of that Court now complains. In that report almost all the officers of the city and county government were denounced, in unmeasured terms. Nor did the criminal courts escape altogether unscathed. Clearly referring to these tribunals, the jury, at the close of the report, declared that: "The facilities with which the "most notorious culprits are enabled to "obtain bail, which, if not entirely "worthless, is rarely enforced when "forfeited, and the numerous cases in "which, by the potent influence of mo- "ney, and the unscrupulous appliance "of legal technicalities, the most aban- "doned criminals have been enabled to "escape a deserved punishment, meets "with their *unqualified disapproba- "tion.*"

We are not aware that when it was presented the Grand Jury were informed that their communication was impertinent, libellous and disrespectful, or that it was stricken from the file, because they exceeded their powers.

We see no sufficient reason for departing from established precedent and well settled usage. If the conduct of any public officer should unfortunately be misrepresented, there are numerous channels through which the error may be corrected, and the truth vindicated. Though a temporary injury may be done, the faithful and upright conduct of public men seldom fails in the end to secure to them the respect, esteem and confidence of the People. If the Grand Jury have erred in the present instance the mistake is to be regretted, but it is not in the power of this Court to correct it. Although we entertain sincere desire to extend all possible courtesy to our brethren upon the Bench, and to aid them in their efforts to promote the ends of justice and to sustain the laws, we feel ourselves constrained to deny the motion.

...Dup.

...Entertainment.

...night and early ... vital moment had ... of the Vigilance ...ing in solemn con... ...the life of a fellow ... that Adams, the noted ...the individual in the investi... ...they were engaged. Early yes... ...d be heard from almost every little ... the street, prognostications of another ...ps a collision. Accordingly, when the ...ll commenced about 10 o'clock to toll ...signal for the assemblage of the Commit... ...hed in anticipation of a scene to the ...tee in Battery street. Shortly af... ... of the Committee were seen con... ... of the city, making their way ... the meantime con... ...regated without ... was pretty well ... one," that some... ...thought it was ... was the commotion ...noted law and order sup... ...the city in search of ...everything seemed to ... But soon all ...curiosity of ...from ...to ...after- ...The ...ith Adams in ...ested him. ...of citizens ..., formed the ...cipal streets, ...were im... ...being led to ex... ...ht and mod... ...its fiercest ...inal to the ...assistance ...in sep... ...his ...grounds ...have retreated ...charges most harp... ...very man Adams, ...the Com... ...for the ...ers against ...and upon ..., against whom ...in the actual ..., was withheld, to be ...ing to their own system of ... is now scattered to the ...of Adams. ...was lodged in the County Jail by the ...before an order was issued by Judge ...before him. This was ...Jefferson Smith, Esq., ...to be arraigned ...immediately. He ...a confession, cor... ...of Stuart, both so to ..., which will be published in due ... early hour in the morning ...into the custody of ...been found against ...with in... ...prisoner to ..., and Friday is ...is to plead ...Quite a large meeting of the ..., without formal notice,

B. H. Bancroft Collection

Judge Campbell's Opinion.

In the matter of the application of the Hon. Levi Parsons to strike from the File of the Court of Sessions a portion of the Report of the Grand Jury for the Special July Term.

On the 11th day of July last, the Court called the attention of the Grand Jury to the fact that on the day previous a person named Stuart had been unlawfully put to death by an armed and organized association in the city of San Francisco. The jury were charged to investigate the matter, and aid in bringing the offenders to justice. Upon the last day of the term the Jury came into Court, and presented in the form of a report, a summary of their proceedings. In referring to the charge of the Court they expressed their conviction that Stuart had been put to death in open defiance of all legal forms and requirements, and then proceeded to examine and comment upon the causes which, in their opinion, tended to create that spirit of disobedience to the constitution and laws which had so signally and openly exhibited. Upon this subject the jury said:

"When we recall the delays, the insufficient and, we believe with much truth it may be said, the corrupt administration of the law; the incapacity and indifference of those who are its sworn guardians and ministers; the frequent and unnecessary postponement of important trials in the District Court; the disregard of duty and impatience while attending to perform it, manifested by *some* of our Judges having criminal jurisdiction; the many notorious villains who have gone unwhipped of justice; lead us to believe that the members of that association have been governed by a feeling of opposition to the manner in which the law is administered and those who have administered it, rather than a determination to disregard the law itself."

A motion is now made to strike this portion of the report from the files of the court, upon the ground that it is impertinent, libellous and disrespectful, and that the Grand Jury have transcended their powers, and meddled with matters over which they have no cognizance, except through the medium of a presentment or indictment.

It will be observed that the greater portion of the remarks in question refer upon their face as much to other courts as to the District Court. All that is specially complained of in that court is the "frequent and unnecessary postponement of trials" therein. We do not feel called upon to express an opinion upon the truth or falsity of the accusation made by the jury. The only inquiry before us is whether they exceeded their powers. We think not. The subject of Stuarts death was a legitimate subject for their investigation, and could hardly be considered without some examination of the causes which produced so startling a result. However much we may regret that they should have deemed it necessary to speak of the Courts with apparent harshness, we cannot doubt their right to do so, when tracing the causes which led to a serious violation of the law. Cause and effect are so intimately connected, that in many cases the examination of the one necessarily involves the investigation of the other.

The Grand Jury possess the undoubted power to examine into all cases of corrupt or wilful misconduct, of public affairs. They may find indictments, or make presentments, when in their judgment sufficient cause exists for so doing. It seems to us that, as a necessary consequence, they have a right to comment upon any apparent neglect of duty on the part of the constituted authorities, even though such neglect might not amount to absolute crime. The management of public affairs in cities or counties is frequently remarked upon by Grand Juries. The voice of warning raised by bodies so respectfully constituted, and so generally free from improper influences, often produces wise and salutary reforms.

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"The facilities with which the most notorious culprits are enabled to obtain bail, which, if not entirely worthless, is rarely enforced when forfeited, and the numerous cases in which, by the potent influence of money, and the ingenuous and unscrupulous appliance of legal technicalities, the most abandoned criminals have been enabled to escape a deserved punishment, meets with their unqualified disapprobation."

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JUDGE CAMPBELL'S OPINION,

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Pacific Star Aug 12

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THE HERALD.

Friday Morning, August 22, 1851.

The Authorities and the People.

Order reigns in Warsaw. The Vigilance Committee have not blown up the town, and the officials are somewhat more composed. The pieces of honey-combed ordnance ordered in from the Presidio during the panic, are suffered to rest on their worm-eaten carriages in rusty repose. Brigadier General Addison has received permission from the commander-in-chief to lay aside his epaulettes and cocked hat, and to return to the quiet avocations of his office. The General in his turn has blandly signified to his adjutants and aids, that he can for the present dispense with their services, and to Captain Howard that there is no longer a necessity for the Guard to sleep on their muskets. The large posse consisting of Judge Campbell and Mr. Justice Brown, have abandoned their solitary perch on the jail wall, and have returned to their duties in the Court of Sessions. The virulence of Mayor Brenham's fever has considerably abated, and that worthy officer is doing as well as could be expected. All the other warriors are seeking that repose so necessary after their arduous struggle in defence of liberty and law.

All this is in the highest degree satisfactory; but we desire to know what is to be done with the prisoners

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is unnecessary to notice it further.

Statistics of Crime in San Francisco.

In continuation of our series of articles, exhibiting monthly the state of crime in our city, we present the number of offences that have been brought before the Recorder from the 15th of July to date—one month. All parties arrested on any charge whatever appear before him as an examining magistrate, before being sent on for trial to a higher tribunal.

The following table will exhibit at a view the cause of arrest, and the disposition of the case by the Recorder.

The whole number of arrests made, and cases examined since the organization of the Recorder's Court, is 3,769.

For the past month the case stands as follows:

Charge.	*Number.*	*Fined.*	*Discharged.*
Drunk and disorderly	87	41	45
Fast riding	21	14	7
Fighting	16	9	7
Nuisance	5	—	5
Threats against life	2	1	1
Assault and battery	22	9	12
Grand and petit larceny	31	8	20
Violating City Ordinances	68	22	46
Discharging fire arms	3	2	1
Suspicion of horse stealing	6	—	6
Suspicion of murder	2	—	2
Desertion	3	—	3
Obtaining gooods under false pretences	1	—	1
Burglary	1	—	1
Peddling	6	6	—
Representing an officer	4	3	1
Stabbing	2	—	2
Suspicion	5	—	5
Total	285	110	164

*Four sent to the Court of Sessions for trial, and four imprisoned in County Jail for thirty days.

Fines were imposed in the 110 cases to the amount of $1497, but they were not always paid.

The average number of cases per day for the last month, has been 9. The large number discharged, 58 per cent. of the whole, is due to a variety of causes—the proof was insufficient—the offender was poor and could not pay a fine—expressed contrition, or extenuating circumstances appeared. As usual an immense proportion of the offenders were under the influence of rum—thus the three classes of druuk and disorderly, fighting and assault and battery include 125 cases.

It will be perceived that a great number of cases of violation of city ordinances occur. This is not of itself an offence, and should hardly have been classed as such. It comprehends those persons doing business without a license or keeping open house after midnight. Not an offence of a higher grade than grand larceny occurs, and in only four instances was there sufficient evidence to send the culprits to a higher court for trial. The present exhibit evinces no diminution in rowdyism during the past month; men have still continued to brutalize themselves by getting drunk, but in the higher grades of crime there is a manifest change for the better. Only four cases, and those for larceny, in a month, to be tried by the Court of Sessions and District Court! It is unprecedented. There have been no burglaries, no robberies with force, no shootings or murders, which in the days of Sydney rule used to crowd our calendar. We congratulate our citizens upon this improved state of affairs, and we congratulate the Vigilance Committee for having most materially contributed to bring it about. Could we but have a treadmill or something more disagreeable, to which to consign the disgusting, loathsome drunkards and rowdies that infest our city, our Recorder's office would almost become a sinecure, and San Francisco boldly challenge the world to show a more orderly and virtuous population. As it is, those abroad will see that life and property are now as secure in our city as in any other in the world of the same population.

LILLIPUT ON BROBDIGNAG.—The organ of Mr. T. Butler King still persists in dragging General Persifor F. Smith into its drowsy articles on politics. What a glorious warfare on the part of the organ of the Collector on a gallant officer several thousand miles away. How worthy of the cause it has to uphold and of the hero of the removal of the deposites and the prosecutor of mules. It would be amusing but that it is under all the circumstances very shameful and disgusting, this petty warfare.

CLOSING OF THE MAILS.—The mail steamer California does not leave until 7 o'clock this evening. In order that our citizens may avail themselves of the facilities of the Postoffice to the latest possible moment, the Post-Master has authorized us to say that the mails will not be closed until 2 o'clock, P. M., instead of 1 o'clock, as heretofore.

S'Fl Herald Aug 15 Dup.

DENIAL.—It is not true that his Honor Mayor Brenham sent an express from the top of the jail wall to the Custom House to borrow the celebrated revolver with which the Collector defended the deposits.

CHARGE REFUTED.—The charge made by Whittaker when he fell from exhaustion during his memorable flight in the hands of the officers from the Committee Room to the jail, that he had been nearly starved to death by the Committee, and hence his weakness, is of course, all a fable. All their prisoners are well fed, and he formed no exception. If the statement made by some of the papers, of his sinking from weakness be correct, it probably arose from the intense nervous excitement and the paralysing influence of fear under which he was laboring.

Herald Aug. 22 1851

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Bancroft Library

STEALING MUTTON.—A Mexican named Carlos Elando, with a phiz having much the appearance of a black sheep, was up before the Recorder yesterday, for stealing several pounds of mutton from the butcher's shop, corner of Broadway and Ohio street. From his appearance in the Court, one would suppose that he had broken into a sheep pen and masticated the whole flock. He was provided with quarters in the county jail for the term of one month.

Confession of Robert McKenzie or Kinney.

Robert McKenzie—My right name is Robert McKinney; I am twenty-six years of age. I was born in Cumberland, England. I left England twelve or thirteen years ago. I was about eighteen years old when I left England. I left Liverpool, England, with my parents on the ship Verandah for New Orleans. I lived in New Orleans until about March, 1850, when I left for California via Panama, and arrived in the steamer California, Capt. Budd, at San Francisco. I then engaged in boating at Clark's Point; I followed boating the whole time; but about two months during that time I lived at Mr. Bruner's, Clark's Point; also Mrs. Brewer's and Mrs. Kettell's; I was one week at Bruner's, five days at Mrs. Brewer's, balance of time at Mrs. Kettell's. Mrs. Brewer lived at the head of Pacific street, Mrs. Kettell lived in Kearny street, near Bush. About six months and a half ago I went to Trinidad in the steamer Eudora. I boated and done business as lighterman of Trinidad bay. I had a partner by the name of Jerry Long. I bought a sloop and went to the mouth of the Klamath, then back to Trinidad, and took a load of provisions on board the sloop, then went back to the Klamath and there lost the sloop; it was about three months ago. I then went to the mines at Shasta Valley; I worked at the mines about three weeks; made a living there. The only man that worked with me was Johnson. We then volunteered to Col. Williams to go to Foal River and Pitt River to fight the Indians and to look for a new trail; we were 17 days, for which we got five dollars per day. I was then discharged at Reading's House.

I then agreed with a wagoner to drive his wagon down to Sacramento. I stopped in Sacramento three days, at the lower end. I and Harry Klegg put up a tent, at which place I was arrested. I do not know T. B. Kay. Billy Carr knows me. I know Ben Hay, the Captain of the Police. Have seen Professor Campbell. I never lost five hundred dollars; I have heard of Professor Campbell losing five hundred dollars. I have seen Kelly. I read in the papers that Kelly lost the money; about seven or eight months ago I heard it; was in San Francisco at the time. I was on the road from the Mission Dolores to the city at the time that Kelly had the prize fight; was in company at the Mission with Kelly and Campbell. At the time Kelly and us went into the house, when Kelly came out he said he had lost the five hundred dollars.

Being confronted with Whittaker, the prisoners declared that they did not know each other. Hays was brought in, and they declared that they did not know each other.

John Erbet Wilmington, called in—Says he cannot identify the prisoner; remembers the schooner Wm. B. Allen at Trinidad, and helped to unload her; does not know Pete.

August 13, *examination resumed*—Prisoner being obstinate, and refusing to answer, was remanded.

August 14, 12 *o'clock M.*—Prisoner brought up, and examination continued. I know Sam Whittaker; I became acquainted with him at the prize fight between Kelly and McGee; after the fight was over we came to a public house outside the Mission Dolores, where Kelly was; either Whittaker or Hughes asked me if I was acquainted with the "Bear Hunter"; I said I was acquainted with him; they said there was some money to be got, and if I would take the Bear Hunter into another room to see Kelly, they would get it; I took him to see Kelly; the Bear Hunter and myself talked with Kelly a few minutes; said we were sorry he had lost the fight; then came out; the Bear Hunter found the money was gone, and made a search for it; the Bear Hunter went home with Kelly; I went home with others, in a cart; that night I went to the Bear Hunter's and asked him if he had found the money; he said he had not; I then went to a house called the "Bird-in-Hand," kept by King, alias the Barber, corner of Montgomery street and Broadway; I stopped there a moment; (I had been there previously, about a week before this time:) King told me to walk into the back room; I went and saw Whittaker, King and his partner, McCormick, Morris Morgan and Osman; they told me that part of the money was gone; the balance was divided among us, about $35 each; I then went to a gambling house by myself; when I got to the gambling house I saw all of this party there, Jack Smith also; I was invited to drink along with all of them, and staid till about 11 o'clock; Whittaker was dressed as a gentlemen, and asked me to go and sleep with him that night at Mrs. Ryan's; I did so; next morning Jack Smith and T. B. Kay came there; Whittaker told them they had got the Bear Hunter's money; T. B. Kay said it was a pity to take the money from the fighters; this was the first time I had seen Kay; after this I went to King's one day; I saw all these parties there; I went from there with King to the Port Phillip House, which was kept by McCormack and Whittaker; I was introduced there, and then went there from time to time; I was introduced into the back sitting place, and saw T. B. Kay there and all the rest of them, and Stuart, alias English Jim; T. B. Kay said they had got a thing, and was fixing on a party who should go; it was C. Minturn's; we were all sitting together; T. B. Kay had been several times at C. Minturn's office to examine and inquire; it was agreed that McCormick, Whittaker, English Jim, Edwards, Adams Jack Lowe, myself, and T. B. Kay should do the deed; T. B. Kay went down to the office; when the office was closed, he came to the end of the wharf to meet the party; Edwards and some of the party had gone for a boat; the boat came; all of the party got into the boat except T. B. Kay and myself; we remained outside as lookouts; the party had got into the building; just as we had got it all arranged, the clerk or wharfinger came back for a book or something; the man went into the store; T. B. Kay and myself run off, and the others got off as they could; we went back to the Port Philip House; in about an hour the whole party came in; Jack Lowe was going to hit me; he said it was my fault that they did not succeed.

After this affair, I went to Sacramento; saw Kelly there. I told Kelly all I knew about his robbery; I came down in the steamboat the same night; Kelly followed me down to San Francisco, and went to McCormick, told McCormick that he had stole his money; and while I was at Trinidad, I heard that Kelly had got his money by selling McCormick out.

I went to take a ride to the Mission with a man by the name of John Hughes; went to the Mission and saw Kelly and McGee; we got drunk at the Mission, and, as we were coming home, we met some eight or ten Chinamen; one of them was behind all the others; I was behind in the valley or hollow, about 400 yards; Hughes was in advance on the top of the hill, the Chinaman's hat fell off; his horse ran away about 3 or 400 yards back of a house; Hughes galloped after the horse and got it; Hughes was very drunk; Hughes asked the Chinaman five dollars for catching the horse; the Chinaman said he had no five dollars; the Chinaman took his purse out; Hughes clicked it out of his hand and galloped off. I met Hughes in town just as we were putting away the horses, when the policemen came; they took us prisoners to the station house, searched Hughes, found the money and two specimens; we were taken before the Recorder, Tilford; I was discharged; Hughes was put back till next court; Hughes got seven years; I do not know whether he is in prison or not.

About a fortnight before the Minturn affair, Edwards brought English Jim into the Port Philip House; Jim had on a cloak and a hat drawn down over his eyes; they said he was the man who had broke out of the prison brig at Sacramento. When I went to Trinidad, English Jim came down there; he was gambling in a house at night with a policeman named Joseph Wall, whom I knew in New Orleans; while they were playing, I recognized him; I asked him what sent him down there; he said you don't know me, sir; I talked to him; after which we came outside the house; he asked me what I was doing; I told him I was boating; he said he was only going to stop another day; that he would not stay in such a place; he came back to San Francisco, I believe, in the schooner Allen.

These men said that the police received bribes.

I heard T. B. Kay speak of Macondray's, about robbing it.

Mrs. Ryan was the woman whom Whittaker was said to sleep with; the husband was jealous of him; husband and wife parted; the woman was sent back to Sydney.

His
ROBERT ⋈ McKENZIE or KENNY.
Mark.

Whittaker's Confession.

Samuel Whittaker examined—My name is Samuel Whittaker; I was born in Manchester, England; I am thirty-three years of age next October. I left the port of London in May, 1836, on board the Lady Kennaway; I do not recollect the captain's name; she was bound to Sydney, and was a convict ship; I was transported for life in that ship for house breaking; was assigned to Mr. Smith, about fifty miles from Sydney. I left the Colonies about two years since by the ship Louisa Captain Maior; I arrived in San Francisco in August, 1848; I got my freedom in 1840 from Gov. Fitzroy; have lost the pardon; it was a conditional pardon. The first business I commenced in San Francisco was as steward in a public house, kept by Grockston, in Broadway; I was in their employ about three months. After leaving that employ I bought a horse and cart and boat; employed men to work the team and boat about two months. I then went to butchering in Happy Valley, and carried it on about one year; I then gave up butchering, and went to keeping public house in Jackson street, near Sansome, with a man by the name of McCormick, about two months. I then gave up keeping public house.

[Sam Whittaker states that Samuel Whittaker is an assumed name; it was the name under which he was transported, and desires to suppress his real name for family considerations, and as an act of humanity.] I began my career of crime in San Francisco at the time I formed my connection with McCormick, in keeping the Port Phillip House, (before this while butchering;) I used to ride my horse two or three times a week to the Mission Dolores to purchase cattle; Sanches offered me a splendid mare at $150; refused to buy on account of price; James Currey came to me and said the mare was his; I finally bought the mare, saddle and bridle for $100 and Currey came in with me; I paid him, taking a receipt for the same, then rode the mare around; while doing so, a man stopped me and said the mare belonged to Dutch Charley, was stolen and had been advertised; finding it so, I gave up the mare and looked for Currey; found him altered in dress and about to leave; took him to Ellerd's, there charged him with stealing the mare, and demanded my money; got back $60; then took him to Dutch Charley; Charley knocked him down and took him to the Station House; the $60 were taken by the police from me, to be handed back to me after the trial; I was summoned; attended court; the trial did not come off; Jack Hays put me on a jury to try a man charged with stealing a pistol; we found him guilty, and he was sentenced to two year's imprisonment for this trifling offence; court adjourned, and was again summoned to attend court; I did so; Currey had been let off, his case was never tried; I demanded my money; the officials asked me how long it had been; I told them about sixty days; they laughed at it, and said that it was lost after thirty days. I mention this case to show how justice is administered here, and it seemed to me that a thief had a better chance than an honest man. This took place in Levi Parson's Court, who was the Judge.

The first crime of which I was guilty, was that of robbing a bear hunter by the name of Vise, the other side of the Mission. In that matter, McCormick, McKenzie, Osman, Morris Morgan and two Kings were engaged; I knew the bear hunter and McKenzie also knew him; McKenzie took the bear hunter into another room; Morgan took the money, $900 or thereabout; when the bear hunter came out he found he had been robbed; we professed to know nothing about it; coming into town one of the party stole six hundred of the $900; the money was divided at King's house, corner of Broadway and Montgomery streets; we got only $30 each; the money taken from Vise belonged to Kelly the fighting man; shortly after McKenzie went to Sacramento City, and told Kelly who it was that robbed him; on this information Kelly came down from Sacramento; I was then at Monterey; Kelly had McCormick arrested and put him in jail; they threatened to lynch McCormick, and got from him some instrument by which they sold out the Port Phillip House to reimburse the loss.

After this I went down to Monterey with Briggs and Osman; while I was there T. Belcher Kay came down; Osman, Kay and myself came up to San Jose. Kay had the delirium tremens at San Jose; Osman came to San Francisco; while there McCarty and McIntyre told Osman to bring up from Monterey Jim Briggs and Morgan; that they had a house to do that would yield $40,000; they came up; I came up also in the Goliah; Osman and Briggs were informed by those officers as to what house, and went to look at it; I did so, but finding that Jimmy-from-town (Burns) was engaged, I refused to have any thing to do with it, and they also refused; I think it was Schloss Brothers; it was nearly opposite the old Custom House; about this time T. Belcher Kay was interested in arranging the robbery of the jewelry establishment and other places.

After this we arranged the robbery of Jansen's establishment; Jansen lived next door to me. Many persons from the Colonies frequented my house, and on leaving the country generally wanted sovereigns, Jansen told me that he usually had them, and would be glad to sell them, and would be obliged to me to take them. Morgan went with me into Jansen's to buy some sovereigns; this first gave rise to the supposed amount of money Jansen had; Jansen was about to remove; English Jim, Edwards and McCormick planned it thus: the cart was loaded with the trunk containing the money; Jansen's clerk sat on the trunk with a candle in his hand; one of the party had slipped the linch pin out of the axle of the cart, expecting that by so doing the wheel would come off, and on falling they would seize the trunk. However, the wheel did not come off, and they were disappointed. Some time after this, English Jim, Briggs, McCormick, Edwards, T. B. Kay, myself, Hughes and Morgan planned the robbery of Jansen again; the whole of us were walking past Jansen's, when our attention was arrested by a dim light at the bottom of the store; Morgan went and would have seized the money without being discovered; English Jim was standing at the window, and said "If I do not go in there will be no money got." He went in. Jim had on a camlet cloak which rustled; he carried a piece of a stick, on the head of which there was a lump of lead as large as a man's fist. He struck Jansen; knocked him down. Jansen screamed, but it was only for an instant. T. B. Kay, Hughes, Edwards, McCormick, were on the same side with Jansen's store; Briggs and myself were on the opposite side. Morgan and English Jim were inside; they brought out the money; it was taken to Edward's house and there divided; there fell to our share respectively, one hundred and ninety-six dollars each; the odd money was spent in the house. They also took Jansen's watch; Edwards' brother got that and threw it into the Bay.

While at the Port Philip House, a man came in and asked me to trust him for something to drink; I told him No, but I would give him a glass of grog; he drank the liquor, after which he said to me "you are a damned clever fellow," and gave me three hundred dollars to take care of for him—afterwards he called for his money; there was a man present, whose name I do not recollect, but whose name can be found on the records; the man was inebriated when I gave him the money; this fellow robbed the man of the money, and cleared out; on Sunday night following he came back to the house; I spoke to him about it; he said he had given George $40. I asked him what share belonged to me; he told me that my share had been left in the man's pocket to get; I told him to wait until McCormick came; however, they, this man and another, closed upon me—I knocked them down. I broke the jaw of one in three places; he prosecuted me for assault and battery. I was arrested; employed Mr. Wells; the case was tried; I was fined $100, ordered to pay doctor's bills, and be imprisoned ten days on the Prison Brig. I had paid Wells $100 counsel fees. I told Wells that it was inconvenient to leave my business, and should like to compromise; I told Tilford this also; he said that he would speak to my counsel. Wells called on me, and said it could be compromised for $25, which amount I paid. I state this case also, to show the manner in which the laws are administered, and the corruption; if it had not been for the manner in which I have been treated and saw others treated, I should not have been here.

I know a man by the name of Palmer; this Palmer was a bird-stuffer; he used to live opposite to me on the hill.

The next matter in which I was interested, and will bring before your view, is that of Windred and Berdue. They were charged with having robbed Jansen, tried for it, and convicted, but they had nothing to do with it; I exerted myself much to save them; I told Parburt that they were innocent, but I did not tell him who were guilty. I had a long argument with Mr. Theodore Payne about it; it was intended, in case Windred and Berdue were executed, to burn the city; I heard it from different persons; English Jim was one; indeed, all that were engaged in the Jansen robbery made that declaration, and many others; it was the only time that I had heard the colonial people say anything about burning the city; it was to be fired at night in four or five different places.

The next robbery of importance planned by us was that of C. Minturn.

The parties who planned this robbery were T. B. Kay (he put it up), Edwards, McCormick, myself, English Jim, Adams, and McKenzie; I think this was all; there was another party who attempted to rob that place, to wit; Briggs, Morgan, Osman and McKenzie, but failed from the bungling way they undertook it; we were there to do it; we entered the place through the back window; we intended to cut the floor away and lower the safe into a boat which Edwards had stolen for that purpose; while engaged, the clerk returned, which alarmed us; we jumped through the window and got away.

I was not interested in the robbery of the ship James Kaskin.

We then tried to get up the robbery of Macondray's store, but it fell through, T. Belcher Kay put up Macondray's.

T. B. Kay also put up a jewelry establishment in a brick building in Sacramento street; Kay was an ignorant man; he can scarcely read or write; his real name is Gibson. I went through the premises and examined it, and declined doing it, on the ground that to effect it, we would have to murder perhaps four or five persons.

McCormick and English Jim went together to shoot a man by the name of O'Flaherty; when McCormick was arrested for taking the liquor from Messrs. Phelan's, O'Flaherty went to the court and stated that McCormick had robbed him in the colonies; it was for this, McCormick intended to kill him; Jim McCormick and myself went to do it; it was a moonlight night; I said to McCormick that it was too light, and that I would shoot him at some other time; I done this to save the man; O'Flaherty lived then in Bryant place.

Since the May fire, Jack Arrentrue met me in the street; it appeared that Jack Smith had frequently told him that I was a very clever fellow; Arrentrue has been after me many times, and pointed out several places to me; I never would engage in anything with him; he met me in the street one day and took me down and introduced me to a man named Earl; we met Earl in the street; Arrentrue introduced me to him; we drank together and then went down to the Custom House; Arrentrue described it to me; stood on the place; said there was $800,000; then we went and looked at the drain; then we went to the other Custom House; he took me inside; we looked at the safe or vault that was building; Earl proposed renting the house next door to the Custom House, and opening an architect's office in it, and getting Watkins; we were to rob it from his office; this was practicable; Earl took me to see Watkins; Watkins had made his escape at this time.

Arrentrue and Earl proposed to me to rob the El Dorado; they urged that the interest they had with the authorities would cover our operations; I had got sick of all such work, and made up my mind to leave off, and therefore took no further notice of it; Arrentrue and Earl used to come frequently to my place at Mr. Hogan's and dine with me and play cards.

I went up to Marysville to see if I could rent a public house; while there the June fire in San Francisco took place, and I came down; I saw Arrentrue and his woman at Mrs. Hogan's; she allowed them to stay, as they were friends of mine; however, when I came, they went away, as I made some fuss about it, and would not allow her to take anything for their board and lodging while they were there. I lived with Mrs Hogan four months, during Mr. Hogan's absence; during that time, I lived with Mrs. Hogan as man and wife; we slept together; indeed, she never intended to live with Hogan any more; I knew her in the Colony; I have heard it said that Mrs. Hogan had been transported; I told her about Arrentrue's and Earl's proposition; she imagined that I was engaged in robbery; I paid her $20 per week for my board; I was not engaged in any business; I also gave her many presents, say two thousand five hundred dollars; Mrs. Hogan knew English Jim, and I saw his likeness in her drawer. it was a small one; she also has mine; Mrs. Hogan knew all the men I have mentioned; they used to frequent her house.

I derived the moneys thus: I won $700 from English Jim at monte; I had $1400 or $1500 by me, that I had saved while I was a butcher.

George Adams, McCormick, Hughes and McKenzie robbed Duzuzo, on Sacramento street, below Kearny, on the south side; it was in September or October, and early in the evening; said to be about $15,000; I was absent at the time.

I won of Hetherington's companion $600; his name was Dan; I won at thimbles; Edwards and myself had been associated together, and they wanted a share of my winning, a man by the name of Jones, alias Grice, who made his escape from prison at Marysville; Jones also wanted a share of it, as he was a companion of Long Charley; the reason why Jones wanted a share was that I and Long Charley had won it together; a man by the name of Gallagher took up the matter for Jones and went to my house, at Mrs. Hogan's, and went into Mrs. Hogan's bed room on tip-toe, with a drawn dagger to look for me; Mrs. Hogan asked him what he wanted; he replied that he wanted Whittaker; that he would make me show up the money; Mrs. Hogan told him that I was not there; it was talked about his looking after me to kill me. A day or two after Gallagher was found dead in the street, by Edward's house; there was no mark on him except on the head; I think that Gallagher knew too much of Edwards' business. I think therefore that Edwards poisoned him; at the time Gallagher went into Mrs. Hogan's bed room; I was at the house of Dr. Lambert at the Mission; Mrs Hogan came out to me with a letter to take to Monterey; Mrs. Hogan was frequently in the habit of coming to see me while at Dr. Lambert's; Dr Lambert is a man from the colonies; I took the letter to Monterey; it contained documents of money that Briggs, Morgan and Osman have in the banks of San Francisco; I delivered up the documents to Parburt; the Monterey trial came on that week; English Jim came also to Monterey; I think he came down to shoot me, either for my money or jealousy; I knew all about the robbery in Monterey; I loaned Osman, Morgan and Briggs $1000; Quick put up the Monterey Custom House for robbery; Ryan was one of the party, and the only one who received any benefit.

I was not interested in any of the robberies of the jewellers; McCormick told me of the robberies. I believe, if you keep quiet and not publish, that the jewelry will be recovered: Osman bought it for $600, and I do not believe that he has sold it yet.

I gave Mrs. Hogan 21 ounces in gold for my board at one time; I had loaned that amount to Osman, and he returned it; the last money I got was $1200 I gave to Mrs. Hogan. There was a miner came into Mrs. Hogan's house in Sansome street; T. B. Kay, Edwards and myself were there at the time; the miner laid down a large bag of gold containing two bags; John Edwards and myself took the money out; I had previously taken up the bag and secreted it; when we took the miner out, we met McCormick, and McCormick and Edwards went off with the miner; he had (the miner) 500 or $600 more on him; Edwards and McCormick took that from the miner also; I returned back to Mrs. Hogan's, to meet T. B. Kay; I took one bag out; there was $700 in it; I gave Edwards $200; I gave T. B. Kay $25; T. B. Kay owed $150, previously loaned him by me; I then gave him $25 more, which made $200 for his share of the plunder. As McCormick and Edwards kept the 500 or $600 that they took from the miner, after we led him away from Mrs Hogan's house, I kept the other bag, and made no division of it with my confederates; the other bag which I did not divide, contained $800, which, with my share of that divided, say $300, as I gave but $200 to each of my confederates, Kay and Edwards, and deducting from Kay's share the $150 he owed me, left $1249 to me of the miner's money, all of which I gave to Mrs. Hogan. Mrs. Hogan knew that I took it from the man; we were engaged in treating the man with champagne to effect the object, which she knew; I also told her.

Of the money I won of Dan at gambling, I gave her about $300; Jim Briggs paid me $300 of the money I loaned him; I also gave that to her; I exchanged watches with her; mine was the most valuable; I also gave her a diamond ring; she bought it out of the funds I gave her.

A girl, kept by Thibault, lived with Mrs Hogan; she lived there about a week or fortnight after I went there; she is also aware of my intercourse with Mrs. Hogan; she keeps a public house at Marysville, called the Steamboat Hotel.

T. B. Kay, when Port Warden, took McCormick on board a man-of-war in the harbor; the Captain or one of the superior officers possessed a very valuable gold lever watch with a snake chain. While the officer was asleep McCormick stole the watch. McCormick carried it with him when he went to London. I have no doubt it might be recovered. Kay knew that McCormick had taken it. Kay said afterwards that he was sorry for it; that the officer said he would not have taken $1000 for it, as it was a present from a father.

If the Committee write to Dan Forrester of London, or the Chief of Police of Manchester, they will send McCormick and the watch back again.

Old Jack *alias* Morris Morgan, told me that Hughes did it with two *flats*—robbed the Dupont jewelry store; Hughes was apprehended for it and was acquitted. I do not know where he is; he may have gone out of the country. I was told that Old Jack took away all that jewelry. One night it was stated that some of the Vigilance Committee met him; Old Jack knocked down one of the men and jumped a fence. In doing so Jack said he lost part of the jewelry; amongst it was a small watch, which was found in a hat next morning.

I believe Morgan has all the jewelry, and I believe he is down the coast, I think at Masatlan. If proper means were used I think it might be recovered.

Hetherington and myself were at Mrs. Hogan's at the same time; we sometimes slept together. Hetherington told me that his partner, *Antone*, was a passionate man; he killed two men; I saw him kill one—it was at the corner of the El Dorado, at night, and in a crowd. Antone stabbed him with a dagger; the dagger stuck so fast that in drawing it out it pulled the man over. Two men were arrested, but nothing was made out of it. Antone never was suspected.

English Jim and George Smith told me that they shot the man on the Stockton road; it was foggy when they shot him; the man ran towards the house, and died nearly as soon as he entered. The man had considerable money.

I knew Berdue. I do not think he is a thief.

I never knew of any one setting a place on fire in San Francisco, except *Billy Sweetcheek*, I heard that he set the United States, on the Plaza on fire at the time it was vacant. His name was Billy Shears, otherwise called Billy Sweetcheese. This report is rumor: Mrs Hogan told me for one.

I know Peter Freeman; if he is the man I know, he is not a thief.

After robbing the miner alluded to at Mrs. Hogan's, we met Andy McCarty in Pacific street; while Edwards and myself were leading off the miner, we met Andy McCarty: I said "McCarty, I will give you some money in the morning;" I went to Britton Jones's office, sent to the police office for McCarty to come down; McCarty came down; I then gave McCarty three ounces; I said "McCarty, I give you one ounce for T. B. Kay, one for Edwards, and one for myself." Edwards was with me at the time: Britton Jones saw me give the money to him; I told McCarty that McCormick had got some $500 from the miner, and must go and get some out of him too.

WHITTAKER'S HISTORY OF T. B. KAY.

On the continent and in Paris he is known as *Count Peri*; in England and the colonies as *Singing Billy*, also as *Billy Gibson*, and is now a runaway convict from Van Diemen's Land. T. B. Kay has a Spanish woman for a wife; also has a child by the woman. T. B. Kay got off from Launceston with a man named Madden.

The time that Toolg lopped T. B. Kay with the axe, next door to the Rochester House. I was going past there and it was reported that Toolg had been bailed out for the assault and battery of Kay that night. The Rochester House was shut up. It was very dark. There was a light in the upper part of the house, and company there. I opened the door by pushing it, and there was a globe lamp burning in the passage. I took out my revolver and shot at the lamp, and the ball hit the flame, broke the lamp and knocked it all into darkness. I went up the street about fifty yards, and walked back quietly past the house. Before I got to the house, the Frenchman had got to the door with the light. I was watching them examining the door to see where the ball had gone in. I looked to see if Toolg was there. I could not see him, so I walked home. They, the inmates of the house, never knew who did it until I told of it at Mrs. Hogan's house, after the fire.

Billy Hughes is a runaway convict; John Edwards is another; John Morris Morgan is another. They came from Van Diemen's Land. There is no comparison between the convicts of Sydney and Van Diemen's Land. The latter are so bad that they would not allow them to come into Sydney.

Brown, in the Police, was the man who did the dirty work for McCarty and McIntyre; I was the man who got Windred away; I went to the new jail with Windred's wife and Mrs. Hogan; I sent the key in; Tom Byrnes (the man you sent to Sydney) came to my house and said Windred was out; I got up and went down to the wharf at Pacific street; George Adams and Windred were there; I told Adams to go away by himself; I took Windred to a stable and got horses, and took Windred out to Lambert's; I told Lambert to take care of him, and I would pay all expenses. Windred was there about two weeks; I used to get a carriage and take Mrs. Windred and Mrs. Hogan out to Lambert's to see her husband. Mrs. Windred used to come to see me and Mrs. Hogan at Mrs. Hogan's house, dressed in men's clothes as a disguise. About two weeks from the time I took Windred to Lambert's, I got a ship and I engaged a passage for Windred, and appointed a night to put him on board. I told Kitchen to stand by with his boat, that I had a man to put on board the ship; I took one horse and went out to Lambert's, and got Windred away. I gave Windred my cap, bought a new one for myself, passed through Sansome street to Broadway, down Broadway to Battery street, then I put him down a passage-way at Clark's Point. I said, stand there, Windred, until I call for you—the watchword is *Ferguson*. I went past the house kept by West formerly. Mrs. Hogan and Mrs. Windred were there in waiting. Going past I saw Jim Briggs in one house; I then went across to Kitchen to say I was ready, and there I saw George Adams. Being all escaped prisoners, and the police were walking about. I was astonished at seeing these men so near each other. Kitchen went down with his boat, and I told Mrs. Windred and Mrs. Hogan that I was ready, but would not allow them to go at that moment. I went to where I left Windred, and called *Ferguson*; he came out. I brought him up about half way, and told him I would bring his wife to bid him good-bye. I then went and brought Mrs. Windred and Mrs. Hogan to the spot. They bid him good-bye, and I put him in the boat of Kitchen, who took him to the ship, and we went to West's place. I then went to where Adams was. I asked him why he did not go away, having broke out of prison—why don't you bolt? He said he had no money. I said I can't help it. I mentioned it to Mrs. Hogan and Mrs. Windred. I said, come, let us go home—he wants money and I have got none. Mrs. Windred said, I have got some seven dollars; well, said I, give it me—I have three, and I went back and found Adams had gone. So I returned her the seven dollars, and we went home.

The vessel in which Windred was placed remained in port a week or a fortnight, and I feared he would be apprehended again. Mrs. Windred came every night in men's clothes to Mrs. Hogan's, to know when the ship sailed. Windred sent word to his wife to come on board to go with him, and she went on board, and the morning after the fire of May, the vessel sailed, and his wife went with him. About a fortnight after, a brother of Windred's arrived in another ship from Sydney, he is here, working about town.

Long Jim, alias Stuart, showed me a large specimen of the value of $140, which he said he took off the body of the man Moore, whom he had murdered, he pledged it with Kitchen for $40, Kitchen has that specimen now.

Kitchen is a rough boatman-looking fellow, dirty, very dirty; Kitchen kept a boarding house on Battery street, near Clark's Point; he is a stout man, dark hair, much beard on the face, he is a convict from Van Diemen's Land, he is about thirty years of age. There are few from Van Diemen's Land but what are transported.

I know Crockston and Ward; Ward is a convict, I know it to be a fact. English Jim alias Stuart went up to Coombs and had his likeness taken; the night after Stuart said, I must have some money. This man, Coombs, had about $300 in a box; T B Kay and Morgan went with him, Jim went first, Kay Second, Morgan third, up the stair way to Coombs' Gallery, when they reached the second pair of stairs, there was a man sleeping on the stairs or landing. Jim said there is a man here, Kay says to the man, what in the hell are you doing there, the man answered, Oh! I am a watchman: Kay says, no you are lay still, old fellow, I won't disturb you to-night, tell Mr. Coombs we will come in the morning. They retired from that scrape.

Purcell, a police officer, used to take money—he took money of Hughes—he would take money from any one money of Hughes—he would take money from any one

I know Galusborg—I went trading with him to Stockton once; I do not know that he would steal, himself, but he would deal with thieves; he has solicited me to obtain goods improperly, and he would buy them. He used to visit Mrs. Hogan's house. I did not like peddling. I wanted to take a store and go into business properly. I have heard that he was a transported convict—he has confessed it to me; it was a common report in the colonies; it is always known who is and who is not a convict. I know from my knowledge of him that he is a damned rogue and would for sake of gain, induce men under suspicion, or called thieves, to do any thing for his benefit, taking care to keep himself out of the scrape, under supposed good character.

At the primary election for Malachi Fallon, I was solicited by McCarty, Sweeny and McIntyre to aid in that election; I accordingly did so. I went down accordingly, to the primary election, and got some twelve votes for Malachi Fallon. John Edwards, Britton Jones, Wm. Kitchen, Morris Morgan, Long Charley—these men were all convicts and foreigners—the balance of the votes I got were of the same caste.

The list of names I now give, are known as thieves:

William Clay—is from the colonies. I believe him to be a convict. I know him to be a thief. He is a tall, dark complexioned man, about thirty or thirty-five years of age.

Tallentine—is from the colonies. I believe him to be a convict. He is a slight made man, much pock-marked, light hair and eyes I believe. He had a law suit with Britton W. Jones about robbing—he is a thief by profession.

Wm Gregory, from Van Diemen's Land.—He is a partner of Tallentine; they generally worked together as thieves. He is a low-sized and low-set man, very much pock-marked, rather down look. He is at the mines at Sonora, and as soon as the Vigilance Committee breaks up he will be back again.

footwtr - gal 157. Aug 16. -

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Her testimony taken in the course of these examinations was published in the papers of August ~~Eighteenth~~ 18, with the following preface -

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H. H. Bancroft Collection
Bancroft Library

To the People of California :

The following confessions and testimony taken in the cases of McKenzie, Whittaker and Mary Ann Hogan, are respectfully submitted to the public, in order that any other evidence that may exist may be presented to the Committee, and that all the People of California may be placed on their guard as to those named in the confession, and if possible, that the offenders not in custody, may be apprehended and brought to a just punishment.

The confession of McKenzie, previous to the last, was but a tissue of prevarications, shewing great obstinacy, refusing to answer, and declaring himself guiltless of any crime. (See the commencement of his examination.)

Shortly after Whittaker was arrested, he commenced in like manner.

Mrs. Hogan having been previously examined, gave the Committee some clue, and having proved the identity of McKenzie by several witnesses, they proceeded with the examination of Whittaker—having informed him as to what facts they were in possession of. He then gave his confession. This confession being had McKenzie was again brought up, and finding that the facts touching himself were brought to light, he then made his confession, corroborative of Whittaker's statement.

Mrs. Hogan having had the confession of Whittaker read to her, stated the same to be true.

There can be no doubt that the prisoners have suppressed much, but there can be but one opinion as to their guilt. Their confessions corrobated each other, without a knowledge of each others admissions. The testimony corroborated the whole. The testimony of Whiting, a respectable witness, establishes a portion With these remarks, the whole matter is submitted :

H. H. Bancroft Collection
Bancroft Library

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Enclosure
Nick Encl

Herald
August 18

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~~Edward Edwards and Charles Edwards, brothers of John Edwards~~; they are from the Colonies; I believe them to be convicts; they are thieves; they are low-sized men; Charles is light complexioned. Edward is dark; Charles has light hair; Edward has darker hair than Charles; these men have a man by the name of Tom, a tall, dark-complexioned man; these Edwards had a boat, and used to steal and trade up and down the river, these men stole potatoes from a ship; also six cases of boots.

Big Bill; he is an American; large, full faced man; lived with an Irish woman who kept a bar at Clark's Point, the house is opposite to where Burns kept, he is a thief.

Wilson, a boatman at Clark's Point, an American, about 5 feet 8 inches in height, stout made, light complexion, red hair, light eyes; he is a thief, he used to come to my own house in Jackson street with Jimmy-from-Town.

The man George, whose jaw I broke, which I have stated in my confession touching the miner who left $300 in my hands; he is about 5 feet 8 or 9 inches high, round shouldered, dark complexion, dark hair, a dirty looking fellow, he is a thief.

Charley, a young man about 25 years of age, used to be a waiter at the American Hotel in the square, at the Miners' Restaurant on Long Wharf, and at the Stage Hotel in San Jose. he is about 5 feet 6 inches dark complexion, dark curly hair, an American, thief by adoption. he was much connected with McIntyre and McCarty. he was in jail for some robbery, which took place in Happy Valley, of $2,000.

Dick Smith was from the colonies, I think a convict. he was about 5 feet 6 or 7 inches, light complexion, rather florid, light hair, light eyes, stout made man, he was connected with the police; he was a putter-up, a kind of go-between the thief and the police. he told me that if any of my friends got into trouble, he would get them out, he would go, or get straw bail.

Thomas Holt, native of Sydney, he is about 5 feet 6 or 7 inches in height, spare made, dark complexioned, dark hair and eyes, black teeth, he is a thief, he may be somewhere about the city, his parents are reputed rich, he is about 18 or 19 years of age.

King, commonly called the Barber, kept the public house called the Bird-in-Hand, corner of Montgomery and Pacific streets; he is about five feet five or six inches high, rather stout, light hair, light complexion, light eyes, about 30 years of age; he was a thief; he was engaged in the affair of the bear hunters, stated by me in my confession; he has a partner always with him, a thin faced, dark man, a little taller than himself; they are inseparable companions; I think Barber keeps a public house; Barber is from the Colonies: I should say he is a convict.

Bluey is from the Colonies; a convict; he is a stout man, about five feet eight inches, dark complexioned, dark hair and eyes; I think he shaves; a country looking fellow. He is a thief, and went about town playing chance games; I have heard of his being engaged in robberies.

A dirty looking little pock-marked Jew (whose name I do not know,) kept a store on the levee at Sacramento; Long Jim wanted to sell him his goods, and because Long Jim would not take the price offered by the Jew, the Jew went and informed against him, and Jim threatened to kill him if he got a chance; this Jew was a receiver of stolen goods.

There is a baker by trade at the Mission Dolores; he is a dark, dirty looking fellow. He is a bad character. He proposed to Edwards to rob a man who was going down the country to buy cattle.

Long Bill, who used to be a waiter in a restaurant on Belanc street, off Gold street, is a tall man, an American, dark complexioned, dark hair and dark eyes. He was a thief.

John Darke, from Sydney, is five feet five or six inches high, dark complexioned, dark curly hair. He is a thief on his own hook. I don't know who his associates were. I rather think he stole on his own account.

There is one, a cooper by trade, whose name I do not know; he was associated with Long Bill; answers in description to Darke; carried a slung shot. He is a convict. He used to show the slung shot and say that was a convincer. I believe he was a dangerous fellow. I do not know that he is here now.

Joseph Turner and his wife; Turner is a tall, good looking man, dark complexion; he is from the colonies; the man Turner ~~was seen with this~~ meet a man in the street, gets into conversation, leads the man into a bye place, then Turner comes on them suddenly and says, "What are you doing with my wife?" by which means he gets money from the men whom his wife thus decoys; I believe him to be a thief; I don't know where he lives in town.

Thomas Williams, from the colonies. This is the man who decoyed a man into the up stairs of Crockstein's house, (without Crockstein's knowledge) and there robbed him of $2000; he is a dark complexioned man, 5 feet 5 inches, dark eyes and hair; I saw him at Marysville last; he travels about stealing and doing anything.

P. J. Barnes, a tinman from the colonies, a convict; he lives on Montgomery street, between Broadway and Pacific streets; he is a stout man, rather light complexioned and rather surly looking; he will buy stolen goods or steal them; he was apprehended for stealing a trunk from a black fellow, next door to him; they made it up.

Palmer, the bird-stuffer, is supposed to be a receiver of stolen goods; his name in connection with mine, was sent to the police office, which letter, by a train of circumstances, got into my hands.

Robert Ogden, from the colonies, I think a convict; he kept a house called "Live and Let Live," on Broadway, near O'Nell Place. I believe him to be a thief; he had $8000 of property in his place; not long before he could not pay me for a bullock; he is at Marysville now.

Davis, who kept the saloon under the theatre, now keeps Britton & Jones' house, in Pacific street. This man is a thief; he is from the colonies; I think he was a convict; he robbed a friend of mine, (George ——,) of $25,000.

Whittaker, on being shown a pair of calippers, he stated that he saw a pair on David Earl, who showed them to him as being useful, Earl was confronted with him, and denied ever having seen such an instrument before. Whittaker states that Earl showed them to him at night in the street.

Earl told me what a clever thing he once done with the calippers; he said that he once opened a door, went into a man's room, took the money from under the man's head, went out, relocked the door, and it was never discovered.

McCarty and McIntyre, at the time of the fire came to me and said there was a safe lying in the street, and wanted me to get a billy and break it open and take out the contents; I found it impracticable and went away. They came after me, and said the California Savings' Bank offered $500 to save their safe; they wanted me to get a scow and carry it off, but the fire had got all around and I could not do it.

Mrs. Hogan, to do her justice, I must say that she done all in her power to break up my associations, and to lead a different life.

AUGUST 14, 6 o'clock, P. M.

I know Mrs. Quelfelt; I called to see her in company with Mrs. Hogan; I knew her some few months.

I slept at Mrs. Quelfelt's one night; I went up to Sonora, and found that I could get work for a horse and cart at an ounce a day; I came back and slept at Mrs. Quelfelt's one night; when I arrived in town, I went to Mrs. Hogan's and found it would not be agreeable for me to sleep there, as Hogan had returned; I therefore slept at Mrs. Quelfelt's that night, and I gave Mrs. Hogan an ounce to pay to Mrs. Quelfelt; Mrs. Hogan did not take me; she came to see me there the next day. I bought a horse and cart of Cornell's, and went in the steamer next day to Stockton; she might have said it was a safe place to conceal myself.

There was some person came into the room while I was at Mrs. Quelfelt's; I did not purposely conceal myself; I was in the habit of using my handkerchief frequently.

I do not know Mr. Quelfelt; I was educated as a mechanic, farrier; I have also acted as groom and trainer of horses; never was taught stenography.

Aug 15 ?

IMMENSE BRIBE REFUSED.—We are informed that after the Vigilance Committee adjourned on Tuesday night, Whitaker and McKenzie offered their guards $100,000 if they would release them. They promised to have a large portion of it paid down in cash, and the rest secured on bonds that should be perfectly satisfactory. They averred that they had friends who could obtain such bonds from parties of whose ability to pay there could be no possible doubt, and besought their guards to accept their offer. But such an attempt to corrupt their integrity was only received with laughter by those tried and faithful men8-coming from such a source and under such circumstances indignation would have been out of place. We wonder if the same result would have followed, if this bribe had been offered to some of the defenders *par excellence* of law and order.

Herald Aug. 22
1851

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Ital. Center
Roman 8 pt.

[Examination of Mrs. Hogan
[From the S. F. Herald, August 18

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gal 157
Aug 15

Roman

Mrs Mary Ann Hogan—I have heard it stated at my table that the man named Mason was English Jim, or Jim Stuart, the man who committed the murder; Whittaker never told me in private though he might have done so in public. Briggs used to board vessels for Mr. Hogan and purchase articles for him; has not seen Briggs for two months; does not know where he is now; he has very dark hair; is not quite so tall as Mr. E. S. Woodworth, but is much stouter; think he has dark eyes; have joked at the counter in regard to his age; he said he was eight-and-twenty, but I should think he was eight-and-thirty or forty years of age; should think he was a Lancashire man; he used to live with Huttmann and Miller; was there nearly two years. Did not see Whittaker yesterday; have not seen him since Monday week; he did not say he was going to Sonora; I told him that Mr. Hogan did not wish him to stay, and he therefore left; don't know that he has not gone to the States.

Ital

Mary Ann Hogan re-examined—I am a native of England; I left England when I was about two or three years of age, and went to the Colonies; I married in the Colonies; kept public house at Sydney; I have no recollection of ever having seen Whittaker in the Colonies; I left Sydney about two years since; during my residence in the Colonies I never was charged with the commission of crime. On our arrival in San Francisco my husband commenced a general business; we changed this business into that of keeping public house; the first house kept by us was in Sansome street; while living here my husband went to Oregon on business; I became acquainted with Whittaker at my own house in Sansome street, at the time my husband went to Oregon; I became acquainted with Whittaker through Jim Briggs; I also knew T. B. Kay, Edwards, Osman, English Jim alias Stuart, Hughes and Arrentrue; these men were in the habit of frequenting my house in Sansome street; after the fire I moved to Green and Dupont streets; Whittaker went with me there; I received nothing from Whittaker except $20 per week for his board; I never received any presents of any kind from Whittaker, nor from any of the party named as frequenting my house. I knew Gainesborg, the Jew; I knew nothing against him; Whittaker and he traded together; I exchanged watches with Whittaker; I carried a letter from Judge Bowie to Whittaker, at Lambert's; Mr. Hogan lost all his money by buying lands here, and that was the reason why I kept house; Hetherington boarded with me ever since we went to Sansome street; he was a gambler; I recollect a man coming to my house with a dagger drawn, and he went into the room adjoining the bar-room; said he was looking for Whittaker to kill him. I told him Whittaker was not there. Whittaker was at Dr. Lambert's at the time; I went out there with the letter sent to him by Bowie; I did hear of a man being found dead near Edward's house; I never saw the man. Do not that it was the man who came to look for Whittaker with a dagger. I remember Whittaker giving me twenty-one ounces to take care of; I recollect the circumstance of a miner being at my house, and that money was taken from him, as I was informed; Whittaker gave me some money at the time, not so much as he (Whittaker) has stated; I do not think it was $500; I cannot say how much it was; I think Whittaker gave me $300 of the money won from Dan; this was about the time Whittaker went to Dr. Lambert's; the money that Whittaker states he gave me, of the money repaid him by Jim Briggs, was in the twenty-one ounces he gave me, and not a separate amount; I never bought a shawl or diamond ring out of moneys given me by Whittaker; I bought the shawl and diamond ring of a Jew, named Gainesborg. Thebault's girl lived at my house about two months.

(Prisoner Whittaker brought in and confronted with Mrs. Hogan.)

I repaid the moneys back to Whittaker; I held them in trust for him. $350 at one time, $300 at another time. Whittaker said "I gave the money to her to use as she might think proper; when I wanted money, I asked her"—this arose from the manner in which we were living at the time as man and wife.

Ital

Ital

Examination of Mrs. Hogan continued—Mrs Hogan knowing of the associations of Whittaker, and that he was hunted as a dog, advised him to go to work and break off his associations; sent him to the mines twice; know nothing of his stealing, except the case of the miner; I knew his association and confederation with the men I have named; two of the police, Andy McCarty and McIntyre, came to my house and inquired for Whittaker; said they understood Whittaker had won $2000; I answered, not so much, that Whittaker had only won about $300; they said that if Whittaker did not come to the office and give them some money, they would get out a warrant for Whittaker; I have heard all the confession of Whittaker read to me carefully, and I have heard Whittaker make the statements; all that he has said is, so far as my knowledge extends, true; I have heard some of the men state the same; I have reason to believe the statements, so far they go, to be true.

Black Lion

James W. Whiting, states—that Whittaker said if Windred and Berdue should be hung for the Jansen robbery, the town would be burned down; this he stated to Mrs. Windred; he said he knew who committed the attempt to murder and rob Jansen; would not tell; he recommended Mrs. Windred to employ Parburt, a lawyer; Whittaker at that time, the time of Windred and Berdue's affair, was living with Mrs. Hogan, the times I went to Mrs Hogan's house with Mrs. Windred to see about witnesses, which Whittaker said he could obtain to show the innocence of Windred and Berdue, things appeared to be right. I know Berdue, but nothing as to his character.

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UNWILLING TESTIMONY.—We find in the *New York Commercial Advertiser* the subjoined letter from a gentleman who has resided in California for many years, and whom from the initials we suppose to be Mr. Carnes, late a member of the Assembly from Santa Barbara. The *Commercial* has been hitherto exceedingly bitter in its denunciation of the action of the Vigilance Committee; but the letter of Mr. Carnes affords abundant proof of the necessity of that organization :

SANTA BARBARA, July 24, 1851.

This country is in a dreadful state, given up completely to rapine and plunder. You hear every day of murders, robberies, arson and a host of other crimes, perpetrated in the midst of crowded cities as well as on the open plain, in broad day-light and at the dead of night. Nor do the wretches care for secrecy, but in the eyes of the world, with impunity, and with no terrors of punishment to thwart them, commit such crimes as they themselves would shudder at if committed by others.—Who is safe in such a society? To go unarmed in the streets, or in your own house, would be the height of folly. As for myself, I never retire at night without having my arms loaded ready at a moment's warning. Yet tho' my ranch is a long distance from the main swarm of locusts we are a long distance from the main swarm of locusts that infest this land: but from one end of it to the other, you will find the human species ready to pounce upon the weak and defenceless.

Our mail rider from above was made away with some three weeks since, about twenty-five miles from this place; it is supposed he was murdered. At all events nothing has been heard of him, or the mails, or even the animal he was riding.

H. C.

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THE SAN FRANCISCO HERALD

DOUBLE SHEET.—STEAMER EDITION.

FOR CIRCULATION IN THE ATLANTIC STATES, EUROPE & SOUTH AMERICA

SAN FRANCISCO, FRIDAY, AUGUST 1, 1851.

The September Election—The Prospect.

In little more than a month from now will be held the first general election of State, county and municipal officers throughout the State, in which the people will have had an opportunity to vote with any tolerable acquaintance with the characters of those who seek their suffrages. At the last general election—the first after the adoption of the Constitution—none who presented themselves as candidates were sufficiently known to permit the people to form an opinion of their fitness for office, and the election was consequently a species of blind lottery, in which there were unfortunately but few prizes. This evil still prevails to a certain extent; some of the candidates are unknown to the great body of the citizens, and will be voted for or against blindly; but with the majority of those who offer themselves for State offices the people are tolerably acquainted, and the aspirants for local station are sufficiently known.

If a judgment may be formed from the prospect in this city it is probable the offices will be nearly equally divided between the two parties, and that the choice of the electors will be guided in most cases by their judgment of the personal fitness of the candidate more than from party bias. The whigs and democrats in this city are broken up into cliques and sections, and we doubt if any arguments from the leaders will cause them to harmonize. The great bone of contention among the whigs is the Senatorship to be given away by the next Legislature, and there is already a King party and an anti-King party—each seemingly very much embittered against the other. Independent of the personal objects in view, there is a principle involved which must eventuate in the triumph of the anti-King party. They reasonably and loyally contend that California is not always to be a proconsulate—her offices to be filled by the political dependants of the federal authorities at Washington—and that it is eminently improper and indeed an insult and outrage on the people of this State, that the man who is to represent their interests in the Senate of the United States should be invested with the *prestige* of a high federal appointment to aid him in his canvass, and empowered to use the immense patronage of his office as the stepping-stone to his election. The friends of the Collector are, on the other hand, very active in his support. As an instance of the industry with which his cause is advocated we may mention that a talented gentleman connected with the Custom-House is the correspondent of three of the newspapers in the interior, thus to a certain extent giving tone to public opinion in the mining regions. Mr. King is an experienced politician and may, despite his great unpopularity and numerous mistakes in the management of his office, succeed in sending a number of the delegates to the Legislature from this city favorable to his election; but public opinion throughout the State is sound on the subject of home representation, and it is to be hoped he will not this winter come even so near having a majority as he did during the last session.

The democratic party in this city seems to be wholly disorganized and unprepared for a political contest. The truth is, the people have at present an utter distaste for party, and cannot be prevailed upon to become excited on the subject. The organs and leaders feel a consequent depression, and politics are at a discount. It is therefore to be expected that the result of the election in September will be satisfactory to all who wish the welfare of the State without regard to party. There will doubtless be a fair distribution of offices, and there is every reason to hope that in most instances the best men will be chosen.

TWO MEN SHOT AT SONORA.—We received yesterday from a gentleman just down from Sonora, an account of a shooting affray in that town on Sunday night, in which two men lost their lives. The particulars we copy from an evening cotemporary:

"The parties, William Ford and Robert Cardwell, got into a dispute at a gaming table, when Cardwell seized Ford, and, in the scuffle that ensued, the latter bit off the lip of his antagonist, Cardwell. Cardwell then left the house, procured a pistol, returned and shot Ford dead upon the spot. He made off, and was pursued by a policeman, who called upon him to stop, which he refused to do. The officer then fired at him, but missed him, the ball passing on and killing a man by the name of Coffin, from Texas. Mr. Coffin had no hand in the difficulty. Ford was from New York. It is not stated whether Ford had been arrested."

COMPLIMENT TO CAPT. WAKEMAN.—To-day at 11 o'clock, a number of the friends of Capt. Wakeman commander of the steamship Independence, of the Vanderbilt line, are to present to that gentleman as a slight token of their esteem, a beautiful signal flag prepared for the occasion. The flag, which is fourteen feet by five, is of crimeon satin of rare quality, and on it is emblazoned the significant word "VIGILANCE." In the centre is a single star, and underneath the motto "EUREKA."

Capt. Wakeman intends to use this flag as the private signal of the ship, and one more appropriate or beautiful was never hoisted. Few compliments are bestowed with so much cordiality and none more richly merited than this to Capt. Wakeman. That gentleman has earned for himself a very honorable standing and reputation among our citizens, and he has their best wishes for success in the new and responsible position to which he has been called.

The Collector and the Merchants.

We copy from the *Alta California* the following off-hand reply by one of our merchants to the defence set up for the Collector's levying twenty per cent. duty on teas from Hong-Kong:

MESSRS. EDITORS:—The Collector's friend "C." the "gentleman of several years' experience in the China trade," (?) who first stated that there is according to our treaty with China an export duty of four per cent. on goods to the United States, and then proves himself in error by quoting from said treaty the fact that the duty in question is specific, and instead of "four per cent. or any other per cent." varies on various articles, cannot be allowed to screen himself and his friend behind the assertion that "the Treasury Department caused official calculations to be made, by which it was ascertained that 4 per cent. was the average rate of export duty on goods from China to the United States," *unless* he can quote from a Treasury circular, or prove in some other way that he is not mistaken. It is important that "C." should do so, as the punishment of an illegal 20 per cent. duty on tea from Hong Kong seems to have been inflicted on us all, because certain importers remonstrated against the said 4 per cent. being added to their invoices.

"C." illustrates very prettily the "intricate and difficult calculations" of Chinese currency and weights, by stating 2 taels and 5 mace to be $4 25, and 100 catties to be 175 pounds. The cyphering, however, is beaten by the geographical revelation that "Halifax, (N. S.,) St. Johns, (N. B.,) and Havana, (Cuba,) are still nearer to the United States that Hong Kong to China!!!" It is refreshing to be denounced 'as entirely ignorant" by our friend "C." and he may be assured that I am not "wilfully desirous of misleading your readers," by informing them than Hong Kong remains in the same old place, and entirely *within* the Empire of China, as much so as Angel Island is in California, or Staten Island in New York. Any atlas will show that; and if they have not got Mr. R. J. Walker's Treasury circular, defining the intent and meaning of the words of the Revenue bill of 1847, let them refer to any copy of the last tariff, and see for themselves that tea from China or ports east of the Cape of Good Hope is a free article, and, I may add, has been so for nearly twenty years!

It is to be hoped that our Collector, on any future occasion of doubt, will give timely notice of his intentions, and refer to Washington for information, and should remember now, that although human to err, it is divine to forgive; many poor fellows may be ruined from inability to pay his sudden and illegal tax. Let him remember too, that he and his party are liable to be stigmatised for having done, on a small scale, in California, that which cost Charles I. his head and George III. his American Colonies. R.

Until convinced by recent semi-official avowals in the organ of the Custom-House, we did not dream that this onerous impost would be persevered in by the Collector.—The cause assigned—that it was a punishment on those who had previously evaded the addition of the export duty of four per cent. in the valuation of their invoices, was so frivolous, we presumed the decision would be departed from and the position abandoned as soon as the facts should become known to the Collector. We regret to find the exponents of that officer's views assuming the ground that he was justified in his course, and throwing out an intimation that he is determined to persevere in the enforcement of this inequitable decision.

The only resource is in the Secretary of the Treasury, to whom, we understand, our merchants will at once appeal. We also learn that the matter has been made the subject of an official correspondence between one of the foreign consuls resident at this port and the minister of his Government at Washington. But before relief can be obtained by a reversal of the Collector's decisions, what a world of annoyance and loss it will cause to merchants doing business in this city. They are scarcely recovering from the repeated disasters to which they have been subjected, and they can ill bear that a new burden should be imposed upon them at a time like the present.

While the Collector is thus levying a new and unheard-of tax to the great detriment of commerce—for such a vacillation is worse than the most refined despotism regularly pursued—his organs and advocates raise a cry of persecution throughout the State.—There is a determination to break Mr. King down, it is said—to malign and misrepresent him because he does his duty. Why this everlasting ding-dong iteration of the cry of misrepresentation? It is not denied that he does levy this duty of twenty per cent., and that he has but recently begun to enact it. Is the removal of the deposites a misrepresentation? or the seizure of the mails, or the crusade against the mules? A writer in the Sacramento *Union* says the Collector's private character has been assailed. By whom? Certainly not by any journal in this city, and we doubt if there be one capable of doing so. We believe moreover, that his official conduct has been treated with a great deal of indulgence and it is needless to attempt to exact sympathy in his behalf by the cry of persecution.

CORRECTION.—In a paragraph among the city items in yesterday's *Herald*, the reporter stated that "California street Wharf was purchased by John McHenry for $600, and afterwards re-sold on his account to S. A. Morrison for $575." This, we understand, is incorrect. Mr. Morrison held a mechanic's lien on the property and became a purchaser subsequent to the first sale under a judgment sued out by himself. Of course no disparagement of Mr. McHenry was intended by the article.

Post Offices in California.

We are indebted to Mr. Goggin, of the Post Office Department, for the following list of Post Offices in the State:

OFFICES.	COUNTIES.	OFFICES.	COUNTIES.
Antioch,*	Contra Costa	*Nevada*	Nevada
Auburn,	Placer	Nicolaus	Sutter
Benicia,	Solano	Oak Spring	Tuolumne
Bidwell's Bar,	Butte	Park's Bar	Yuba
Big Bar,	Trinity	Placerville,	El Dorado
Chico,	Butte	Quartsburg	Mariposa
Colusi,	Colusi	Rough and Ready	Nevada
Coloma	El Dorado	*San Francisco,*	S. Francisco
Dobbin's Ranch,	Yuba	*Sacramento*	Sacramento
Double Springs,	Calaveras	Salmon Falls,	El Dorado
Downieville,	Yuba	Santa Clara	Santa Clara
Foster's Bar,	Yuba	San Jose	Santa Clara
Fremont	Yolo	*Santa Cruz,*	Santa Cruz
Georgetown	El Dorado	San Juan,	Monterey
Goodyear's Bar,	Yuba	*San Luis Obispo,*	L. Obispo
Hamilton,	Butte	*Santa Barbara,*	Sta. Barbara
Jackson,	Calaveras	*San Diego*	San Diego
Knight's Ferry,	San Joaquin	*Shasta*	Shasta
Lassen's	Butte	*Sonoma,*	Sonoma
Los Angeles,	Los Angeles	*Sonora*	Tuolumne
Loulsville	El Dorado	Staple's Ranch	Calaveras
Mariposa	Mariposa	*Stockton*	San Joaquin
Martinez	Contra Costa	Trinidad	Trinity
Marysville,	Yuba	VALLEJO,†	Solano
Mokelumne Hill	Calaveras	*Vernon*	Sutter
Monterey,	Colusi	Volcano	Calaveras
Moon's Ranch,	Colusi	*Weaverville,*	Trinity
Monterey	Monterey	Wood's Diggins,	Tuolumne
Mormon Island,	Sacramento	Yuba City,	Yuba
Napa,	Napa		

* Removed from Junction. (New York of Pacific.)
† State Capital. Those in *Italic* are County Seats.

FROM THE SAN JOAQUIN DISTRICT.—We are indebted to Todd & Co. for the Stockton papers of yesterday.

A young man named Ruggles was arraigned at Stockton on Sunday, for killing James McCabe at a fandango on Saturday night. Ruggles was discharged, having acted in self-defence.

The news from the mines is cheering. All are reported as doing well.

Political Parties.

It is to be regretted that the politicians give themselves so much trouble as they seem disposed to take about the approaching election. We believe political bias will exert less influence on this election than in any yet held in California, and the result will in all probability be the selection of men not much identified with either party. It is but in a time of universal idleness, or when there is no grave question of general interest to occupy men's minds that they can afford leisure for refining on doctrines about which there is at best but very little difference of opinion. It would take a nice casuist to tell what is really the dividing line between the two parties in this country, and for such casuistry the people have neither leisure nor patience. Both parties think precisely alike on the Tariff question—the whigs are as strong anti-bank men as the democrats and the latter quite as much in favor of a national railroad to the Atlantic as the former. The freedom of the mineral lands is advocated by whigs as well as democrats in California, and on all the remaining questions of national policy each is, as far as we are aware, the echo of the other.

Why, then, this unceasing noisy jargon about party—this incessant boring the public ear about whigs and democrats? Is it not sadly out of place at such a time as the present, when the citizens are making a united effort to shake off the incubus of bad government and to compel the punishment of crime? Is it the wish of the politicians, as ever heretofore, to drown every consideration of the public good in the din of party names, and to draw men off from the prosecution of a great and humane purpose by trying to enlist them by all possible devices in party array against each other? Is there anything in the name of whiggery or democracy which will cure the evils under which we have groaned so long? The organs charge, each upon the opposite party, the origin of these evils, but without a particle of justice. Neither is to blame more than the other, for officials of both parties have betrayed their trust.

We believe party should not enter at all into the coming election, especially in San Francisco:—and we are confident the mass of our citizens will discard everything like party bias in their selections for office. It is not a time to trifle with the dearest interests of the people for the sake of names.

Site of the New Custom House.

It is currently rumored that Messrs. King and Hall, the joint commissioners to choose the site of the new Custom House, have recommended to the Department at Washington, that it be located on or in the immediate vicinity of Broadway. We trust the report may turn out to be incorrect. It is not lightly to be believed that the Commissioners would place the Custom House at a point that must always remain the outer verge of the city and where business can never grow around. Until Telegraph hill can be moved from its foundation and flung into the bay, the city never can progress farther in that direction than it has already advanced. But it cannot stand still. It is already travelling towards the Mission with rapid strides, and when it shall have reached that suburb, as it must within a period not very remote, a merchant will be obliged to travel from one end of the city to the other before he can reach the Custom House. This is not all; the Post Office and United States District Court will doubtless be in the same building, and thus not only the members of the bar in travelling to the courts, but every citizen in getting his letters from the post office, will be put to extreme annoyance and inconvenience.

In the site reported to have been selected, the foundation will in all probability cost one third of the entire expense of the building any at point. If they build on the water they must fill up to the depth of twenty-five or thirty feet. If they build on the land the expense of cutting into the mountain will be enormous. In the central portion of the city, sites could be procured where this expense could have been entirely avoided.

If this report be well founded, we would suggest that the merchants and business men send on by to-morrow's steamer, a remonstrance to Washington against this decision of the Commissioners, and ask that the choice be left to the Chamber of Commerce of this city. We trust that this or some other means will be immediately adopted to prevent the consummation of a project so detrimental to the interests of San Francisco.

Late from Oregon.

The Pacific Mail Steamship Company's steamer Columbia, Capt. Le Roy, arrived in the harbor about 11 o'clock last night, in 77 hours from Astoria.

We learn that the Columbia came in contact with the steamer Sea Gull, also from Oregon, in entering the harbor. We believe no damage was done to either boat.

We are indebted to the purser of the Columbia for an abstract of the log, a list of passengers, and a file of papers; and we are likewise under obligations to Todd & Co.'s and Gregory's Expresses for files of late papers.

The Elizabeth Ellen of New York, is off the bar of the Columbia, and has been trying with a pilot on board to get in for the last six days. She is 208 days out, and many of the crew are sick of the scurvy.

The Golden Age has arrived out, having on board, among other things, the buoys for the bar of the Columbia river.

The Columbia brings $30,000 in treasure to order. Among the passengers is General Lane recently elected delegate to Congress.

On the 17th inst., a young woman named Mary Ann Fisher, was drowned at Portland. She was a native of England and had recently arrived on the schooner Emory, from the Sandwich Islands.

The *Oregonian* of the 19th inst. states that the government troops who have been hunting the Indians, had left for California with thirty prisoners several of them women.

No emigrants had yet arrived across the plains.

The Indian war is completely broken up. The *Spectator* of the 22d inst. says that on the 27th ult. Major Kearny ceased operations against the Rogue River Indians, having spent some twelve days in scouring the Indian country. Many battles or skirmishes were fought and some fifty Indians killed and many wounded, thirty prisoners taken, their villages burned, and provisions (consisting of salmon, roots, berries and grass seed) destroyed.

A letter from Gov. Gaines, lately received by the Superintendent of Indian Affairs, speaks more encouragingly of the aspect of things at Rogue River. It seems he attributes much of the blame in these difficulties to the whites.

The Poisoning Case.

IN THE DISTRICT COURT.—The trial of this case was resumed yesterday by the examination of the following witnesses for the defence.

Thomas Naylor.—Knew Norah Maloney in Sydney; her general character is bad.

John Nelson.—Know Hall; was at his house on Sunday between 2 and 4 o'clock; went out and returned a little after nine; remained there until the body was discovered and carried out the light; had been there about an hour; it was between 11 and 12 o'clock that we saw the body.

The original report of Dr. Burns on the examination was introduced, and also some prescriptions and writings of not the best orthography in the world, which Dr Rogers testified to be unscientific in their character.

John C. Shepherd.—Have known Mrs. Fawcett fifteen or sixteen months; she has had a very bad reputation; I would not believe her under oath.

The testimony for the defence was here closed.

The following witnesses were called by the prosecution, as rebutting testimony.

Mr. Matthewson—Who testified that he had seen the diploma of Dr. Burns, from the College of Glasgow.

Dr. Gibbons—Did not consider the report made by Dr. Burns as much of a literary production, but considered it correct in the conclusions drawn from the facts stated.

Recorder Weller.—From what I have heard of Mr. Thorpe, from members of the Police department, I do not consider him on a par with men in general, with regard to veracity.

Mr. Lindenberger.—The reputation of Thorpe is bad in the Police department.

Marshal Crozier.—The reputation of Thorpe for veracity, among the members of the Police, is bad; I think I heard him say that he had seen Brewer at 1 o'clock that Sunday night, and that he was not then dead; am not certain.

The Court here took a recess until 7 o'clock, P. M.

— Bronson—Have known Norah Maloney by character for six or seven months; her character in respect to truth and veracity is good.

Other witnesses, summoned for the prosecution not being present, the defence called the following witnesses:

Jackson Moses—Have known W. A. Thorpe for four or five years; first knew him in Cincinnati, Ohio; his reputation for truth and veracity is good; never heard it questioned before to-day.

Col. J. B. Weller—Have known W. A. Thorpe for fifteen years; have never heard his character for truth and veracity questioned; never heard the subject discussed, would not hesitate to believe him under oath.

Dr. Rogers—Have known Thorpe for about fifteen months; never heard his character for veracity brought into question, before this afternoon in court.

Capt. McKenzie—Has known Thorpe for six months; never heard his character for veracity questioned.

Defendant's counsel wished to introduce other witnesses on this point, but the Court refused to hear more than four, the limited number of witnesses in this respect.

J. R. Matthews—Have known Norah Maloney for about 15 months; I never heard her character for veracity questioned, and would believe her as soon as any other woman in the State, of her class; I think I would believe her under oath.

The evidence was here closed, at about 9 o'clock, and after considerable discussion as to the order in which the counsel should address the jury, the Court ruled that the District Attorney should open the argument, by stating the points on which he relied. The latter replied that he would then make his whole argument at once, and proceeded so to do, and at 12 o'clock, before he had concluded, the Court adjourned until this morning.

IN THE DISTRICT COURT.—At the opening of Court yesterday, Mr. Platt resumed his argument and concluded at 12 o'clock, having spoken, altogether, about five hours.

Mr. Brodie for the defence, replied in an argument of about three hours length, at the conclusion of which the Court took a recess until 9 o'clock, P. M.

The Court being re-assembled, pursuant to adjournment, Col. James concluded the argument for the defence, closing at half past ten o'clock. The jury were, at their request, allowed a recess of fifteen minutes. Upon their return, the Court charged them at considerable length, recapitulating the substance of the testimony, and instructing them upon the point of the credibility of the female witnesses, that if for the want of chastity, their character had been proved to be generally bad, so bad as to have lost all sense of moral obligations, then their testimony was not entitled to credence. The jury retired at half past 11 o'clock.

Commerce of the Port of San Francisco.

INTERESTING STATISTICS.

American and Foreign Emigrants arrived at San Francisco in May and June, 1851, by sea:

	May.	June.	Total.
Males	1,928	2,528	4,456
Females	227	322	549
Under twenty-one years	110	201	311
Total	2,265	3,051	5,316

Value of Foreign Merchandise bonded for the quarter ending June 30th, 1851:

Amount bonded	$909,494 00
Amount withdrawn for consumption	603,818
For exportation	349,241
	853,059 00
Excess warehoused over amount withdrawn	$56,435 00

Abstract of duties collected for the quarter ending June 30th, 1851:

For the month of April	$210,856 35
For the month of May	201,390 21
For the month of June	208,046 50
Total	$620,293 06

Synopsis of arrivals at San Francisco during May and June, 1851, with the tonnage of vessels:

FOREIGN VESSELS FROM FOREIGN PORTS.

MAY.				JUNE.			
Class.	*No.*	*Tons.*	*Total.*	*Class.*	*No.*	*Tons.*	*Total.*
Steamers				Steamers	1	260	
Ships	11	5,519		Ships	8	3,716	
Barks	16	5,695		Barks	15	4,993	
Brigs	13	2,602		Brigs	6	724	
Schooners	4	528		Schooners	4	392	
Total	44	14,144	14,144	Total	34	10,085	10,085

AMERICAN VESSELS FROM FOREIGN PORTS.

Steamers	3	2,368		Steamers	6	4,441	
Ships	4	1,924		Ships	4	1,548	
Barks	3	739		Barks	4	921	
Brigs	5	768		Brigs	9	1,605	
Schooners	9	1,075		Schooners	10	1,067	
Total	24	6,888	6,888	Total	33	9,582	9,582

COASTWISE VESSELS.

Steamers	4	1,501		Steamers	12	5,390	
Ships	4	4,606		Ships	20	11,462	
Barks	15	2,939		Barks	5	850	
Brigs	10	2,570		Brigs	7	2,545	
Schooners	8	1,013		Schooners	13	1,174	
Total	41	13,010	13,019	Total	57	21,421	21,421
Tonnage			34,051	Tonnage			41,088

RECAPITULATION.

	Vessels.	*Tons.*
May	109	34,051
June	124	41,088
Total	233	75,139

ARRIVAL OF THE FREMONT.—The propeller Fremont, Lieut. McLane, commander, arrived in the harbor last evening, in twenty-seven days from Panama. The Fremont passed the steamer Pacific off Cape St. Lucas, five days hence. Her list of passengers will be found in another column.

ARRIVAL OF THE ARCHITECT.—The clipper ship Architect, Capt. Mayo, arrived in the harbor yesterday, in 129 days from New York, though only 116 days running time. In lat. 45 40 S., 82 40 W. the Architect experienced a very heavy gale for twelve hours, causing her to run under bare poles the distance of 200 miles. During the gale a ship, apparently a clipper, was observed lying on her beam ends.

THE CITY.

Wednesday, July 30.

BURNING OF A SHIP IN THE HARBOR.—Yesterday morning smoke was seen issuing from the ship Leonora, lying off Clark's Point, and soon after the flames burst out fiercely, threatening not only the conflagration of the ship, but destruction to the many vessels lying in the vicinity. Lieut. Tennyson, of the Revenue Cutter Polk, happened to be near with his boats' crew, immediately got on board, and finding the captain absent, took command, and promptly issued his orders to extinguish the flames and remove the vessel out into the open bay from its dangerous proximity to the other shipping. His boat was made fast to the ship and towed her out without doing any damage to the other vessels. We understand that she had coal on board, which probably took fire from spontaneous combustion, many instances of which have before occurred.

DUANE'S CASE.—The motion of Mr. Benham for a new trial in this case, on the ground of the verdict being contrary to the evidence, will be argued this morning before the Court of Sessions.

LITIGATION OF THE CITY.—The City Attorney in his report to the Council on Monday night stated that there were fifty-seven suits, involving mediately or immediately, an immense amount of property, in which the city was a party, and that it was impossible for one man to attend to them all, more especially when cases sometimes came on simultaneously in three or four Courts holding their sessions in this city. He asked to be allowed assistant counsel in the management of the business of his office.

HALL'S CASE.—The evidence in this most protracted trial which has occupied the court for nearly a week, was concluded last night about half-past nine o'clock, at which time the District Attorney commenced his address to the Jury. About eighty witnesses have been examined and cross-examined and re-examined during its progress. If the Jury acquit the accused in this case it is probable that the District Attorney will enter a *nolle prosequi* in the case of Spiers accused of being his associate in the poisoning of Brewer, as the evidence for and against them both is almost exactly the same. The trial of Gallagher for the murder of Pollock, is the next on the calendar.

THE ADELPHI THEATRE.—This spacious edifice on Dupont street, which has been built expressly for the representation of the French Drama by the Vandeville Company is now nearly completed. It has been fitted up with the taste and elegance characteristic of the French nation, and with such graceful and accomplished *artistes* as Mademoiselles Racine, Adelbert and Courtot at the head of the company, cannot fail to maintain the popularity acquired in the old Theatre in Clay street. Our large French population and the thousands of our own people understanding the French language, will afford an ample support to a theatre of this kind, where the light drama is presented in the lively and amusing style that characterises the Vaudeville company. The Adelphi is a large three story building, constructed under the direction of the authorities in a secure manner and with a special view of sustaining the largest audience that may be expected to be present. The divisions into boxes, parquette, galleries, etc., are made with a view to comfort, and are so contrived that a good view of the stage may be obtained from all parts of the building. The theatre will be opened for the first performance on the evening of the 1st of August.

FUNERAL OF MR. SPIERS.—The body of the unfortunate man Spiers, who was killed by the mad bull on Sunday, was followed to the grave yesterday by a large procession of his fellow boatmen. A fine band headed the long line, playing the solemn marches appropriate to the occasion. The body was borne in a coffin covered with a black pall, by six of his friends, while the boatmen, dressed in their neat costume, followed reverently arm-in-arm to the last resting place of the dead. As they marched through the streets, they locked their arms over each other's shoulders in token of brotherhood, and passed mournfully through the city. Such reverent care of the dead springs from the best feelings in the human heart.

Thursday, July 31.

STEAMSHIP INDEPENDENCE.—A pleasant and sociable party of gentlemen by invitation of Capt. Wakeman, sat down to a collation yesterday, on board the new steamer Independence, lying along side Central wharf. An hour was agreeably spent over the choice viands and sparkling wines prepared on the occasion, and a number of toasts were given and appropriately responded to.

On examining the build of the Independence, it will be found that she is admirably adapted for speed. Her outwater is almost as sharp as a knife blade, and her gracefully tapering bow looks as if it could almost tunnel a mountain wave at a bound.

Her interior arrangements are all with an eye to the comfort of her passengers. The state rooms, and indeed the whole boat, are well ventilated, a matter of paramount importance in the hot climates through which she must pass. She is 238 feet keel and 250 feet over all, breadth of beam 30 feet, depth of hold 12 feet. Her engine is of 250 horse power and of the most approved model. Her burden is 800 tons custom house measurement. Capt. Wakeman expects to make the trip down to San Juan del Sud in as good time as the Pacific, which boat was met off Cape St. Lucas, five days out, giving promise of making the whole distance from port to port in eleven or twelve days. It requires one day and a half to cross the Isthmus of Nicaragua, and about seven and a half days to run from San Juan on the Caribbean to New York, thus bringing the whole time consumed in the trip from San Francisco to New York, within twenty-one days. This still leaves a margin of four days short of the time promised, for detentions, &c.

Every cabin ticket in the Independence was taken by 10 o'clock last Monday morning. She has her full complement of passengers and very properly refuses to take any more. She leaves this afternoon from Long wharf, at 3 o'clock.

A MAN KILLED BY THE CARS.—Railroad accidents are becoming too common in our city. We had occasion but a few days ago to mention a dreadful accident produced by the cars running over a man and maiming him for life, and it is again our melancholy task to record another more horrible, arising from the same cause and resulting in the death of an unfortunate man named Mellison. The train of cars was as usual descending Market street, the deceased observing them attempted to avoid them by stepping one side, but unfortunately miscalculated the distance, as the arm of the car projecting about half a foot from the side struck him as it passed, on the right side of the head, and killed him instantly. He is described as being about five feet nine inches in height, apparently near forty years of age and lightly made. He was picked up some distance above the head of Battery street, and life was found to be extinct. On his person was found a pocket-book containing the miniature of a female, several letters of introduction, and some cards on which were printed "S. Mellison, Wine and Spirit Merchant, King's Arms, 44 Blackmar street, Borough, nearly opposite the police office."

Justice Shepheard held an inquest on the body in the afternoon, at which the Jury returned the verdict that the deceased came to his death by being struck by the railroad cars.

THE COURTS.—For the last week great interest has been manifested by the community in the important criminal trials going on before the District Court and Court of Sessions. The Court Rooms have been crowded from morning until night. The counsel and jury in Hall's case must be pretty nearly worn out. The jurors have been sitting in the box for six days from 9 o'clock in the morning up to 11 at midnight, listening patiently to the testimony and the incessant sparring of the counsel, that thoroughly tires out a spectator in an hour.—Testimony of every kind has been brought forward, direct and indirect, irrelevant and cumulative, corrobora-

tive and rebutting—witnesses have been called and called again, until the Sheriff's officers must be about ripe for rebellion against Mr. Platt and Col. James, and to complete all, the counsel have been speaking even on, with only intermissions long enough to eat and sleep, ever since Tuesday night at 9 o'clock, at which hour Mr. District Attorney Platt commenced his address to the Jury, winding up about noon yesterday. [illegible] die followed for three hours, and Col. James [illegible] floor to a late hour last night.

In the Court of Sessions the arguments of J. McHenry Esq., and Calhoun Benham, Esq., in favor of a new trial in Duane's case, and of Mr. Byrne, County Attorney, in reply, consumed the whole day. The court adjourned without giving a decision. It will be declared to-day.

A NEW MOVE.—We saw a hearse yesterday, with all the recognised emblems of woe, quietly occupying a position in line with the hacks and vehicles usually standing on the east side of the Plaza. The driver was sitting on the box, listlessly smoking a cigar and appeared to be waiting like the rest of his fellows for a job. We [illegible] ed him for some time—he was evidently [illegible] haps an opposition recently started. We moment to see him throw up his whip Sir?" but when we left he had receive services, but sat patiently biding his time.

A MONSTER.—In passing down Central [illegible] day, we observed a most singular sign took to be the representation of an elep en or so of legs, after the manner of the pigs with two bodies, half a dozen heads many tails. On close examination, however ed to be the head of a flea as magnified by roscope, exhibitions with which were to Persons with weak nerves should by looking at the magnified proportions perating little monster, with its horrible apparatus, resembling the proboscis of irritating attacks are bad enough wit idea before your mind that a miniature you.

Further of the Destruction

The following in a [illegible] destruction [illegible] town by the Manila;

The S[illegible] throu[illegible] of ject. T[illegible] pirates a[illegible] Samboanga the effect of strong current the corvettes. Villa do F grounded on a coral reef island of Pangasinan, when menced making twenty feet Both vessels were ex[illegible] expedition sighted been made to offi A general order having b the plan of attack, the di commenced early on F forts and houses are des tives eager to begin th were so impetuous as to troops; two of them threw himself upon a a lance. The first dra ed the imaginations of ant fell amid a shower o the troops marched on re enemy; their advance in standing the harrowing tonished the Sooloos.

In the meantime the war opened a brisk and tresses, doing much exec chored on the right, and grenades in such parts of of natives were seen. The was mainly attributable to the engineer officers seating them from whence they took the angles and gave instructions for the eleva with a degree of accuracy and prec wise attainable. The fire directed ed about midday; this division w sonal command of the Governor made an assault on Fort Daniel, rega Sooloos as the strongest in the place. right, the firing was kept up until half-past In advancing to the assault of Fort Daniel, troops bared their breasts and pressed on. The fire from the forts is said to have been incessant and tremendous, and the resistance offered extremely desperate; every inch of ground was disputed amidst cries of "Viva la Riena" on the one hand, and the war yell on the other. All their hope of security lay in Fort Daniel; here the fight was maintained, the slaughter fearful, each in succession possessing themselves of the place; but eventually the Sooloos were expelled.

The Spanish flag was hoisted on the fortress by Father Pascual Ibanez, a priest of the order of Recoletos, who paid for his daring by being slain. The assailants on the right had little to overcome the Sultan's and other forts in that direction having been abandoned. The Sultan, in escaping with his fort, accompanied by his Datoos and a force of Sooloos, encountered the right which appears to have been panic struck. At all events, the officers were, and two colonels were immediately after battle placed in arrest, and will be tried by a court-martial for cowardice. Had these officers acted with decision, the Sultan must have been either slain or made captive, and his escape naturally vexed the intrepid Governor-General. The left division suffered a loss of 33 killed and 84 wounded, while the loss of the other division was a single man.

The defenders of Fort Daniel fought to the last—every one of them perished. The whole of the forts and part of the town were destroyed on the same night; the captured artillery, consisting of 130 pieces of ordinance and a quantity of ammunition, were embarked. The number of the defenders slain could not be ascertained, but must have been considerable. The expedition then sailed for Sambonugan, leaving the Spanish flag floating over the ruins of the deserted city of Sooloo. Owing to the advanced period of the monsoon, and the difficulties of following the Sultan into the jungle fastnesses, the Governor general did not carry out his promised extermination, but he will probably return to the work when the time is more favorable."

STEAMER OREGON.—The mail steamer Oregon leaves on Friday, the 1st of August, at 7 o'clock P. M., for Panama. She is commanded by Capt. R. H. Pearson, who has been in charge of one of the Mail Steamship Company's boats ever since its origin. The Oregon it is known is one of the most comfortable and rapid steamers on the Pacific, which with the experience and courtesy of her officers, has justly secured for her the confidence of the travelling community. She has been, since last arrival in port, elegantly painted and [illegible] throughout, and now looks as new some as a new boat. Her staterooms and scrupulously clean. The [illegible] dress of mahogany, white [illegible] rich and luxurious furni[illegible] pearance of a drawing

HERALD.

..., 1851.

...Di-

...angements pro-
...t of War at Wash-
...the disposition of the
... Pacific, have been pain-
...fied by the recent insurrection
... Rogue River Indians, and the melan-
... death of Capt. Stuart of the Army, a
... and deserving officer, who performed
...erious services in the Mexican war, and
...haved handsomely in six several engage-
...ents. His last words were a regret that es-
...aping that death he had so often braved in
generous strife with the enemies of his country
on fields made memorable by the death of
heroic gentlemen, his brothers in arms, he
...ould fall in a fortuitous skirmish by the
hands of an Indian savage. The friends of
this gentleman and of the many who have
within the past month fallen victims to the
treacherous fury of the Indians in Oregon,
have just cause to complain of the criminal
carelessness and great lack of foresight dis-
played by the Department in ordering the
withdrawal of the Mounted Rifles at a time
...hen the services of that corps were so ne-
...essary to the safety of the people, and so
...ir very presence in preserving
...ng the savages.

... period immediately preceding
...wal of the troops, Oregon had
... been, since its first settlement,
... from Indian hostilities. The
...Rifles were deemed to be peculiarly
... for the peculiar service required in
... Indian depredations, and there
... of the domain of the United
...needed their presence so much
...pt perhaps New Mexico, and
...territory ample provision could
...de by mounting the 3d In-
...d there, and employing them
...rvice. It appears that imme-
...re of the Rifles from
...and other
...heir de-
...valua-
...
...perate
...compelled the defend-
...s, after expending
...take to the woods.—
...Indians have as-
...ties, butchering
...such an extent
... murders that Gov.
...ve both been obliged
...inst them. All
... to the very inex-
... Department in
...n Oregon.
...ill more inexcusa-
...t the moment the
... disbanding of the
...ians were up in arms
...pe end of the State
... the indefatigable
...ioners, most of the
... induced to agree to
...—for as such only
...he Digger Indians be
... can tell how long this
... and should the insurrec-
...sh, Gen. Hitchcock will
...less to suppress it, for his
... force for active operations
... three hundred men. No offi-
... placed in such a position, and
...e hoped the Department at Wash-
... will reconsider its action in regard to
...nia and Oregon, and send out such a
...e as will prove in some degree effective.
...In addition to the suppression of Indian
...rrections in the settlements, there is an-
... military duty which cannot be ne-
...d without the sacrifice of many lives.
... the northern and southern emigrant
...s swarm with bold and treacherous
...gs, whose passion it is to murder and
...when they can do so with impunity. The
...ion of last year was terribly harrass-
... this merciless foe, and without some
... the same result may be antici-
... season. What can the officers of
...ion accomplish with three hundred
... and with the limited means at their
...and?

...ppression of Crime.

OUR WANTS AND THEIR REMEDIES.

First—An honest, vigilant and well paid police to detect crime and arrest criminals.

REMEDY—With the Marshal and the Councils.

Second—A commodious and thief-proof prison, to keep offenders when caught.

REMEDY—With the citizens generally: the activity of the Vigilance Committee will soon supply this want.

Third—That evidence taken before an examining magistrate, where the witnesses have been confronted with the prisoner and an opportunity for cross-examination allowed, shall be evidence on the trial of the prisoner where the witness is ab-

...DY—With our Legislators.

...d—Speedy trials.

...—With our Judges.

...An upright, dignified, inflexible and en-
...diciary.

...—With the People.

...A Prosecuting Attorney of untiring in-
... and commanding talents.

...DY—Primarily with the District Judge, ul-
... with the People.

...—A stringent criminal code.

...ave.

...Honest and intelligent Juries.

...he summoning officers.

...ution of sentence.

..., the Sheriff, the Ex-
... these reforms.

...mittee, the People

The Police.

We copy from our evening cotemporary the following card:

MESSRS. EDITORS:—In the "confessions" of the man Stuart, hanged by the Vigilance Committee, we see two of the blanks left in the previous publication filled now by our names. We pronounce the charges preferred against us *absolutely false*, and challenge any *living* man to prove them in the slightest particular. The man Stuart is dead, and unless the charges he made against us can be substantiated by living witnesses, it would certainly be very unjust for us to suffer in the estimation of our friends or the community. We appeal to the justice and good sense of the public to set us right in this matter.

A. J. McCARTY.
ROBT. C. McINTYRE.

We have heard that there exists on the part of the two gentlemen whose signatures are attached to the above card, some degree of irritation against the Committee for the publication of their names. In this we think they err, as that publication will afford them an opportunity of meeting a charge which has been for more than a week past known to the public to have been made. The Committee could not have prevented Stuart implicating Messrs. McCarty and McIntyre in his revelations, and, once implicated, the best service the Committee could have done them was to give them a public opportunity to purge themselves of the matters alleged against them. There has not been we are very sure the slightest idea of treating them with harshness or injustice, and none will be more cordially gratified than the members of the Committee when those two gentlemen shall have demonstrated their innocence of the wrong imputed to them. They urge with reason that no honest man who has stood fair with the community should be condemned on the mere averment of such a wretch as Stuart: nevertheless it may be expected of them to fortify their position with some more forcible proof of the groundlessness of the charge.

The truth is that from the total impunity of crime—the frequent escape of criminals—the painful inefficiency of the police, and the more than suspected worthlessness of several members of that body, the people have begun to look with distrust on the whole force. That there were among them, nevertheless, men of the strictest probity, of unimpeachable character, and even of commanding talents in their profession, is most true. Amid the mass of evidence taken before the Committee, is one fact narrated by one of the desperadoes, how on a certain night, for the better prosecution of his villany, wishing to confer with an associate in the station house—a privilege sometimes granted him—he approached the officer on guard and asked the favor. A peremptory refusal was the response. Drawing from his pocket a handful of gold, he offered it to the officer for half an hour's conversation with his confederate, and instead of taking the bribe, the officer indignantly drove him from the prison. As a contrast to the mass of venality that has been practised, it is gratifying to be able to record an instance of such stern incorruptibility.—But there is no denying that crime was absolutely fostered in this city through the inefficiency of the police. The number of arrests of the most notorious desperadoes made by the Vigilance Committee, prove that the police have not hitherto done their duty. The latter had the same means of detecting crime and arresting criminals, and they failed to employ them. That they permitted such men as Stuart, Jenkins, Burns, and others of that character to go so long at large, must be set down to the account of either inefficiency or connivance. It is for this reason that the confession of Stuart, implicating members of the body, may carry with it more weight than coming from such a source it is intrinsically worth.

It is but just to say that no man in the police department has hitherto stood fairer with the community than Mr. McCarty.

[Since writing the above, we have been informed by Mr. McCarty that he is anxious an investigation should take place before the Committee, and is fully prepared to vindicate himself from the aspersions thrown upon his character by Stuart.]

Stuart's Confession—The Sheriff of Monterey.

Believing the statement made in Stuart's Confession, against the Sheriff of Monterey, (Mr. Roach) as follows: "The Sheriff of Monterey received $700 and a gold watch for packing the jury, and other services"—to be without a shadow of foundation in truth, I respectfully request the public to suspend their judgment upon this matter until the Sheriff can give his own denial of the alleged transaction. I was in Monterey at the trial referred to, and saw that the Grand Juries were fairly drawn by ballot. The first twenty-three names were sworn as Grand Jurors and the succeeding twelve as Trial Jurors. Both parties challenged. The Grand Jury indicted three of the prisoners, and the one selected for prosecution, was considered as "not guilty" by nine out of the twelve jurors. Public opinion was much divided as to the guilt of the accused, and this was cause enough for producing a disagreement of the Jury

A word now upon the character of the worthy Sheriff of Monterey. Mr. Wm. Roach came to California as a sergeant in Stevenson's regiment, and bore a high character for courage and integrity. I have these qualities attributed to him by Col. Stevenson, by my brother Lieut. Thomas J. Roach and by other officers of that Regiment. Had the sheriff been disposed to violate his duties, the prisoners could have been allowed to break jail and their escape would not have excited suspicion—a course far easier than packing the panel from which the Grand and Trial Juries were drawn. In Monterey no man enjoys a higher character for honesty than Wm. Roach. I deem it proper to state that my remarks on this subject are not prompted by ties of relationship. The Sheriff of Monterey is in no degree, near or remote, connected with me. I make this statement that similarity of name and residence may not mislead the public as to my motives. I ask the citizens of San Francisco to suspend their opinions upon this matter for a few days, and not to believe a felon's accusation against an honest man until some better proof be obtained.

PHILIP A. ROACH, of Monterey.

MR. DENNIS MCCARTY.—It is needless to say that the Dennis McCarthy mentioned in Stuart's confession is not our late worthy and excellent Street Commissioner of that name. There is no relationship between them either in character or blood. Mr. McCarthy of this city left here three weeks ago on a visit to the Atlantic States, carrying with him the respect and esteem of his fellow-citizens.

THE SUPPOSED MASSACRE AT PORT ORFORD.—We rejoice in being able to state from private information that news reached Oregon City before the departure of the Columbia, of the safety of all the men left to found the settlement at Port Orford. and who were supposed to have been massacred by the Indians. Driven for safety to the timber, hey penetrated into the recesses of the woods until at length they crossed the mountains and found themselves at the white settlements. Two of the party were wounded.

We have heard from another source that three of the Rogue River Indians were shot in Trinidad lately. Their intention was to burn the town, but being captured they suffered death.

THE NEVADA JOURNAL.—Messrs. H. A. DeCourcey and W. G. Alban have become joint proprietors of the *Nevada Journal*, with Mr. Ewer, Already one of the ablest newspapers in the State it will be much improved doubtless by this accession of editorial strength.

The Suppressed Portions of Stuart's Confession.

SAN FRANCISCO, July 17th, 1851.

EDITOR HERALD:—The Committee of Vigilance have directed the Executive Committee to request you to republish the evidence and confession of Stephens, alias Stuart, disclosing all the suppressed matter and names which had been kept back on first publication.

By order of the President.

[We take up the narrative of Stuart at the point where he had been remanded to the prison brig after the sheriff of Yuba had been frustrated in taking him off to Marysville in consequence of the informality of the warrant. The portion hitherto suppressed is in italics.]

The same night I made my escape from the brig: I walked that day to Dry Creek—half way to Stockton. Next day got into Stockton, disguised myself and came to San Francisco on a steamer—somewhere in the middle of December; then went and stopped in Edward's house in Sydney Valley.

Never went out of the house during the day. During the night went to Port Philip House, kept by McCormick and Whittaker—(Edwards did not know of my escape.) Jansen, at that time lived next door, to Whittaker's. Whittaker had got information of there being $8000 or $9000 in a safe in a butcher's shop in Broadway; myself, J. Edwards, Whittaker and Geo. Adams, went, took the window out, got the safe into the street, and could get it no further. The next was Minturn's, there were a great many in the mess. We got this information from *Belcher Kay*. Had gone several times during the three days previous, to inquire about the money—he was acquainted there. Myself, Edwards, Edward McCormick, (Teddy,) Whittaker, Geo. Adams, *Belcher Kay*, Bob McKenzie—we took a boat with us, fall and tackle, made sheers to take with us, put a feather bed in the boat, augers, saws, etc., to cut away with, and all went pretty well armed. We managed to get inside three or four of us, and moved the safe somewhat, made a few auger holes in the floor, and intended cutting the floor away—some one came to the door—a false alarm—we had to run—McKensie spoilt it by not knowing his instructions. We should not have stirred for one man or two, with so big a haul. McKensie gave wrong signals, and we jumped into the water and swam away. *Belcher Kay* outside. The next thing was a jeweller's shop *Belcher Kay* had examined—he allowed that there was $20,000 or $30,000 in diamonds, etc. We went to look at it at night—myself and Edwards; gave my opinion that we could not do it; too much risk; some four or five people in shop below; gave it up as a bad job. The next thing *Belcher Kay* got for us was Macondray's store; he had been watching it for a month; he told us there were three safes, and a vault with lots of money; as much as we could take away in a boat; come up to the night to do it, and some backed out, considering there were some eleven men in the building, gave it up. The night after, Whittaker informed us of Jansen's place; said that when Jansen moved he had a bag which he supposed contained ten or fifteen thousand dollars; we agreed to go and get it. Myself, Jim Briggs, (from Monterey,) J. M. Morgan, S. Whittaker, Edw. McCormick, (Teddy,) Billily Kewes, *Belcher Kay*, Edwards—all of us had been together for ten days, except Briggs and Morgan, who had just come up from Monterey. Briggs and Morgan were at Macondray's; had a falling out with McKensie, and he had to go.

Morgan went into Jansen's store first, the rest stopped in the road; Whittaker and myself stood at the window during this time. I thought he was too long and would get no money, so I went in to help him; I got half way up the shop behind the counter; heard Jansen ask Morgan, what he wanted there; Morgan told him that he wanted to look at some blankets; he turns round and sees me behind the counter; also told him I wanted blankets. He stepped about two yards to show me some blankets, (we had cloaks on for a disguise.) I hit him on the head with a slung shot and knocked him down; I then left Morgan to take charge of him, whilst I looked after the money; I only hit him once; opened the desk and took out a shot bag containing money.

We then carried the money home to Sydney Valley; I carried the money; I counted the money; there was $1668 in gold coin; we divided it in eight parts, making $196 each. We then came down town again; went into Mrs. Hogan's; stopped there two or three hours and then went home again. Mrs. Hogan lived on Sansome street. Next day there was quite a fuss about town; we did not commit more robberies while the men arrested for striking Jansen were under trial, as we did not wish them hung as they were innocent. We would have shot fifty men rather than they should have been hung. We agreed that if the above men were hung, which we expected they would be on Sunday night, to burn down the town.

A few nights after, we agreed to rob a bank kept by Beebee Ludlow & Co., on Montgomery street. In this we were to be assisted by *Bob McIntyre* and *Andy McCarty*. *They told us whenever we were ready they would take the watch off that beat. These police officers used to know all we were about those times.* We tried two nights; opened the outside door by false keys. Watched it two days and concluded there was not money enough to attempt the robbery, as we observed the porter of the bank come each morning from Argenti's with bags of money deposited the evening previous.

The next night went to the bank next to El Dorado in Washington street. Morris Morgan helped build the money vault and gave us the information. Went down El Dorado steps, opened the door with false keys, entered and found two beds; discovered there were too many people sleeping about there; considered it too dangerous and gave it up. *Belcher Kay* was an accomplice with us; there was eight in the gang; *Kay* generally an outsider did the watching.

Next night stole a small safe out of Emerson & Dunbar's auction store, Sunday night; there was but twenty-four dollars in this safe. Adams stepped out at the time of Minturn's robbery.

Next night stole a safe from Gladwin & Whitmore; took it up on the sand-hills; were discovered before we had broken it open. I brought the safe down stairs.—Morris Morgan and James Briggs were arrested by the police in this scrape. Here we lost all our tools, which were worth $500 to us. Then went to Mrs Hogan's house. Bill Hews went home that night. Not liking to see men go to the watch-house, I wanted the rest to come and take them from the watch-house by force, but they refused; they thought by employing Mr. Parburt and other lawyers they would be cleared. Next day Morgan was acquitted and Briggs committed to jail.

Next day I went to Gold Bluff in schooner B. L. Allen; had twenty-seven days passage to Trinidad Bay. I there saw Bob McKenzie; also saw Dabb, the horse-thief, with Jem Pete; they came from Oregon; they said that five horse-thieves had taken about sixty horses from Sacramento City to Oregon and there sold them. I found Trinidad to be a bad place for them. I played cards with Dabb and won all his money, about three hundred dollars. I then came back in the B. L. Allen and paid the passage of Dabb and Pete also to San Francisco. Arrived in San Francisco on a Sunday; Dabb threatened to inform on me if I didn't give him some money, so I gave him $50.

I went to James Kitchen's house and sent him on board the schooner for my bed and blankets. The same day Dabb and a policeman stopped me in the street; the policeman wanted me to go to the Recorder's with him. I drew my pistol to shoot him and he stood off. There were many people about, and I gave him (the policeman) one hundred dollars to quiet him. I then went to Kitchen's and stopped that night. I went and saw Mrs. Hogan; she told me that there was a warrant out for Whittaker and Long Charley for robbing a man in her house of fifteen hundred dollars; she advised me to leave the town; said the police were searching her house; said she had secreted Whittaker at the Mission.

Next morning I hired a horse at a stable and rode to Monterey. At this time I had just taken the name of Carlisle, previously was called Campbell. The day I arrived at Monterey the men were about to be tried for robbing the Monterey Custom House. My things were left at Kitchen's and have been there ever since. I went to Monterey purposely to attend the trial. Went to the watch-house and saw the prisoners. The second night my horse was stolen from me. Dick Osman was first put on trial. Parburt was down from San Francisco to defend him, and I appeared as a witness in his favor. Whittaker was also at Monterey. Kitchen arrived at Monterey in the steamer. Briggs was then in custody. We all knew the parties were guilty. Although they took thirteen thousand dollars down from San Francisco, all that was robbed was eight thousand dollars, though Randall said he had lost thirty thousand dollars. The fact is that Parburt, McDonald and Judge Merritt were counsel for prisoners, and Col Weller, Butts and Wallace for prosecution—there was a great deal of swearing falsely and bribery. *The Sheriff of Monterey received $700 and a gold watch for packing the jury and other services; and Morrison, a juryman, received $100 from the prisoners, which was paid after the trial. Dennis McCarthy was constable. He received $100 for false swearing from prisoners. He first swore for prosecution and swore back in favor of prisoners. The judge knew nothing about it. Jim Carson, a juryman, held out for guilty. He was bribed by the prosecution.* All the money was taken from the prisoners; the court charges, amounting to one thousand dollars, was first taken out, and the balance of thirteen thousand dollars, say twelve thousand dollars, was equally divided between the prisoners and prosecuting counsel. The prisoners then paid their own lawyers. Randall got one-half and the prisoners the other half of the twelve thousand dollars. Morgan, Tom Quick and Ryan were in jail, but Osman was tried and consented to the division. Parburt told me to let the prisoners out of jail, and I broke the door down and let them out.

I then started on foot from Monterey for the Southern mines; reached San Jose. In San Jose, stole a horse, saddle and bridle, but was captured near San Joaquin; got into a row with eleven Mexicans, who took my gun from me, stating I had stolen their horse; they took me back to Livermore's Pass; I gave them my watch and chain to release me, and went on foot to Sonora; from there went to Sullivan's and worked about a week; did not like mining; then went to Mariposa; there worked about about five weeks; met there two Americans who knew me; did not think myself safe, and left for San Francisco on foot.

Arrived here last Tuesday night; saw Kitchen in the El Dorado; went to his house where he used to live; then went to ——— and slept that night. Wednesday morning, arose and went to the Mission to see an acquaintance who lives at the bakery at the Mission; this same acquaintance previously wished me to rob a Spaniard's house at the Mission.

I went to see about robbing a Spaniard at the Mission. The acquaintance at the Mission is short and had on a black hat. [It is known to our committee who this friend is.]

I went into the Mansion House and looked at the safe and told him I would see him again about it. I took the hills on the way back from the Mission to avoid being seen, and was arrested on the sandhills doing nothing. I was on the way to North Beach.

I'm coming from San Jose to San Francisco last January or February, I came in the steamer New Star, with one Smith, who was afterwards shot in Sacramento City robbing a house. We went from San Francisco to San Jose on purpose to rob the churches of the silver and gold images. We were told there was a gold image weighing ten pounds, but we could not find it.

Got stuck on a mud flat on the passage. In the morning all hands were called in the cabin and told that a passenger had been robbed of $1000 in gold dust; they took my gold dust and that of another man's, a passenger; but I did not rob him, and know nothing about it.

On arrival here I advised robbing the New Star. I met Teddy McCormack and John Edwards, and went down to the steamboat. I went on board, opened the window and robbed the desk of about $250.

Cross-examination.—Knew Jenkins; knew Windred; thinks he is gone out of the country; know Adams; does not know where he is now; know Nelson and Wilson, horse-thieves in Sacramento City, when I landed from the J. Kaskie, went to Edwards' house; John Edwards has red whiskers; is an Englishman; broke into Smith's lumber-yard about 8 o'clock at night; Jemmy-from-town stole a trunk from Mr. A. J. Ellis' house; Jemmy-from-town robbed Dow's safe, and blew it up with powder; gave Pixley an order for my money in the name of James Campbell; arrived at Foster's bar about the middle of April; hired Sullivan, Hunt and Hews to work at Foster's bar; never committed more crimes at Foster's Bar than I have stated; Dodge & Co. kept a gambling house at Foster's Bar; names of three Americans and one Sydney man, horse thieves, Dabb, Peet and another man, name forgotten; think I knew of every robbery committed in Sacramento, when I was there; have worn a scrape and rode on horseback in San Francisco; I generally board at Edwards' house; some of my friends have boarded at the Port Phillip House; John Morgan is known here as John Morris and lives with Briggs; is 50 years old, large, stout fellow, and weighs 15 stone. Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers *McIntyre and McCarty* for a long time; they were concerned with us in the robbery of Young's Bank, next to the El Dorado. Don't know who makes burglars' tools; Briggs makes some. Knew Otis, a horse thief, saw him arrested and saw him on trial.—Knew Pico; did not know Fisher or Hill or Hull at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for $113 on Lowe; lives on Front street, Sacramento City; has a bow window in it; very pretty house.—Money stolen from Jansen was divided in Edward's house, near Clark's Point. A quarrel between *Belcher Kay* and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Jansen been hung. The men who committed the jewelry robbery here, were George Adams and Teddy McCormick. I have been to Angel Island; generally stop at Daniel Wilder's house; think there are no robbers there. Mrs. Hogan's house is a crib for stolen property; she wears my daguerreotype; she knows all about our motions. Mr. Hogan is innocent.

Statement of Hetherington.

Boarded with Mr. and Mrs. Hogan. Hogan went to the mines; asked me to take charge of the house until he returned; saw the prisoner Stewart at the house for the first time a few days before the Janson affair, and several times after. Mrs. Hogan told me that his name was Jim Stuart, or English Jim.—His constant companions were ———, Jim Briggs, and Whitaker, all of whom used to hang round the house.—Whitaker remained there over since until the30th June, or 1st July, when Mr. Hogan returned. Whitaker then left. I think Whitaker to be the smartest thief in the whole gang; he is five feet, six or seven inches in height, round built, and when stripped is rather round shouldered, rather good looking—would say he is rather inclined to a fair complexion, hair the same color as that of Mr. Spencer to the best of my knowledge, but should recognise him—always dresses neatly. Since a row occurred at the house of Mr. Hogan three weeks after the Janen affair, I understand *Belcher Kay* and he had a falling out and since then I have not seen then together.

Have not seen Jim Briggs for six weeks. When Whitaker first came to the house my partner, Mr Davis and myself, and a young man named Jackson, a printer, refused to eat at the same table with any of the company then in the house. Mrs. Hogan took me one day into the dining room and asked me why I was so shy with Whitaker. I replied that Mr. Hogan had pointed him out to me as one of the greatest thieves in town; and pointed out to me the house on Jackson street where Whittaker resided, along with a man named Teddy; the house was at the corner of an alley leading from Gold street into Jackson street above Sansome street. Mrs Hogan told me that Whitaker had been a government man, a convict in the penal colonies; that he had been assigned to Mr. Hogan; that he had served them faithfully seven years as a butcher, and that they had always found him an honest man. Since then she has told me another story; that he was never assigned to Mr. Hogan, and that Mr. Hogan never knew him until he met him here.

Whitaker went to live at the house of Mr. Hogan during his absence, and Mr. Hogan was very much enraged at finding him at his house on his return and ordered her immediately to send him off. He left her next morning; I think he went to Marysville; yet I saw the name of a person named A. M. Whitaker as a person who left here on the Isthmus for Panama on the 1st inst. His name was Sam Whitaker.

Sam Whitaker told me in regard to the Jansen case, that Berdue and Wildred were both innocent. I expressed my serious doubts; he said. "Hetherington, Long Jim, if ever he is taken, will tell the truth; the man Stevens is Long Jim, or to satisfy you, I will tell you all about it: Long Jim struck the blow; the man who was shot in the act of robbing a house at Sacramento City was the man who entered Jansen's first; there were seven men consetned in the robbery of Janson; they divided the money in this parlor; after paying for drink there was $248 to each of them." This information was given to me while the Hogans lived on Sansome street; there was a gold watch of which nothing was ever said about, which I threw into the bay from the back door.

Two men have recently endeavored to get Whitaker to join them in robbing the El Dorado and the present Custom House; the name of one of the men was *Earl*, who was often with Whitaker. Whitaker was afraid to trust them, otherwise he would have joined them. *Earl* suggested the robbery of the El Dorado, and *Jack Arrentrue*, that of the Custom House. *Earl* and *Arrentrue* are very intimate; *Arrentrue* is constantly going in and out of the prison.

When Hogan gets his business settled up, which was the only reason for my staying at his house until he returned; I will give you much more serious information on some other points, involving pretty much the same parties.

Friday, July 11.

Joseph Hetherington examined—*Do you know B. Key. Briggs. Earl. Arrentrue? I know B. Kay*, Jim Briggs, Sam Whittaker and English Jim alias Stuart; I have seen Stuart, the prisoner, in your custody; I know him to be the same man that I saw at the house of Mrs. Hogan; these men did not all board there, except Whittaker, who was a constant boarder; these men frequented the house; some of them ate and slept there occasionally; I never saw them commit any acts to my own knowledge; I never knew Whittaker engaged in any ostensible business whereby to earn a living; from my knowledge of the parties, I suspected them of crime, from their general conduct and from subsequent information received from Sam Whittaker, which confirmed my opinion. I have also seen Edwards at Mrs. Hogan's house in company with these men. I have frequently seen Sam Whittaker and Mrs. Hogan in bed together; Whittaker was aware that I had seen him in bed with Mrs. Hogan; Mrs. Hogan had said she had done wrong (alluding to Whittaker,) and would not live with Mr. Hogan again.

[At the request of Mr. Hetherington, the Executive Committee, except Mr. Wadsworth and Mr. Payran retired, when he stated—]

Whittaker told me that English Jim, alias Stuart, was travelling up to Marysville from Nicholas, with two Americans, who were hunting their mules, which they had lost; the men were out of money, and concluded that they might as well be dead as without money; they agreed to go up to the mountains and rob every man they met till they each had $20,000; that the man Moore (whom they murdered) was the first man they met, and they murdered him; Long Jim shot him; he shot him with a shot-gun before any one else came along; they (Long Jim and his companions) were discovered; the names of the Americans I never learned; one of them escaped from the prison brig; Sam Whittaker said to me that there was a specimen of it in the city which Long Jim said he took from the body of Moore, and that it had been shown to him (Whittaker), and that he was confident that Berdue was innocent of it. Sam Whittaker told me that he had a plan of Macondray & Co.'s building; that he could rob the safe; that he had a plan of Dewitt & Harrison's, which he could rob at any time; also, Young's, next to the El Dorado.

The foregoing, and what I have stated in my first examination, is all that I know.

Sergeant Downing's Opinion.

SAN FRISCO, Juli 12, 1851.

MR. EDDITTUR OF THE HERALD:

DEER SUR:—I've jest cum round the horn from the old States down East, and shall cum up to se yu perty soon; mi folxes to home wanted to here about me quick as I arly in Collyforny, so ile send yu this note, bekause I spose they'l here quicker thru yure paper then anny other how. Yule observe my name is Downing, but i aint the Major, nor I aint able to hold a snuf-box to him in the writin Line. Yu see, Major Jack Downing, of Downingvill is mi uncle on mi Farther's side, and I used to coppy his letturs for him as he gru olde—this, together with what he larnt me, sorter shuved me intu the habbit of writin for noosepapers a bit. I want a little advice, and have got a fu promiscoous questions ide be glad tu have ansurd, so ef it'l not be disagreeabul ile ax yu. If yure agreeubbul, yu can jest se *yes* at the End of this, leeving off the *sur*—for I dont like titles enny how yu fix um. I think yu must be fraid of water here, as I se yu have got bridges all thru the streets up hill and down, and sideways tu. Ime very anxshus to finde out when the grate hanging ov sum tu or thre thousan of Viggillence men is tu cum off, for if all ive hearn is tru, (an I haint ben in this sitty only twenty-four ours) som ov yure grate fokes is goin tu du a big bisness in the hanging Line jest bekause they vamosed (I bleve thats what its called) a fu vaggybonds—Now mister Eddytur (i dont no yure name yit) ef thats so, mi humbel opinyun is there'l be as meany as *three* sides to the mattur. They se yure a perty independunt sorte of a fellur, Mr Edditur, and of thats tru, ile give yu mi fee in be minnits, for I luv independunce mityly, and was reddy to fite for it ef wanted, all the thre years I was secund sarjunt in thee Downingvill Independunt Rifle Cumpany—I brot mi Rifle along with me, and mi powder horn and ive got a bullit molde; now it strikes me that ef tu or thre thousan of these Vigillence Gentlesmun are goin to be hung rite away, jest for stoppin the broth ov 3 or 4 radcals that orter ben shot long ago; the People outside ma have sumthin too ma about it, and there ma be a little fitin, and prehaps ida better stop and lend a hand. I was goin over to yure new capital at Vallylaho to take the sun, and see how Collyforny Pollyticks bore, turn it over in mi mind awhile, and then go to studdyin geollogy. But ile be dasned ef ile go sunywhere else than here to this sitty of Sam Prisco and leve thre thousan of mi fellur sittizens tu be strung up for doin thare duty; besides, sur, i dont think the sitty can afford the expenses jest now; she is very bad in debt yu no, and the rope and timber would cost a site ov munny. Mi hair begins to stand up a little shreaddy and ile stop writin or else this I be a long letter, which the papers dont always like, yu no—and signe

Yures verry faithful,
NATHAN DOWNING, 2d Sarjt. D. I. R. C.

THE CITY.

Thursday, July 17.

"JEMMY FROM TOWN."—This character, made memorable from his connection with Jim Stuart, was reported yesterday morning to have been arrested the night before by the Vigilance Committee. It was not he, however, but a man named Charles McDonald, well known on Long wharf, and formerly of the New York Regiment of Volunteers. Jemmy is said to be in Stockton, and is hotly pursued by the police

BELCHER KAY.—This individual, whose name it is said fills many of the blanks in the revelations of Stuart, left this city shortly after the arrest of the latter, for Sacramento, whither a detachment of the Vigilance Committee were despatched to arrest him. He made his escape from them, cut across the country and reached this city on Tuesday night by way of Stockton and San Jose, disguised as an old woman. He was arrested on a warrant from the Superior Court and is now in confinement in the County Prison. Judge McHenry, his counsel, announced at the opening of the Court of Sessions on yesterday, that Kay was in custody and stood ready to answer any and all charges by whomsoever preferred. He will probably not have to wait long.

FALL OF A HOUSE.—A row of wooden buildings is going up at the south east corner of California and Battery streets, so flimsily built that a puff of wind would seem almost sufficient to demolish them. The uprights might make comfortable walking sticks and the whole structure is about as reliable as a house built of cards. As might have been expected, two of them, though just roofed-in fell yesterday morning, with a crash burying up in their ruins two unfortunate men standing near, both of whom were severely hurt. One of them, named Roderick W. Lucas, was badly cut on his head and face—the other was removed and we did not see him. Two cars filled with earth were passing along the railroad in front of the houses at the time of their fall, and the shaking of the wharf by them is supposed to have been the cause of the crash. Substantial houses to be sure, when such a trifle can bring them down about the heads of passers by. This practice of building miserable, flimsy shanties about as much to be depended on as a soap bubble, is going on in our city to a most dangerous and criminal extent. Builders have no right thus to jeopard the lives of citizens who are deluded into the belief that they are trustworthy.

A NIGHT ALARM.—The whole neighborhood about the head of Clay street were aroused from their beds late last night by cries of "Watch! watch! murder! fire!" uttered in a tone whose earnestness could not be doubted. In a moment half a dozen doors flew open and out rushed, *sans culottes*, the neighbors, bristling with revolvers. Among them was an officer, who rushed to the spot whence the cries were issuing, and found an Ethiopian white with terror and trembling as with an ague. In reply to enquiries as to why he was making such hideous noises, he replied that a man was following him to murder him. The officer approached the man—an Irishman—who stood not far off, and demanded why he was following the negro? The fellow was about half drunk, just in that stage when a man gets as wise as an owl and as cunning as a sheep, and replied that he wanted to know of the negro what business he had to be out at that hour of the night; he had a right to demand it; he considered himself bound to take care of the city, and was only choking the rascal to make him give an account of himself. He continued to discourse, interrupted by hiccoughs and lurches, for some time, on the heavy responsibility that rested upon him to guard the slumbers of the city, and choke an explanation out of every man he found in the street at such an unseasonable hour. He became highly indignant when told that the same thing might apply to him as well as to other people, and was importunate for a fight to settle the point. He could not be accommodated, however, and the shivering neighbors retreated to their warm beds, muttering curses upon the head of the disturber of their repose.

GOLD STREET.—This little alley or court, forming a small opening in the centre of a block, has been extended since the last fire the whole length of the square between Montgomery and Sansome streets, running about half way between Jackson and Pacific streets and parallel thereto. A few more of these cross streets intersecting the squares would add considerably to the security of the city, besides improving the value of lots situated in the centre of the blocks by allowing access to them.

A FEMALE RIOTER.—An interesting specimen of the soft sex, or rather, we should not say soft sex, as she was the hardest kind of case, to all appearance—presented her rueful visage, battered and besmeared, before the Recorder yesterday, having been arrested for producing a riot in the street the night before. She was at the time of arrest in a state of extravagant elation and hilarity cutting all sorts of capers and dancing in the streets.—She had as a sort of crowning ornament to her unearthly beauty a segar at least eight inches long stuck in her mouth at which she was pulling lustily, now and then puffing clouds of smoke from her mouth. She had entered half a dozen houses, and demanded a brandy smash or a cocktail, but each time a policeman carried her out without allowing her time to finish her potations; whereat she became frantic with rage and disappointment, and had to be taken to the Station House. In the morning she was the picture of lamb-like meekness. His honor lectured him severely, and threw out to her great terror, dark hints about chain-gang and workhouse, chains, and a cold cell; but finally let her off on a promise of reform; at which unexpected act of clemency we thought the old lady was sinking to the ground from revulsion of feeling but it appeared that she was only making a profound curtesy accompanied with fervent thanks to his "worship" for his kindness.

Friday, July 18.

SURRENDER OF LE BRAS TO THE SHERIFF.—On yesterday morning, three of the Vigilance Committee brought Le Bras to the Sheriff and surrendered him into his custody. He is now confined in the county prison, ready to stand his trial on the charge of murder, for which the Grand Jury has found a true bill against him. There is certainly a mystery about this case which leaves the mind in great doubt what to think, but the weight of evidence appears to be in favor of the prisoner's innocence. So, doubtless, thought the Committee.

The Committee's course in this matter sufficiently refutes the charges that have been made against them, that they were anxious to assume supreme powers and seize every opportunity of exercising judicial functions. As the community will perceive, they have heretofore confined their action exclusively to cases where the guilt of the offenders was established beyond the possibility of cavil or doubt, and so strictly have they adhered to this course, that whatever other charges have been urged against them by their opponents, none have been so reckless as to assert that they have ever punished an innocent man.

QUID NUNCS?—We certainly must be the most excitable and wonder-loving community in Christendom.—Does a man stop and look up at a window, in a minute a knot surrounds him with eager inquiries of "what is it?" "what's it about?" and ten to one but that the knot increases to a crowd anxiously expecting something to "turn up." We observed an instance of this yesterday in Clay street, where two parties interested were examining a horse. Very soon others joined them and formed a knot which hid from the view of those passing the object of their scrutiny. Then almost every man that passed stopped, hesitated a moment and finally joined the group. In a very few minutes the street was almost blockaded with the crowd—the outsiders, with a look of great anxiety, tiptoeing to catch a glimpse of the excitement over the shoulders of those before them.

ANOTHER CLIPPER SHIP.—The Gazelle, another clipper-built ship, arrived in the harbor last night. She is commanded by Capt Henderson, who has been afflicted with blindness for the last fifty days and lying ill nearly the whole voyage. The Gazelle is 1400 tons burden and 184 feet long. In twenty-three days from New York she crossed the line. One hundred and thirty days is her time from New York, though she has experienced head winds and calms. Her speed is fully proved from the fact that she logged 14 knots per hour for twenty-four hours.

TOUCHING.—In the Court of Sessions yesterday, [illegible] tachment was issued for a female [illegible] who had been elected to obey the *sub-pœna*. The [illegible] a penalty, that she pay the costs of the [illegible]. Of course she had numerous excuses, as was [illegible] privilege to have, but they did not convince the Court. Tears were then brought into requisition [illegible] failed in their object. At last a humane counsellor, whose sympathy had been enlisted in behalf of the unfortunate female, after a few moments conference with her, arose and addressed the Court in her behalf, with the eloquence inspired by the occasion. He trusted "the Court would release the unfortunate female. Among other claims upon their sympathy, she had three small children and one wooden leg." This appeal was irresistible. The court relented, the sheriff and clerk with their most gracious smiles released their claims for the attachment fees, and Mrs. Pegleg went her way rejoicing, putting her best foot forward.

Saturday, July 19.

VOLUNTARY SURRENDER.—A man who gave his name as Alfred Edmondson, of respectable appearance, yesterday came into the Sheriff's office and stated that he desired to surrender himself into the custody of the law, having shot a man by the name of Finley McKinley. The shooting occurred, as he stated it, in the morning, at a place 30 miles distant, in the southern portion of this county, known as McKinley's ranch. He states the occasion of the shooting to be a quarrel growing out of some transactions between them in which he alleges McKinley defrauded him. The latter received two shots, (from a pistol): one in the arm, and the other in the side; but Edmondson could not say what was the effect of the wounds, having left immediately.

POLICE ORDINANCE.—The ordinance for the re-organization of the Police Department, embracing a great number of provisions, was finally passed last night, and now only awaits the signature of the Mayor to become a law. It reduces the number of the police to 50—the pay of captains to $200 and that of policeman to $150 per month, provides for two districts instead of three, and contains a variety of useful and important reforms in the existing law.

MR. KEWEN'S SPEECH.—Mr. Kewen, the Whig candidate

THE C[illegible]

Monday, Ju[illegible]

[illegible]NER KAY.—This individu[illegible] the Superior Court on Satu[illegible] habeas corpus, and on motion of his counsel, [illegible]ssary, no charge being preferred against him, he was discharged. The Court was not willing he should be supported at the expense of the county, though it intimated that if he was fond of a prison life, he might make some arrangement with the Sheriff to maintain him in his quarters. This, however, was unnecessary, for shortly after his release, he was again arrested, on a bench warrant issued by Judge Campbell at the instance of the Grand Jury, who, it is understood, have his case now under consideration. Specific charges have been made against him.

RECAPTURE.—An escaped convict, named James Wilson, who broke jail at the last general delivery, was recaptured by officer Schultz of Sacramento, in the same tent with Adams, above Sacramento City, and brought down to this place on Friday night and delivered into the hands of the sheriff. He was at the time of his escape under sentence of five years imprisonment for horse-stealing. He will now have an opportunity of serving his time out.

ARRESTS BY THE VIGILANCE COMMITTEE.—The notorious George Adams, the burglar, who was the companion of Stuart in all his enterprises, was brought down from Sacramento on Saturday night by a portion of the Vigilance Committee, in whose custody he now remains. He was first arrested on Thursday, by the officers of Sacramento, in a tent on the American River, but not being identified he was discharged. He was again arrested the next day and brought down here by his captors. The famous Mrs. Hogan, too, who figures so conspicuously, in Stuart's confession, as one of the leading spirits of the gang, was seized on Saturday on board a ship in the harbor, where she had attempted to secrete herself and removed to the Committee Rooms. The report that she had been sent out of the country is therefore premature. She is about thirty-five years of age, quite genteel in appearance, and one who might safely keep a crib without ever being suspected. Her carriage, the most elegant in the city, was waiting on Saturday morning at the door of the Committee rooms. For what, cannot be said—certainly not for the interesting female within. We consider one such woman at large in a community worse than half a dozen burglars. They are with the vile frequently the great incentives to crime. It will be seen that the members of the Committee have been indefatigable in their exertions to arrest those composing Stuart's gang and thus far they have been remarkably successful. They have captured Jemmy-from-Town, Dab, Adams, and Mrs. Hogan. If they can only get hold of Whitaker, who is said by Hetherington to be the sharpest and smartest thief of the gang, they will have the whole nest of vipers in their power.

CRIMINAL TRIALS.—The trials of many parties now in confinement for very grave offences will take place this week. Among them are Lewis, for arson; Hall and Spiers for poisoning, and Gallagher for murder. Lewis's trial will take place to-day, the others afterwards in the order in which they are named.

Tuesday, July 22.

IMPROVED SIDE-WALKS.—Nothing so much detracts [illegible] the appearance of our city as the contracted dimen[illegible] of our streets. Of conseq[illegible] side-walks are [illegible]ngly narrow, hardly allow[illegible] of two [illegible] with comfort. most [illegible] [illegible] are in nine ca[illegible] [illegible]rels and boxes o[illegible]handise. Many of [illegible] by the fire, have not been replaced, and [illegible] stop the highway. At best they [illegible], that helped in case of a fire [illegible] Of late, however, we are gratifi[illegible]nt in this respect in so[illegible] por[illegible] [illegible] Montgomery street [illegible]ond-shaped [illegible] been laid [illegible] that now [illegible] broken [illegible]ington street[illegible] im[illegible] add vastly to the comfort [illegible]

[illegible]es.—The Street Commissioner [illegible]ngaged in excavating a trench at [illegible]nto street preparatory to laying [illegible]t the water into the reservoir in [illegible] work of excavation of any conse[illegible]ry, is on the spot where he is [illegible] down, he will reach the [illegible] the leaden pipe may be laid [illegible] very little expense. The pipe [illegible] quarters in diameter—amply [illegible] stream of water which will be [illegible]s springs at the head of Sac[illegible] of keeping all the reservoirs [illegible] falling stream of water run[illegible]s is an excellent one. Be[illegible]re thereby obtained, it will [illegible]ney—the present work costing [illegible] of the reservoirs heretofore have

[illegible]ECHANICS.—Every species of artisan [illegible] finds ready employment at good [illegible], in consequence of the great number of [illegible]at are being made. From the laborer [illegible] the foundation to the painter that gives [illegible]touch to the building, all find as much to [illegible] attend to, and at a fair remuneration.—[illegible]s numbers of carpenters, brick and stone [illegible]smiths and painters at work upon the nu[illegible]ildings now going up. The unusual demand [illegible]k masons has called forth many of that occupa[illegible] who were engaged in other pursuits, and hundreds [illegible] now at work building up our city in substantial [illegible]yle. The very general adoption of iron frames, doors and shutters on fire proof houses has produced great activity among the blacksmiths, whose forges seem busily at work all over the city, from morning until night.

SHIPPING IN THE HARBOR OF SAN FRANCISCO.—There is now lying in the Port of San Francisco, (according to a statement furnished by the Harbor Master, G. Simpton,) the following number of vessels:

Ships	119	Brigs	106
Barks	145	Schooners	50
Storeships			45
Total			465

Wednesday, July 23.

[illegible]ER OF MR. BALL.—We were informed last night that [illegible] though still lying in a dangerous state, was con[illegible] slightly better, his symptoms having assumed a [illegible]somewhat more favorable appearance. He has been in a [illegible]igh fever ever since he recovered his senses and it is apprehended that inflammation has taken place. We sincerely sympathise with the sufferer, and trust he may [illegible]ve get over the effects of this murderous attack. Physically incompetent as he naturally was to cope with so notorious a bruiser as Duane, he was rendered still more so by wounds that he had received in the battles of Mexico. It is not surprising then that he suffered so severely in the contest with his powerful opponent.

CASE OF DUANE.—Charles Duane, who was arraigned the same day on which he made the assault upon Mr. Ball, obtained until yesterday morning to plead, when he was brought into the Court of Sessions and plead "not guilty." His trial is set down for Friday next. The bail was fixed at $10,000 but not having obtained it he remains under the custody of the Sheriff in the County Prison. Ira Cole, who is implicated by Mr. Ball [illegible]ding and abetting in the assault is under bonds in [illegible]um of $2000 to appear this evening, at 4 o'clock, in [illegible] Court of Sessions to undergo examination.

[illegible]TENCE OF LEWIS.—The evidence in the case of Ben[illegible] Lewis on trial for arson was submitted to the [illegible]esterday morning, who, after a few minutes ab[illegible] returned a verdict of "Guilty." Judge Parsons [illegible]ntenced him to two years imprisonment in the [illegible] Jail, being the highest punishment for the of[illegible]er the old statute in operation at the time the [illegible]s committed. Two days afterwards the new [illegible] which makes arson punishable with death went [illegible]ration, a circumstance of which Lewis was fully [illegible] he remarked to the officer who conducted him [illegible] that "it was a lucky thing for him" it was so.

[illegible] house was forcibly entered before day[illegible]y morning, and while the occupants were [illegible]bbers quietly broke open the drawers and [illegible]tracted therefrom $70 in money, and [illegible] value. The most impudent fea[illegible] was the fact that the house was [illegible] the rear of the Station House [illegible] at any moment to be

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FIRES.—Mr. William H. Graham, having been in[illegible] for an assault with intent to kill, appeared before [illegible]or Judge Campbell, yesterday morning, and gave bail in the sum of $2,500 to appear and stand his trial which has been fixed for Friday, the 25th inst.

Thursday, July 24.

INDICTMENT FOR PERJURY.—The Grand Jury brought in an indictment yesterday afternoon, against W. Thompson, Jr., for perjury, in swearing to the facts contained in his affidavit upon which the writ of habeas corpus in the case of Belcher Kay, was issued. He was admitted to bail in the sum of $2000, to appear and stand his trial on the charge.

A MAN DROWNED.—Mr. Lewis Smith, carpenter on board the brig Arcole, lying at Pacific street Wharf, was returning to his vessel in company with two shipmates named C. W. Horseman and J. W. Bird, on Tuesday night, being somewhat the worse for liquor, he staggered while ascending the plank that stretched from the wharf to the brig, and being unable to recover his balance, pitched overboard, and was drowned before assistance could be rendered him. By the advice of friends and for the satisfaction of all parties, the captain had Horseman and Bird arrested to answer to the charge of pushing the deceased overboard. Yesterday they were examined, but not the slightest evidence appearing or the least ground existing to induce the belief that it was any thing but an accident, the Recorder discharged the parties accused.

A ROBBER CAUGHT IN THE ACT.—A rare instance of a robber caught in *flagrante delicto* occurred yesterday morning about two o'clock. The rascal had mounted upon a wood shed in the back yard of Mr. J. C. Pelton's house, near the corner of California and Stockton sts., in order to make his entrance through the second story window. This he raised, and was quietly crawling through, when Mr. Gelston, who had been aroused by the noise produced in opening his window, and had taken his stand a little one side within, seized the rascal before he could retreat, jerked him inside and secured him. Assistance being speedily obtained, the robber was handed over to the care of the Vigilance Committee, who will do doubt pay all due attention to his case.

DISCHARGED.—Ira Cole, arrested as accessory to the assault of Duane upon Ball, was discharged yesterday, the Grand Jury not having found a true bill against him.

FINED.—Judge Campbell yesterday fined C. L. Ross, B. C. Horn, and ten others of the Grand Jury, $25 each for non-attendance.

ACCIDENT.—A horse attached to a cart ran away near the corner of Pacific and Stockton streets, about six o'clock last evening; the driver was thrown out and run over, the wheel passing over his neck, and causing the blood to gush from his mouth, nose and ears. He was picked up nearly dead. He was supposed to be intoxicated at the time. Name not ascertained.

THE CASE OF LE BRAS.—This man, a Frenchman, believed to be crazy, who has been indicted for the murder of Guerrero, was brought into the District Court yesterday morning, and pleaded "not guilty," to the indictment. He stated that he had neither friends, money, nor counsel, whereupon the court appointed as his counsel, Judge Moore, Hall McAllister, Esq., and Samuel Flower Esq. His trial will take place on Saturday next.

FUNDING THE CITY DEBT.—The time (August 1st) is rapidly approaching when parties will no longer have the opportunity of funding their scrip, and they seem aware of the fact from the rapidity with which it has lately been brought in. One hundred thousand dollars was surrendered on a single day, and fifty thousand dollars on another. The whole amount that has been examined, and stock issued therefor up to the closing of the office yesterday afternoon is $452,000—the whole amount surrendered is a little over $800,000. The whole outstanding debt of the city is estimated at $1,300,000. the evidences of which are held in the shape of scrip and audited accounts. Of this at least $200,000 have been burnt up or sent to the Atlantic States and Europe. The Commissioners fully expect to fund $1,000,000, so that the comparatively trifling sum of $100,000 will be all that will remain unfunded in this country. As the scrip is brought in, it is minutely examined, its history recorded in a book made for the purpose, and the scrip itself cancelled and deposited in bank. When the Commissioners have concluded the work of funding, it is their intention to invite the Mayor, Comptroller and Common Council to inspect the cancelled scrip and witness its burning.

The Governor and the Vigilance Committee.

EXECUTIVE DEPARMENT, Vallejo, July 21, 1851.

To the People of the State of California:

It has been represented to me that organizations of citizens, styling themselves "Vigilance Committees," have been formed in various portions of the State, and assume powers inconsistent with the existing laws, and serious apprehensions are entertained of collision between the constituted authorities and the citizens thus organized; and it becomes my duty to take some step by which so great a calamity may be averted. It is earnestly hoped that a few simple and practical suggestions may serve to secure this desirable end.

No security of life or property can be guaranteed except the constitution and laws are observed. Let these be forcibly dispensed with, their sacredness violated, and submission to their authority refused, and we are reduced to a state of anarchy more dangerous in its tendencies and probable results than the worst laws under our system can possibly be, no matter how corruptly administered. We are just entering upon our career. our character is not yet formed. people from all climes and all countries are flocking to our shores, it then becomes us to take no unadvised step which shall retard our progress now. or prejudice our claims to a high and commanding stand hereafter. But more than this, we owe it to ourselves to impress upon the strangers who have settled among us, unacquainted with, and perhaps entertaining prejudices unfavorable to the practical operation of our peculiar institutions, that our government is a government of laws, and that though they may sometimes prove inadequate, sometimes operate oppressively, or be administered corruptly, the remedy is not in a destruction of the entire system, but is to be secured by a peaceful resort to those constitutional means which are wisely afforded to reform whatever abuses may exist, and correct whatever errors may have been committed.

The occurrences of the past three or four weeks, the apprehension of individuals within the jurisdiction of legally constituted tribunals, their trial, sentence and execution without authority of law, by a voluntary association of citizens, who thus virtually place themselves above and beyond all law except that prescribed by and for themselves, will prove sufficiently prejudicial to our interests abroad, commercial and otherwise, if such organizations, assuming such unquestionably dangerous powers, were now dissolved, but if continued there is no calculating the extent of the injury which may result to us as a State. The dangerous tendencies, in other respects, of organizations of the character under consideration, the excitement produced in the public mind, consequent upon their action, resistance to the constituted authorities, which must inevitably result, and threatened collisions between themselves and officers of the law in the execution of their duties, cannot but be appreciated and deprecated by every right thinking and patriotic citizen of the State, and need not therefore, be dwelt upon here. Whatever may have been the exigency heretofore existing, requiring, or supposed to require the adoption of extraordinary measures on the part of the citizen, it has now happily, in a great degree passed, and such measures should, on this account, if on no other, be at once abandoned. Another criminal code with more efficient provisions, attaching adequate penalties to the commission of offences, and directing a more prompt and effective administration of justice, has gone into operation. Courts are now enabled to try, sentence and execute, as the offence deserves; safe and secure prison houses are being provided, and the officers, there is reason to believe, are ready and anxious to discharge the high duty imposed upon them by the people.

I cannot do less, therefore, than earnestly recommend to my fellow-citizens every where throughout the State to aid in sustaining the law. for in this is our only real and permanent security. Associations may be organized, but they should be formed with the view to aid and assist the officers of the law in the execution of their duties, and act in concert with the civil authorities to detect, arrest and punish criminals. By pursuing this course, much good may, and undoubtedly will, be accomplished, and all the dangers which threaten unlawful assumptions of power, thus averted. Inefficiency will not then secure impunity to crimes. nor dangerous criminals be permitted to go unwhipt of justice. It is my sworn duty to see that the laws are executed, and I feel assured that all good citizens will cordially co-operate with me in its discharge.

JOHN McDOUGAL, Governor.

Nevada Intelligence.

The Nevada *Journal* learns that two or three parties of miners have just struck some new and very rich leads in Humbug Flat, Grass Valley. The new diggings are in the town just north of the main street. The party of Wyman and Nixon, formerly Custom House Inspectors at San Francisco, have also struck a very rich lead in the same flat south of the town. They are taking out from one to two ounces per day each man.

Within four miles of Georgetown, a rich discovery of gold has been recently made. On the summit of the hill the miners commenced coyoteing, and have succeeded by sinking shafts in reaching very rich diggings, yielding from one to fifteen dollars to the pan. So says the Sacramento *Union*.

The Bar of Nevada have requested Judge Caswell's charge to the Grand Jury for publication.

The Governor's Suggestions.

We publish elsewhere Governor John McDougal's communication to the people of the State of California containing suggestions how a collision may be avoided between the constituted authorities and "organizations of citizens styling themselves Vigilance Committees." This communication is styled a a proclamation by the Democratic organ, but we presume this to be a mistake. It doubtless was not intended as such by the Governor, as it bears none of the marks or signs of such a document except that it is rather weak and is dated from the Executive Department. The suggestions, for any practical effect, are as harmless as a bread-pill, and being emanations of the Executive mind they will doubtless be received by the people to whom they are addressed with respectful indifference accordingly. We are by no means disposed to find fault with the Governor for putting these suggestions on paper and publishing them. It is not every Governor who has sufficient strength of mind to enable him to resist the temptation the occasion throws in his way of uttering half a column of "wise saw] and modern instance" advice; and the fact that the premises on which this counsel is based are erroneous,—or rather that the necessity urged for its utterance is imaginary, but renders its promulgation the more innocuous. The letter is a very mild letter, and in its tenor pointless and Pickwickian as could be desired. If all Governor McDougal's official and unofficial acts are as innocent as this epistle, he will go out of office a very popular Governor indeed.

The Governor however, as we have said, falls into a grave mistake. He alleges that apprehensions are entertained of a collision between the constituted authorities and the citizens, and declares his suggestions are thrown out with the view of averting this calamity. We assure the Governor that such apprehensions are wholly groundless, and the authorities if they entertain them may set themselves entirely at rest as to the occurrence of such a catastrophe. The Vigilance Committee have avoided it from the commencement. They have treated the writs and other process of the courts with marked respect and deference. The officers of the law have been received at the committee rooms with signal courtesy, and no interference has been attempted with the culprits already in the hands of the judges. If any effort has been made to produce a collision it has not been by the Committee, and should any yet be made and be successful, it will be without their instrumentality.

But of such a result there is not the slightest probability, and indeed scarcely a possibility. The moderation which has hitherto characterized the course of the Committee will still mark their progress to the end.—Their prudence in the past is the strongest guaranty for their prudence in the future, and the band of criminals which infested our community being at length broken up, the functions of the Committee will by degrees assume the character not only of a detective police but also of an organized censorship of the courts. We cannot believe then that the authorities will seek a collision with the Committee, as there will be no pretext for such a course, and, both parties strenuously avoiding it, the Governor will see that there exists absolutely no necessity for his suggestions. It is needless therefore to go into the merits of his advice.

One impression of the Governor we desire to set right. He says there is every reason to believe the judges are "ready and anxious to discharge the high duty imposed on them by the people." This is but partially correct. The community have every confidence in Judge Campbell—they have none at all in Judge Parsons,—and so of others. Let the obnoxious judges resign the trust they have abused, and there will be no necessity thereafter of Executive pronunciamentos to uphold the dignity of the Bench.

The Habeas Corpus in the Case of Kay.

Mr. W. Thompson, upon whose affidavit, published in yesterday's *Herald*, the writ of habeas corpus in the case of Kay was issued by Judge Murray, has published a card stating that his affidavit to the effect that Kay was at the time restrained of his liberty by the Vigilance Committee, was based upon information derived from common report and from members of that Committee themselves; —that he expected and believed Kay was on board the steamer on that day in the hands of the Committee, and in proof of this averment, he asserts many of the Committee repaired to the wharf in the evening supposing Kay would arrive. We can readily believe that such were the circumstances, and that Mr. Thompson deposed to what he thought was true; but does not the looseness of this whole proceeding do more to subvert law and order—to throw obloquy on the bench—and to destroy in the minds of citizens that respect which is essential to the usefulness of the judiciary, than the execution of twenty men by the Vigilance Committee? The highest process known to the Court is issued on a statement under oath of facts which never had existence. The question naturally presents itself, if this thing could be done for the ostensible purpose of preserving the life and liberty of a citizen, can it not be done with equal facility for a very different object? Cannot the process of the Court be abused for the furtherance of any dark purpose that malice may dictate? That the writ has been abused in this case cannot be denied;—grant that the intention of all concerned was entirely proper and humane;—grant there was no personal feeling on the part of the Judge, and that he issued it in the exercise of what he considered a duty;—what confidence is there that some other process or even a writ of habeas corpus may not be issued another time for a base purpose?

We ask now, after this development, that at least we hear no more cant about "constituted authority," "the dignity of the bench," and all that other nonsense indulged in by those in office. We ask that people, after this, may talk sensibly of the concerns of this community as they exist, and not travesty the slavish extravagances of Coke and Mansfield and Eldon in their worship for station and prerogative. The matter which forms the subject of this article constitutes a stronger argument in favor of the Vigilance Committee than all that has yet been written on the subject. We neither denounce nor wonder at it. We are not unprepared for anything of the sort—but we do hope that as the mask has fallen, the high tragedy cant will be abandoned.

Chief Justice Murray and the Press.

EDITOR HERALD: The recent attack upon Judge Murray, for issuing a writ of habeas corpus in the case of T. Belcher Kay, have created in the minds of many of the most intelligent of the community the most profound surprise and regret. I propose, therefore, to examine into the merits of this case, and will shew that Judge Murray has been treated with gross injustice; that he has done nothing but his duty as a sworn judicial officer; that he has not exceeded his duty; and that to have acted otherwise than he did would have subjected him to the heavy penalties of the habeas corpus act.

To entitle any one to the benefit of habeas corpus, the affidavit must shew—1st, that he is restrained of his liberty; 2d, the officer or person by whom; 3d, the place where.

By examining the affidavit of Mr. Thompson, who applied for it on behalf of Kay, it will be seen that these requisites were fully compiled with, with the exception of stating the place of confinement, which however was fully supplied by the allegation that the prisoner was concealed, and it will be further seen by section 30 of the same act, that under the case as made by the affidavit, the writ could only be directed to the Sheriff.

It, therefore, appears that according to the strictest requirements of the statute, the application upon its face was a proper one.

The 28th section of the same act provides, "If any judge after a proper application is made, shall refuse to grant an order for a writ of *habeas corpus*, &c., he shall forfeit and pay to the person aggrieved a sum not exceeding five thousand dollars, to be recovered by action of debt," &c.

It therefore appears that in an application under the habeas corpus act, if the form is in compliance with the statute there is no discretion left with the judge; he must grant the writ or be liable to the penalty affixed for refusing, and be further liable to the charge of gross dereliction of duty, and a violation of his oath of office.

The application for habeas corpus is an *exparte* one, and the judge cannot inquire into the truth or falsehood of the affidavit, and very properly for two reasons, first, such an inquiry would involve a long and tedious investigation, requiring much delay, and might in many instances deprive the party applying of the benefit of the writ by enabling his captors to remove him beyond the jurisdiction of the proper office; and secondly, such investigation can and must be had fully and fairly upon the return of the writ and the bringing in of the prisoner.

The examination of the subject thus far will certainly relieve Judge Murray from the censure which has been so unjustly visited upon him, unless such censure is the result of personal ill feeling. And indeed a portion of the strictures in the *Picayune*, and which are reiterated in the case of Mr. A. C. Russell can scarcely be attributable to aught else. Judge Murray is accused by Mr. Russell of knowing the affidavit of Thompson to be false. How did Mr. Russell attain to this conclusion? Has he any proof? If so it is certainly his duty to furnish it to the public, or otherwise it must be inferred that his assertion is the offspring of vindictiveness. The public press, while it ought to be the guardian of the public interest, and use every effort to discover and expose official misconduct and corruption, should carefully distinguish between the innocent and the guilty; it should avoid those attacks which, from their manifest injustice, will eventually succeed in sapping the confidence of the public in its integrity or sound judgment, and thereby seriously impair its usefulness. I trust, Mr. Editor, that as far as your own strictures have gone you will re-examine this matter. I believe that no pride of opinion will induce you to persist in an unjust position.

The writer has argued quite successfully the legality of Judge Murray's action in the case of Kay, but, as far as we are concerned this is superfluous, for we never denied it. In the next place, he does us but simple justice in the belief that "no pride of opinion would induce us to persist in an unjust position." We have the utmost confidence in our own willingness to depart from a wrong position if we should ever have the misfortune to assume one; but the fact is, we never do. We have given credit to all parties concerned in this habeas corpus affair for good intentions, but at the same time we said that considering a writ of habeas corpus had been issued on an affidavit to facts that never had existence, it was on the whole a very loose proceeding, and that it would tend to weaken materially the public confidence in courts and judicial proceedings;—if this position is an unjust one, we shall promise never to take another.

All that our correspondent has said about the law, is of course critically correct;—there is law doubtless for every step in the proceeding; but we all recollect that when a writ of habeas corpus was sued out in the case of Mr. Walker, an honest citizen, whose sole crime was a conscientious discharge of his duty, the applicant was knocked about from Court to Court like a shuttlecock, and seven days elapsed before he was restored to his liberty—while here in the case of a man charged with felony, known to have been the companion of thieves and burglars, and suspected of being their confederate, the portals of justice open wide to receive him even before he knocks for admission, and a process issues to restore him to liberty before he is known to be in durance. All according to law, perhaps, but if it be so, then that law acts directly for the oppression of the honest man and the immunity of the knave. We cannot believe the law was ever intended for any such purpose. We repeat then, that here is a case demonstrating the necessity of a Vigilance Committee and disproving all the cant indulged in about the sacredness of the Courts. These institutions are formed for the purpose of dispensing justice, and if they do not answer that purpose they are worse than useless.

In the two cases we have contrasted, was justice done? Was it just that the law should be used to deprive an honest man of his liberty for seven days on the one hand, and to prevent the knave from being punished on the other, that a writ should issue before his arrest? Mr. Walker's counsel were able, full of zeal, and certainly unremitting in their efforts to procure his release. Why is it that in that case seven days elapsed, and in Kay's case relief was granted before it was necessary? If this be the equal justice of the courts, then we say a Vigilance Committee is necessary to regulate the courts, and our correspondent will see that this is the position we took in our first article. We care not what the judge's intentions are. We shall always take them to be correct until we know the contrary and it will take a strong presumption to make us ascribe improper motives;—in this case we have not ascribed such motives:—we only look to results:—the Superior Court, it is but justice to add, has been more free from taint than any other we are acquainted with; but these two habeas corpus cases prove that the whole machinery of courts is out of order, and that the great end and aim of their existence, the administration of equal justice to all, is not at present accomplished.

BUTTE COUNTY DEMOCRATIC CONVENTION.—The Democratic Convention for Butte county met at Spanish Valley on the 1st of July, and organized by electing Judge Nelson D. Morse President and Henry J. Morrison Secretary.

The following gentlemen were nominated as candidates for the various county officers at the coming election:

State Senator.—Charles F. Lott.
For Representatives.—Dr. John B. Smith, S. Law and Nelson D. Morse.
For Sheriff.—Thomas Wells.
For County Clerk.—Warren T. Sexton.
For Assessor.—John Talham.
For Surveyor.—Jackson Stogden.
For District Attorney.—Rusl C. Baker.
For County Treasurer.—E. M. Burrows.—*Tyanscript.*

The Case of Lewis.

The People v. *Benjamin Lewis*, indicted for arson.—The trial of this case was taken up.

District Attorney Platt appeared for the prosecution. Col. James, Judge R. N. Morrison, and E. E. Mount Esq., appeared for the defence.

Much time was spent in empanelling a jury; eighteen persons having been set aside on the challenge of defendant's counsel—four peremptorily, and the balance for cause, having declared that they had formed and expressed opinions as to the guilt or innocence of the accused. One was peremptorily challenged by the prosecution.

Twelve jurymen being accepted, before they were sworn, defendant's counsel claimed the right then to exhaust the number of peremptory challenges (ten) allowed by the statute to the prisoner. The Court held that it was then too late, and overruled the motion.

The jury were then sworn, composed of the following persons:

Wm. McNeil, J. D. Pearce, John O'Donnell, George D. Pope, John Emerson, J. C. Richmond, H. C. Mallory, S. Fleischacker, R. C. Matthewson, S. J. Bookstaver, E. Battera, R. Larrimore.

The District Attorney read the indictment, which charges that the accused, on the night of the 2d of June, maliciously intending to set fire and burn a certain house belonging to George W. Trembley, on Long Wharf, did set fire to the floor and mattrasses on a bed in a room in the second story of said building. He also related in detail to the jury, the circumstances of the case as he expected to prove them, and proceeded to examine the following witnesses:

Lewis Hellmen, sworn.—Between 10 and 11 o'clock on the night of the 2d of June, I heard a person come up stairs, go into a room, remain there about five minutes and go down again; some person shortly afterwards came up again; I opened my door, when I smelt smoke and saw the defendant, Lewis, standing in the door of his room. A few minutes afterwards Mr. Keyes came up stairs, knocked at my door, and said there was fire in the house; Lewis was also there but afterwards went off. A watchman came up and opened the door of Lewis's room, in which we saw the fire. It was set on the left hand of the room as you go in, between two matrasses. Discovered oil on some matches lying on the floor, and a piece of candle. I had a room adjoining Lewis's. I first heard some noise, some crackling something like switching; heard it twice; the first time I heard it was when the person came up the first time; he came up light-footed. There is about twenty inches between my door and his; the rooms are about eight feet square. The first time I ever saw him was the morning of the 2d, when I moved into the house; saw him several times during the day. There was some old clothing and a piece of quilt in the room; it was not quite half an hour between the time I smelt the smoke and went into this room.

Cross-examined.—When I first saw him that morning, he came into my room and asked me what rent I paid: I told him $16, which he said was dear enough; the second time I saw him that day, he told me that he was going to the northern mines; the third time I saw him taking his blankets down stairs; the fourth time was that evening, when he came in and said he was going to stay there another night. When he came up that night it was the second time that I opened my door and saw him standing in his door; the first time he came up it was about half-past 10 o'clock; presumed it was him from his step, and afterwards from the smoke coming through the cracks from his room; I did not get up to see who it was the first time, because I did not suspect him; I looked the second time because I smelt the smoke, and then saw the accused standing in his door; I did not say anything to him, because I was afraid of him, and went back into my room and locked myself in; was afraid because I saw something was going on; I stayed only a few minutes until Mr. Keyes came along; I was afraid to go out least the man might have some instrument in his hand and kill me; I was badly frightened. I saw him open the door the second time he came up; my door was open; saw him shut his door and stand there; the first time he came up I heard him make some noise in his room.

Here one of the jurors arose and stated that he was not satisfied with the answers of the witness, who, being a German, did not express himself intelligibly enough to the jury. The juryman then questioned the witness in German, who interpreted his answers to the questions as above stated, on the points inquired about.

Edward Johns—Occupied a room right opposite to that occupied by Lewis on the other side of the hall; was about retiring to bed when I heard some one come up-stairs and go to the opposite room; having understood that the occupants of that room had left for the mines, I opened the door to see who it was; it was Lewis; he went down-stairs with his boots creaking; a few moments afterwards I heard the creaking boots coming up-stairs again and go into the room; heard the friction of matches; and the person after remaining in a short time, went down again; he came up shortly afterwards and I heard the friction of matches again; all o the voices of some person talking; fell to sleep about this time, and was awakened by the cry of fire; looked out and saw Lewis in the hall; the next I saw of him was down-stairs in the oyster-room; the hall is about 5 or 6 feet wide; Henry Tufts and Henry Johnson occupied the room with me, and were both in at this time. I had no indications of smoke prior to the time of the alarm.

Cross-examined.—Lewis had come there to live about the time of the fire of May 4th. was a boatman at that time; had been in my room but a short time before Lewis came up stairs; he no doubt, saw me when I opened my door; I saw nobody but Lewis the first time; he was then just going down stairs; judged it was him the second time, from the creaking of the boots; did not see him again until the alarm of fire, when I saw him standing on the steps; am certain that the friction of the matches came from Lewis' room; the second time, he remained in his room about five or eight minutes; was gone about that length of time, before he came up back the third time; I had blown out my candle and lain down in the mean time; when the cry of fire was given, the first person I saw after opening my door was Lewis on the steps. In Lewis' room there was oil spilled on the floor, also some matches; other persons were in the room when I entered.

Henry Tufts—Live in this house, occupying a room opposite that of Lewis; had gone to bed that night, and was asleep, when my room-mate, Johns, came in and commenced playing on a musical instrument, which waked me up; while lying awake, I thought I heard more walking up and down the stairs than usual, the footsteps being heavy. Just as Johns was about to turn in, he opened the door and looked out, and said (not allowed to state what it was;) before going to sleep, I heard the noise of friction of matches in the opposite room; fell to sleep and was waked by the cry of fire; heard several persons come up stairs and into the passage, asking where the fire was; went into Lewis' room, and found that the bed had been kicked over and the fire extinguished; put my hand on the mattrass and found oil upon it; there was nothing else but old clothes and valueless articles in the room; I had been living in the house about a month; also Lewis.

Cross-examined.—Examined the oil spot on the floor; it was right close to the wall, about 18 inches or two feet in diameter, spreading from the wall; did not see the floor on fire.

G. D. Simonds—Was stopping in the oyster saloon below; at about 8 o'clock saw oil dropping from the ceiling; Stowell went up to see where it came from; he went to Lewis's room and found it locked; coming down stairs, he met Lewis, who inquired what he was looking for; upon being told, Lewis said that the oil must come from the room of Mr. Tennent, the instrument maker.

H. C. Stowell—At about 8 o'clock in the evening, Mr. Simonds having told me about the dripping oil, I went to see where it came from; found Lewis' room, and also Tennent's, locked; coming down stairs, met Lewis and told him that I thought it must come from his room; he said no; pointed it to him; he insisted that it did not come from his room, and I let the matter drop. At about 11 o'clock heard the alarm of fire, &c.; did not go into Lewis's room immediately; when I did go in, next morning, found a jug containing oil and a bottle containing a piece of candle; the jug was not cracked; I scraped the floor on the oil spot and found it charred; the mattrass also partially burned; it was made of straw; I don't suppose there was more than a pint of oil spilled on this spot; it was about a foot from the bed.

Officer Donnelly—Between 10 and 11 o'clock was on Long Wharf; heard some one cry "police;" went up and saw two men start up stairs; saw one backing down and saying to Lewis, who was following him down, to keep back; went up stairs; opened this room; forced the door open, which was fastened; rushed in; went to the bed, and lifting one of the mattrasses a flame burst out; some one coming in with pails of water, I threw it on the fire; I afterwards noticed that my hands were greasy, which led me to examine the bed and mattrasses, upon which I found oil.

J. B. Nickerson—About 2 o'clock that day, Lewis came to me and wanted to know why I would not rent this room to him any longer. His time was up the last of May, and I told him that I did not want to rent him the room any longer; he must take his things away.

Cross-examined.—He had paid his rent for the month of May in advance; he had no business there that night, his time being up. I never saw anything of him; never had any difficulty with him; did not want him there any longer, because I had heard some things about him.

Mr. Coit proved the house to be the property of Mr. Trembley.

The testimony for the prosecution was here closed, when the Court adjourned until 7 o'clock, P. M.

The Court and Jury having re-assembled at 7½ o'clock, the following witnesses were called on the part of the defence:

Major Copeton, deputy sheriff, was asked if he had any means of knowing the former residence of the prisoner, and replied that he knew nothing but what was derived from conversations with the prisoner himself. This testimony being objected to was ruled out as irrelevant.—The counsel for the defence stated that they wished to prove by this witness that the accused was a native of Virginia.

— McCormick.—Do not know Lewis; might recognize him by sight. The prisoner being confronted with him, says I know him; I am one of the proprietors of the Third Ward House on Long Wharf; have known the prisoner by sight from having seen him pass my place frequently. About 9½ o'clock, on the night of June 2d, he came into my place and made one or two bets at my gaming table of a quarter or half a dollar, and apparently went to sleep; I aroused him saying that I could not have him sleep there. I pay too much rent for my table; if you wish to sleep here, I will fix a cot for you under the table; you must either bet or go away from this table; this occurred twice; I think he was either drunk or crazy—he acted very different from what I had seen of him before; I did not see him go out of my place. It was perhaps about half an hour afterwards, that I heard the alarm of fire. A man can feign to be drunk; but I do think that this man was either drunk or crazy; he staggered around the table, and came up to me, saying "don't be offended, there's something wrong with me." He appeared to think that I was going to harm him; I recognized him as a man often coming to my table and betting; he never bet before this occasion [illegible] a quarter.

The case for the defence was here rested; [illegible] trict Attorney recalled officer Donnelly, [illegible] when he arrested the accused, the latter appeared [illegible] sober; he was with him three-quarters of an hour.

Cross-examined.—In walking up the wharf, he jostled me three times; the wharf was about the width of [illegible] wagons.

Mr. Mount, for the prisoner, briefly and pertinently opened the argument, confining himself principally to the points of law, relied on by the defence, citing the law under which the prisoner was prosecuted, prescribing a punishment to any one wilfully burning or causing to be burned any house or building, etc., he contended that there was no actual burning in this case, citing a case in the English Common Law Reports, where a defendant was acquitted on proof that the wood of the building was only scorched not burned. He also contended that the burning of the matresses was not constituted an offence by the provision of the statute, upon which the prosecution was based.

The District Attorney replied on the part of the prosecution, briefly reviewing the law and recapitulating the facts of the case. At the conclusion of his argument, at 10 o'clock, the court adjourned until to-morrow morning, when Judge Morrison will make the closing argument.

Assault with Intent to Kill.

About 1 o'clock, A. M. yesterday morning, an outrageous assault was made by Charles Duane, at the Cairo Ball, in Commercial street, upon Frank Ball, who was participating at the time in the galeties of the evening. We append the affidavit of Mr. Ball, sworn to about 12 o'clock yesterday, while in bed, before Judge Campbell, and so feeble that he could not sign his name. The circumstances as there related agree substantially with what we have gathered from other parties present. We are further informed that Duane broke past the door keeper and forced his way into the ball-room, given by a Frenchman, and attended by a large number of persons male and female, of that nation. As soon as he entered and was recognized, fear fell upon the assembled company, and the galeties of the evening were at once succeeded by silence and constraint. Duane was arrested by Deputy Sheriff Harley, on a warrant issued by Judge Campbell. At 4 o'clock yesterday afternoon, the Court of Sessions resumed its sessions and the Grand Jury, of which Mr Ball is a member, brought in a true bill against Charles Duane, for an assault with intent to commit murder. He was admitted to bail in the sum of $10,000, which he had not succeeded in getting at the last accounts. He will be arraigned to-day to plead and his trial will take place immediately.

Mr. Ball is most seriously injured. At the time Duane was admitted to bail, Ball was supposed to be out of danger, but his case during the afternoon took a decided turn for the worse, and fears are now entertained for his life. His face is badly cut and dreadfully swollen, a large black spot has made its appearance [illegible] abdomen, where he was brutally kicked after [illegible] and it is feared that inflammation has [illegible] mortification will follow. The cause of [illegible] will be seen, is the audacity of the [illegible] while under oath as a juror on D[illegible] with intent to kill Mons. Fayo[illegible] punishment of the accused. calmness on this most [illegible] case is now before the pr[illegible] the present.

AFFIDA[illegible]

STATE OF CALIFORNIA,
County of San Francisco.

Francis A. Ball of said county being duly sworn, [illegible] that on the night of the 20th day of July, instant, [illegible] person whose name as deponent is informed is Ira Cole, accosted this deponent at a ball-room in Commercial street, in the city of San Francisco, and asked depon

HERALD.
...LY 19, 1851.

...Pacific Di-
...arrangements pro-
...t of War at Wash-
..., the disposition of the
... the Pacific, have been pain-
...plified by the recent insurrection
... Rogue River Indians, and the melan-
... death of Capt. Stuart of the Army, a
...nt and deserving officer, who performed
...storious services in the Mexican war, and
...behaved handsomely in six several engage-
...ments. His last words were a regret that es-
...caping that death he had so often braved in
...generous strife with the enemies of his country
...on fields made memorable by the death of
...heroic gentlemen, his brothers in arms, he
...should fall in a fortuitous skirmish by the
...hands of an Indian savage. The friends of
...this gentleman and of the many who have
...within the past month fallen victims to the
...treacherous fury of the Indians in Oregon,
...have just cause to complain of the criminal
...carelessness and great lack of foresight dis-
...played by the Department in ordering the
...withdrawal of the Mounted Rifles at a time
...when the services of that corps were so ne-
...cessary to the safety of the people, and so
...valuable for their very presence in preserving
...order among the savages.

...The period immediately preceding
...the withdrawal of the troops, Oregon had
...never been, since its first settlement,
...free from Indian hostilities. The
...Mounted Rifles were deemed to be peculiarly
...adapted for the peculiar service required in
...the Indian depredations, and there
...were few of the domain of the United
...States needed their presence so much
...as Oregon—not perhaps New Mexico, and
...the Territory ample provision could
...have been made by mounting the 3d In-
...fantry and there, and employing them
...in that service. It appears that immedi-
...ately on the withdrawal of the Rifles from
...Oregon, the Indians and other
...savages resumed their de-
...predations on the valua-
...ble property of the settle-
...ments, and the people were compelled the defend-
...themselves, after expending
...their ammunition, to take to the woods.—
...Since then the Indians have as-
...sassinated with impunity, such an extent
...that the murders that Gov.
...Gaines and Gen. Lane have both been obliged
...to proclaim against them. All
...communication to the very inex-
...plicable conduct of the Department in
...withdrawing from Oregon.
...Nothing can still more inexcusa-
...bly display the folly at the moment the
...disbanding of the
...Mounted Rifles were up in arms
...against them. At the end of the State
...of Oregon, the indefatigable
...Rogue River Indians, most of the
...Chiefs were induced to agree to
...a treaty—for as such only
...can it be considered—the Digger Indians be
...what they may, no one can tell how long this
...treaty will last, and should the insurrec-
...tion break out afresh, Gen. Hitchcock will
...have no force to suppress it, for his
...only force for active operations
...consists of three hundred men. No offi-
...cer can be placed in such a position, and
...we have hoped the Department at Wash-
...ington will reconsider its action in regard to
...California and Oregon, and send out such a
...force as will prove in some degree effective.
...In addition to the suppression of Indian
...insurrections in the settlements, there is an-
...other military duty which cannot be ne-
...glected without the sacrifice of many lives.
...From the northern and southern emigrant
...roads swarm with bold and treacherous
...savages, whose passion it is to murder and
...rob when they can do so with impunity. The
...emigration of last year was terribly harrass-
...ed by this merciless foe, and without some
...check the same result may be antici-
...pated this season. What can the officers of
...the Army can accomplish with three hundred
...men, and with the limited means at their
...command?

Suppression of Crime.

OUR WANTS AND THEIR REMEDIES.

First—An honest, vigilant and well paid police to detect crime and arrest criminals.

REMEDY—With the Marshal and the Councils.

Second—A commodious and thief-proof prison, to keep offenders when caught.

REMEDY—With the citizens generally: the activity of the Vigilance Committee will soon supply this want.

Third—That evidence taken before an examining magistrate, where the witnesses have been confronted with the prisoner and an opportunity for cross-examination allowed, shall be evidence on the trial of the prisoner where the witness is absent.

REMEDY—With our Legislators.

Fourth—Speedy trials.

REMEDY—With our Judges.

Fifth—An upright, dignified, inflexible and enlightened Judiciary.

REMEDY—With the People.

Sixth—A Prosecuting Attorney of untiring industry and commanding talents.

REMEDY—Primarily with the District Judge, ultimately with the People.

Seventh—A stringent criminal code.

REMEDY—Have it.

Eighth—Honest and intelligent Juries.

REMEDY—Reform the summoning officers.

Ninth—Prompt execution of sentence.

REMEDY—Reform the Courts, the Sheriff, the Executive, and all these reforms.

REMEDY—Public Committee, the People will.

The Police.

We copy from our evening cotemporary the following card:

MESSRS. EDITORS:—In the "confessions" of the man Stuart, hanged by the Vigilance Committee, we see two of the blanks left in the previous publication filled now by our names. We pronounce the charges preferred against us *absolutely false*, and challenge any living man to prove them in the slightest particular. The man Stuart is dead, and unless the charges he made against us can be substantiated by living witnesses, it would certainly be very unjust for us to suffer in the estimation of our friends or the community. We appeal to the justice and good sense of the public to set us right in this matter.

A. J. McCARTY.
ROBT. C. McINTYRE.

We have heard that there exists on the part of the two gentlemen whose signatures are attached to the above card, some degree of irritation against the Committee for the publication of their names. In this we think they err, as that publication will afford them an opportunity of meeting a charge which has been for more than a week past known to the public to have been made. The Committee could not have prevented Stuart implicating Messrs. McCarty and McIntyre in his revelations, and, once implicated, the best service the Committee could have done them was to give them a public opportunity to purge themselves of the matters alleged against them. There has not been we are very sure the slightest idea of treating them with harshness or injustice, and none will be more cordially gratified than the members of the Committee when those two gentlemen shall have demonstrated their innocence of the wrong imputed to them. They urge with reason that no honest man who has stood fair with the community should be condemned on the mere averment of such a wretch as Stuart: nevertheless it may be expected of them to fortify their position with some more forcible proof of the groundlessness of the charge.

The truth is that from the total impunity of crime—the frequent escape of criminals—the painful inefficiency of the police, and the more than suspected worthlessness of several members of that body, the people have begun to look with distrust on the whole force. That there were among them, nevertheless, men of the strictest probity, of unimpeachable character, and even of commanding talents in their profession, is most true. Amid the mass of evidence taken before the Committee, is one fact narrated by one of the desperadoes, how on a certain night, for the better prosecution of his villany, wishing to confer with an associate in the station house—a privilege sometimes granted him—he approached the officer on guard and asked the favor. A peremptory refusal was the response. Drawing from his pocket a handful of gold, he offered it to the officer for half an hour's conversation with his confederate, and instead of taking the bribe, the officer indignantly drove him from the prison. As a contrast to the mass of venality that has been practised, it is gratifying to be able to record an instance of such stern incorruptibility.—But there is no denying that crime was absolutely fostered in this city through the inefficiency of the police. The number of arrests of the most notorious desperadoes made by the Vigilance Committee, prove that the police have not hitherto done their duty. The latter had the same means of detecting crime and arresting criminals, and they failed to employ them. That they permitted such men as Stuart, Jenkins, Burns, and others of that character to go so long at large, must be set down to the account of either inefficiency or connivance. It is for this reason that the confession of Stuart, implicating members of the body, may carry with it more weight than coming from such a source it is intrinsically worth.

It is but just to say that no man in the police department has hitherto stood fairer with the community than Mr. McCarty.

[Since writing the above, we have been informed by Mr. McCarty that he is anxious an investigation should take place before the Committee, and is fully prepared to vindicate himself from the aspersions thrown upon his character by Stuart.]

Stuart's Confession—The Sheriff of Monterey.

Believing the statement made in Stuart's Confession, against the Sheriff of Monterey, (Mr. Roach) as follows: "The Sheriff of Monterey received $700 and a gold watch for packing the jury, and other services"—to be without a shadow of foundation in truth, I respectfully request the public to suspend their judgment upon this matter until the Sheriff can give his own denial of the alleged transaction. I was in Monterey at the trial referred to, and saw that the Grand Juries were fairly drawn by ballot. The first twenty-three names were sworn as Grand Jurors and the succeeding twelve as Trial Jurors. Both parties challenged. The Grand Jury indicted three of the prisoners, and the one selected for prosecution, was considered as "not guilty" by nine out of the twelve jurors. Public opinion was much divided as to the guilt of the accused, and this was cause enough for producing a disagreement of the Jury

A word now upon the character of the worthy Sheriff of Monterey. Mr. Wm. Roach came to California as a sergeant in Stevenson's regiment, and bore a high character for courage and integrity. I have these qualities attributed to him by Col. Stevenson, by my brother Lieut. Thomas J. Roach and by other officers of that Regiment. Had the sheriff been disposed to violate his duties, the prisoners could have been allowed to break jail and their escape would not have excited suspicion—a course far easier than packing the panel from which the Grand and Trial Juries were drawn. In Monterey no man enjoys a higher character for honesty than Wm. Roach I deem it proper to state that my remarks on this subject are not prompted by ties of relationship. The Sheriff of Monterey is in no degree, near or remote, connected with me. I make this statement that similarity of name and residence may not mislead the public as to my motives. I ask the citizens of San Francisco to suspend their opinions upon this matter for a few days, and not to believe a felon's accusation against an honest man until some better proof be obtained.

PHILIP A. ROACH, of Monterey.

MR. DENNIS MCCARTY.—It is needless to say that the Dennis McCarthy mentioned in Stuart's confession is not our late worthy and excellent Street Commissioner of that name. There is no relationship between them either in character or blood. Mr. McCarthy of this city left here three weeks ago on a visit to the Atlantic States, carrying with him the respect and esteem of his fellow-citizens.

THE SUPPOSED MASSACRE AT PORT ORFORD.—We rejoice in being able to state from private information that news reached Oregon City before the departure of the Columbia, of the safety of all the men left to found the settlement at Port Orford. and who were supposed to have been massacred by the Indians. Driven for safety to the timber, they penetrated into the recesses of the woods until at length they crossed the mountains and found themselves at the white settlements. Two of the party were wounded.

We have heard from another source that three of the Rogue River Indians were shot in Trinidad lately. Their intention was to burn the town, but being captured they suffered death.

THE NEVADA JOURNAL.—Messrs. H. A. DeCourcey and W. G. Alban have become joint proprietors of the *Nevada Journal*, with Mr. Ewer. Already one of the ablest newspapers in the State it will be much improved doubtless by this accession of editorial strength.

The Suppressed Portions of Stuart's Confession.

SAN FRANCISCO, July 17th, 1851.

EDITOR HERALD:—The Committee of Vigilance have directed the Executive Committee to request you to republish the evidence and confession of Stephens, alias Stuart, disclosing all the suppressed matter and names which had been kept back on first publication.

By order of the President.

[We take up the narrative of Stuart at the point where he had been remanded to the prison brig after the sheriff of Yuba had been frustrated in taking him off to Marysville in consequence of the informality of the warrant. The portion hitherto suppressed is in italics.]

The same night I made my escape from the brig; I walked that day to Dry Creek—half way to Stockton. Next day got into Stockton, disguised myself and came to San Francisco on a steamer—somewhere in the middle of December; then went and stopped in Edward's house in Sydney Valley.

Never went out of the house during the day. During the night went to Port Philip House, kept by McCormick and Whittaker—(Edwards did not know of my escape.) Jansen, at that time lived next door to Whittaker's. Whittaker had got information of there being $8000 or $9000 in a safe in a butcher's shop in Broadway; myself, J. Edwards, Whittaker and Geo. Adams, went, took the window out, got the safe into the street, and could get it no further. The next was Minturn's, there were a great many in the mess. We got this information from *Belcher Kay*. Had gone several times during the three days previous, to inquire about the money—he was acquainted there. Myself, Edwards, Edward McCormick. (Teddy,) Whittaker, Geo. Adams, *Belcher Kay*, Bob McKenzie—we took a boat with us, fall and tackle, made shears to take with us, put a feather bed in the boat, augers, saws, etc., to cut away with, and all went pretty well armed. We managed to get inside three or four of us, and moved the safe somewhat, made a few auger holes in the floor, and intended cutting the floor away—some one came to the door—false alarm—we had to run—McKenzie spoilt it by not knowing his instructions. We should not have stirred for one man or two, with so big a haul. McKenzie gave wrong signals, and we jumped into the water and swam away. *Belcher Kay* outside. The next thing was a jeweller's shop *Belcher Kay* had examined—he allowed that there was $20,000 or $30,000 in diamonds, etc. We went to look at it at night—myself and Edwards; gave my opinion that we could not do it; too much risk; some four or five people in shop below; gave it up as a bad job. The next thing *Belcher Kay* got for us was Macondray's store; he had been watching it for a month; he told us there were three safes, and a vault with lots of money; as much as we could take away in a boat; come up to the night to do it, and some backed out, considering there were some eleven men in the building, gave it up. The night after, Whittaker informed us of Jansen's piece; said that when Jansen moved he had a bag which he supposed contained ten or fifteen thousand dollars; we agreed to go and get it. Myself, Jim Briggs, (from Monterey,) J. M. Morgan, S. W. Whittaker, Edw. McCormick, (Teddy,) Billy Kewes, *Belcher Kay*, Edwards—all of us had been together for ten days, except Briggs and Morgan, who had just come up from Monterey. Briggs and Morgan were at Macondray's; had a falling out with McKenzie, and he had to go.

Morgan went into Jansen's store first, the rest stopped in the road; Whittaker and myself stood at the window during this time. I thought he was too long and would get no money, so I went in to help him; I got half way up the shop behind the counter; heard Jansen ask Morgan, what he wanted there; Morgan told him that he wanted to look at some blankets; he turns round and sees me behind the counter; also told him I wanted blankets. He stepped about two yards to show me some blankets, (we had cloaks on for a disguise.) I hit him on the head with a stung shot and knocked him down; I then left Morgan to take charge of him, whilst I looked after the money; I only hit him once; opened the desk, and took out a shot bag containing money.

We then carried the money home to Sydney Valley; I carried the money; I counted the money; there was $1568 in gold coin; we divided it in eight parts, making $196 each. We then came down town again; went into Mrs. Hogan's; stopped there two or three hours and then went home again. Mrs. Hogan lived on Sansome street. Next day there was quite a fuss about town; we did not commit more robberies while the men arrested for striking Jansen were under trial, as we did not wish them hung as they were innocent. We would have shot fifty men rather than they should have been hung. We agreed that if the above men were hung, which we expected they would be on Sunday night, to burn down the town.

A few nights after, we agreed to rob a bank kept by Beebee Ludlow & Co., on Montgomery street. In this we were to be assisted by *Bob McIntyre* and *Andy McCarty. They told us whenever we were ready they would take the watch off that beat. These police officers used to know all the watch off that beat. These police officers used to know all we were about those times.* We tried two nights; opened the outside door by false keys. Watched it two days and concluded there was not money enough to attempt the robbery, as we observed the porter of the bank come each morning from Argenti's with bags of money deposited the evening previous.

The next night went to the bank next to El Dorado in Washington street. Morris Morgan helped build the money vault and gave us the information. Went down El Dorado steps, opened the door with false keys, entered and found two beds; discovered there were too many people sleeping about there; considered it too dangerous and gave it up. *Belcher Kay* was an accomplice with us; there was eight in the gang; *Kay* generally an outsider did the watching.

Next night stole a small safe out of Emerson & Dunbar's auction store, Sunday night; there was but twenty-four dollars in this safe. Adams stepped out at the time of Minturn's robbery.

Next night stole a safe from Gladwin & Whitmore; took it up on the sand hills; were discovered before we had broken it open. I brought the safe down stairs.—Morris Morgan and James Briggs were arrested by the police in this escrape. Here we lost all our tools, which were worth $500 to us. Then went to Mrs Hogan's house. Bill Hews went home that night. Not liking to see men go to the watch-house, I wanted the rest to come and take them from the watch-house by force, but they refused; they thought by employing Mr. Parburt and other lawyers they would be cleared. Next day Morgan was acquitted and Briggs committed to jail.

Next day I went to Gold Bluff in schooner B. L. Allen; had twenty-seven days passage to Trinidad Bay. I there saw Bob McKenzie; also saw Dabb, the horse-thief, with Jem Pete; they came from Oregon; they said that five horse-thieves had taken about sixty horses from Sacramento City to Oregon and there sold them. I found Trinidad to be a bad place for them. I played cards with Dabb and won all his money, about three hundred dollars. I then came back in the B. L. Allen and paid the passage of Dabb and Pete also to San Francisco. Arrived in San Francisco on a Sunday; Dabb threatened to inform on me if I didn't give him some money, so I gave him $50.

I went to James Kitchen's house and sent him on board the schooner for my bed and blankets. The same day Dabb and a policeman stopped me in the street; the policeman wanted me to go to the Recorder's with him. I drew my pistol to shoot him and he stood off. There were many people about, and I gave him (the policeman) one hundred dollars to quiet him. I then went to Kitchen's and stopped that night. I went and saw Mrs. Hogan; she told me that there was a warrant out for Whittaker and Long Charley for robbing a man in her house of fifteen hundred dollars; she advised me to leave the town; said the police were searching her house; said she had secreted Whittaker at the Mission.

Next morning I hired a horse at a stable and rode to Monterey. At this time I had just taken the name of Carlisle, previously was called Campbell. The day I arrived at Monterey the men were about to be tried for robbing the Monterey Custom House. My things were left at Kitchen's and have been there ever since. I went to Monterey purposely to attend the trial. Went to the watch-house and saw the prisoners. The second night my horse was stolen from me. Dick Osman was first put on trial. Parburt went down from San Francisco to defend him, and I appeared as a witness in his favor. Whittaker was also at Monterey. Kitchen arrived at Monterey in the steamer. Briggs was then in custody. We all knew the parties were guilty. Although they took thirteen thousand dollars down from San Francisco, all that was robbed was eight thousand dollars, though Randall said he had lost thirty thousand dollars. The fact is that Parburt, McDonald and Judge Merritt were counsel for prisoners, and Col Weller, Butts and Wallace for prosecution—there was a great deal of swearing falsely and bribery. *The Sheriff of Monterey received $700 and a gold watch for packing the jury and other services; and Morrison, a juryman, received $100 from the vices; and Morrison, a juryman, received $100 from the prisoners, which was paid after the trial. Dennis McCarthy was constable. He received $100 for false swearing from prisoners. He first swore for prosecution and swore back in favor of prisoners. The judge knew nothing about it. Jim Carson, a juryman, held out for guilty. He was bribed by the prosecution.* All the money was taken from the prisoners; the court charges, amounting to one thousand dollars, was first taken out, and the balance of thirteen thousand dollars, say twelve thousand dollars, was equally divided between the prisoners' and prosecuting counsel. The prisoners then paid their own lawyers. Randall got one-half and the prisoners the other half of the twelve thousand dollars. Morgan, Tom Quick and Ryan were in jail, but Osman was tried and consented to the division. Parburt told me to let the prisoners out of jail, and I broke the door down and let them out.

I then started on foot from Monterey for the Southern mines; reached San Jose. In San Jose, stole a horse, saddle and bridle, but was captured near San Joaquin; got into a row with eleven Mexicans, who took my gun from me, stating I had stolen their horse; they took me back to Livermore's Pass; I gave them my watch and chain to release me, and went on foot to Sonora; from there went to Sullivan's and worked about a week; did not like mining; then went to Mariposa; there worked about about five weeks; met there two Americans who knew me; did not think myself safe, and left for San Francisco on foot.

Arrived here last Tuesday night; saw Kitchen in the El Dorado; went to his house where he used to live; then went to ——— and slept that night. Wednesday morning, arose and went to the Mission to see an acquaintance who lives at the bakery at the Mission; this same acquaintance previously wished me to rob a Spaniard's house at the Mission.

I went to see about robbing a Spaniard at the Mission. The acquaintance at the Mission is short and had on a black hat. [It is known to our committee who this friend is.]

I went into the Mansion House and looked at the safe and told him I would see him again about it. I took the hills on the way back from the Mission to avoid being seen, and was arrested on the sandhills doing nothing. I was on the way to North Beach.

In coming from San Jose to San Francisco last January or February, I came in the steamer New Star, with one Smith, who was afterwards shot in Sacramento City robbing a house. We went from San Francisco to San Jose on purpose to rob the churches of the silver and gold images. We were told there was a gold image weighing ten pounds, but we could not find it.

Got stuck on a mud flat on the passage. In the morning all hands were called in the cabin and told that a passenger had been robbed of $1000 in gold dust; they took my gold dust and that of another man's, a passenger; but I did not rob him, and know nothing about it.

On arrival here I advised robbing the New Star. I met Teddy McCormack and John Edwards, and went down to the steamboat. I went on board, opened the window and robbed the desk of about $250.

Cross-examination.—Knew Jenkins; knew Windred; thinks he is gone out of the country; know Adams; does not know where he is now; know Nelson and Wilson, horse-thieves in Sacramento City, when I landed from the J. Kaskie, went to Edwards' house; John Edwards has red whiskers; is an Englishman, broke into Smith's lumber-yard about 8 o'clock at night; Jemmy-from-down stole a trunk from Mr. A. J. Ellis' house; Jemmy-from-town robbed Dow's safe, and blew it up with powder; gave Pixley an order for my money in the name of James Campbell; arrived at Foster's bar about the middle of April; hired Sullivan. Hunt and Hews to work at Foster's bar; never committed more crimes at Foster's Bar than I have stated; Dodge & Co. kept a gambling house at Foster's Bar; names of three Americans and one Sydney man, horse thieves, Dabb, Peet and another man, name forgotten; think I knew of every robbery committed in Sacramento, when I was there; have worn a scrape and rode on horseback in San Francisco; I generally board at Edwards' house; some of my friends have boarded at the Port Phillip House; John Morgan is known here as John Morris and lives with Briggs; is 50 years old, large, stout fellow, and weighs 15 stone. Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers *McIntyre and McCarty* for a long time; they were concerned with us in the robbery of Young's Bank, next to the El Dorado. Don't know who makes burglars' tools; Briggs makes some. Knew Otis, a horse thief, saw him arrested and saw him on trial.—Knew Pico; did not know Fisher or Hill or Hull at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for $113 on Lowe; lives on Front street, Sacramento City; has a bow window in it; very pretty house.—Money stolen from Jansen was divided in Edward's house, near Clark's Point. A quarrel between *Belcher Kay* and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Jansen been hung. The men who committed the jewelry robbery here, were George Adams and Teddy McCormick. I have been to Angel Island; generally stop at Daniel Wilder's house; think there are no robbers there. Mrs. Hogan's house is a crib for stolen property; she wears my daguerreotype; she knows all about our motions. Mr. Hogan is innocent.

Statement of Hetherington.

Boarded with Mr. and Mrs. Hogan. Hogan went to the mines; asked me to take charge of the house until he returned; saw the prisoner Stewart at the house for the first time a few days before the Janson affair, and several times after. Mrs. Hogan told me that his name was Jim Stuart, or English Jim.—His constant companions were ———, Jim Briggs, and Whitaker, all of whom used to hang round the house.—Whitaker remained there ever since until the 30th June, or 1st July, when Mr. Hogan returned. Whitaker then left. I think Whitaker to be the smartest thief in the whole gang; he is five feet, six or seven inches in height, round built, and when stripped is rather round shouldered, rather good looking—would say he is rather inclined to a fair complexion, hair the same color as that of Mr. Spencer to the best of my knowledge, but should recognise him—always dresses neatly. Since a row occurred at the house of Mr. Hogan three weeks after the Janren affair, I understand *Belcher Kim* and he had a falling out, and since then I have not seen them together.

Have not seen Jim Briggs for six weeks. When Whitaker first came to the house my partner, Mr Davis and myself, and a young man named Jackson, a printer, refused to eat at the same table with any of the company then in the house. Mrs. Hogan took me one day into the dining room and asked me why I was so shy with Whitaker. I replied that Mr. Hogan had poluted him out to me as one of the greatest thieves in town; and pointed out to me the house on Jackson street where Whittaker resided, along with a man named Teddy; the house was at the corner of an alley leading from Gold street into Jackson street above Sansome street. Mrs Hogan told me that Whitaker had been a government man, a convict in the penal colonies; that he had been assigned to Mr. Hogan; that he had served them faithfully seven years as a butcher, and that they had always found him an honest man. Since then she has told me another story; that he was never assigned to Mr. Hogan, and that Mr. Hogan never knew him until he met him here.

Whitaker went to live at the house of Mr. Hogan during his absence, and Mr. Hogan was very much enraged at finding him at his house on his return and ordered her immediately to send him off. He left her next morning; I think he went to Marysville; yet I saw the name of a person named A. M. Whitaker as a person who left here on the Isthmus for Panama on the 1st inst. His name was Sam Whitaker.

Sam Whitaker told me in regard to the Janson case, that Berdue and Wildred were both innocent. I expressed my serious doubts; he said. "Hetherington, Long Jim, if ever he is taken, will tell the truth; the man Stevens is Long Jim, or to satisfy you, I will tell you all about it: Long Jim struck the blow; the man who was shot in the act of robbing a house at Sacramento City was the man who entered Jansen's first; there were seven men concerned in the robbery of Jansen; they divided the money in this parlor; after paying for drink there was $246 to each of them." This information was given to me while the Hogans lived on Sansome street; there was a gold watch of which nothing was ever said about, which I threw into the bay from the back door.

Two men have recently endeavored to get Whitaker to join them in robbing the El Dorado and the present Custom House; the name of one of the men was *Earl*, who was often with Whitaker. Whitaker was afraid to trust them, otherwise he would have joined them. *Earl* suggested the robbery of the El Dorado, and *Jack Arrentrue*, that of the Custom House. *Earl* and *Arrentrue* are very intimate; *Arrentrue* is constantly going in and out of the prison.

When Hogan gets his business settled up, which was the only reason for my staying at his house until he returned; I will give you much more serious information on some other points, involving pretty much the same parties.

Friday, July 11.

Joseph Hetherington examined—*Do you know B. Kay, Briggs, Earl, Arrentrue?* *I know B. Kay*, Jim Briggs, Sam Whitaker and English Jim alias Stuart; I have seen Stuart, the prisoner, in your custody; I know him to be the same man that I saw at the house of Mrs. Hogan; these men did not all board there, except Whittaker, who was a constant boarder; these men frequented the house; some of them ate and slept there occasionally; I never saw them commit any acts to my own knowledge; I never knew Whittaker engaged in any ostensible business whereby to earn a living; from my knowledge of the parties, I suspected them of crime, from their general conduct and from subsequent information received from Sam Whittaker, which confirmed my opinion. I have also seen Edwards at Mrs. Hogan's house in company with these men. I have frequently seen Sam Whittaker and Mrs. Hogan in bed together; Whitaker was aware that I had seen him in bed with Mrs. Hogan; Mrs. Hogan had said she had done wrong (alluding to Whittaker,) and would not live with Mr. Hogan again.

[At the request of Mr. Hetherington, the Executive Committee, except Mr. Wadsworth and Mr. Payran retired, when he stated—]

Whitaker told me that English Jim, alias Stuart, was travelling up to Marysville from Nicholas, with two Americans, who were hunting their mules, which they had lost; the men were out of money, and concluded that they might as well be dead as without money; they agreed to go up to the mountains and rob every man they met till they each had $20,000; that the man Moore (whom they murdered) was the first man they met, and they murdered him; Long Jim shot him; he shot him with a shot-gun before any one else came along; they (Long Jim and his companions) were discovered; the names of the Americans I never learned; one of them escaped from the prison brig; Sam Whittaker said to me that there was a specimen in this city which Long Jim said he took from the body of Moore, and that it had been shown to him (Whittaker), and that he was confident that Berdue was innocent of it. Sam Whittaker told me that he had a plan of Macondray & Co.'s building; that he could rob the safe; that he had a plan of Dewitt & Harrison's, which he could rob at any time; also, Young's, next to the El Dorado.

The foregoing, and what I have stated in my first examination, is all that I know.

Sergeant Downing's Opinion.

SAN FRISCO, Juli 12, 1851.

MR. EDDITTUR OF THE HERALD:

DEER SUR:—I've jest cum round the horn from the old States down East, and shall cum up to se yu perty soon; mi fokes to home wanted to here about me quick as I ariv in Callyforny, so ile send yu this note, bekause I spose they'l here quicker thru yure paper then anny other how. Yule observe my name is Downing, but I aint the Major, nor I aint able to hold a snuf-box to him in the writin Line. Yu see, Major Jack Downing, of Downingvill is mi uncle on mi Farther's side, and I used to coppy his letturs for him as he gru olde—this, together with what he larnt me, sorter shuved me into the habbit of writin for noospapers a bit. I want a little advice, and have got a fu promiscuous questions ide be glad to have answrd, so of it I not be disagreeable ile ax yu. If yure agreeubbul, yu can jest sa yes at the End of this, leeving off the sur—for I dont like titles enny how yu fix um. I think yu must be fraid of water here, as I se yu have got bridges all thru the streets up hill and down, and sideways tu. Ime very anxshus to finde out when the grate hanging ov sum tu or thre thousan of Viggilleuce men is tu cum off, for if all ive hearn is tru, (an I haint ben in this sitty only twenty-four ours) som ov yure grate fokes is goin tu du a big bisness in the hanging Line jest bekause they wa-mosed (I bleve thats what its called) a fu vaggybonds—Now mister Eddyttur (i dont no yure name yit) ef thats so, mi humbel opinyun is there'l be as menny as *three* sides to the mattur. They se yure a perty independunt sorts of a fellur, Mr Eddittur, and ef thats tru, ile give yu mi fist in tu minnits, for I luv independunce mityly, and was reddy to fite for it as wanted, all the thre years I was secund sarjunt in thee Downingvill Independunt Rifle Cumpany—I brot mi Rifle along with me, and mi powder horn and ive got a bullit moide; now it strikes me that ef tu or thre thousan of these Vigillence Gentlemun are goin to be hung rite away, jest for stoppin the breth ov 3 or 4 raskals that orter ben shot long ago; the People outside ma have sumthin too sa about it, and there ma be a little Stir, and prehaps ide better stop and lend a hand. I was goin over to yure new capital at Vallyjaho to take the sun, and see how Callyforny Pollyticks bore, turn it over in mi mind awhile, and then go to studdyin geollogy. But ile be deemed ef ile go eanywhere else than here in this sitty of San Frisco and love thre thousan of mi fellur sittizens to be drumd up for doin thare duty; besides, sur, I dont think the sitty can afford the expenses jest now; she is very bad in debt yu no, and the rope and timber would cost a site ov munny. Mi hair begins to stand up a little shreaddy and ile stop writin or else this I be a long lettur, which the papers dont always like, yu no—and signe

Yures verry faithful,
NATHAN DOWNING, 2d Sarjt. D. I. R. C.

THE CITY.

Thursday, July 17.

"JEMMY FROM TOWN."—This character, made memorable from his connection with Jim Stuart, was reported yesterday morning to have been arrested the night before by the Vigilance Committee. It was not he, however, but a man named Charles McDonald, well known on Long wharf, and formerly of the New York Regiment of Volunteers. Jemmy is said to be in Stockton, and is hotly pursued by the police

BELCHER KAY.—This individual, whose name it is said fills many of the blanks in the revelations of Stuart, left this city shortly after the arrest of the latter, for Sacramento, whither a detachment of the Vigilance Committee were despatched to arrest him. He made his escape from them, cut across the country and reached this city on Tuesday night by way of Stockton and San Jose, disguised as an old woman. He was arrested on a warrant from the Superior Court and is now in confinement in the County Prison. Judge McHenry, his counsel, announced at the opening of the Court of Sessions on yesterday, that Kay was in custody and stood ready to answer any and all charges by whomsoever preferred. He will probably not have to wait long.

FALL OF A HOUSE.—A row of wooden buildings is going up at the south east corner of California and Battery streets, so flimsily built that a puff of wind would seem almost sufficient to demolish them. The uprights might make comfortable walking sticks and the whole structure is about as reliable as a house built of cards. As might have been expected, two of them, though just roofed-in fell yesterday morning, with a crash burying up in their ruins two unfortunate men standing near, both of whom were severely hurt. One of them, named Roderick W. Lucas, was badly cut on his head and face—the other was removed and we did not see him. Two cars filled with earth were passing along the railroad in front of the houses at the time of their fall, and the shaking of the wharf by them is supposed to have been the cause of the crash. Substantial houses to be sure, when such a trifle can bring them down about the heads of passers by. This practice of building miserable, flimsy shanties about as much to be depended on as a soap bubble, is going on in our city to a most dangerous and criminal extent. Builders have no right thus to jeopard the lives of citizens who are deluded into the belief that they are trustworthy.

A NIGHT ALARM.—The whole neighborhood about the head of Clay street were aroused from their beds late last night by cries of "Watch! watch! murder! fire!" uttered in a tone whose earnestness could not be doubted. In a moment half a dozen doors flew open and out rushed, *sans culottes*, the neighbors, bristling with revolvers. Among them was an officer, who rushed to the spot whence the cries were issuing, and found an Ethiopian white with terror and trembling as with an ague. In reply to enquiries as to why he was making such hideous noises, he replied that a man was following him to murder him. The officer approached the man—an Irishman—who stood not far off, and demanded why he was following the negro? The fellow was about half drunk, just in that stage when a man gets as wise as an owl and as cunning as a sheep, and replied that he wanted to know of the negro what business he had to be out at that hour of the night; he had a right to demand it; he considered himself bound to take care of the city, and was only choking the rascal to make him give an account of himself. He continued to discourse, interrupted by hiccoughs and lurches, for some time, on the heavy responsibility that rested upon him to guard the slumbers of the city, and choke an explanation out of every man he found in the street at such an unseasonable hour. He became highly indignant when told that the same thing might apply to him as well as to other people, and was importunate for a fight to settle the point. He could not be accommodated, however, and the shivering neighbors retreated to their warm beds, muttering curses upon the head of the disturber of their repose.

GOLD STREET.—This little alley or court, forming a small opening in the centre of a block, has been extended since the last fire the whole length of the square between Montgomery and Sansome streets, running about half way between Jackson and Pacific streets and parallel thereto. A few more of these cross streets intersecting the squares would add considerably to the security of the city, besides improving the value of lots situated in the centre of the blocks by allowing access to them.

A FEMALE RIOTER.—An interesting specimen of the soft sex, or rather, we should not say soft sex, as she was the hardest kind of case, to all appearance—presented her rueful visage, battered and besmeared, before the Recorder yesterday, having been arrested for producing a riot in the street the night before. She was at the time of arrest in a state of extravagant elation and hilarity cutting all sorts of capers and dancing in the streets.—She had as a sort of crowning ornament to her unearthly beauty a segar at least eight inches long stuck in her mouth at which she was pulling lustily, now and then puffing clouds of smoke from her mouth. She had entered half a dozen houses, and demanded a brandy smash or a cocktail, but each time a policeman carried her out without allowing her time to finish her potations; whereat she became frantic with rage and disappointment, and had to be taken to the Station House. In the morning she was the picture of lamb-like meekness. His honor lectured him severely, and threw out to her great terror, dark hints about chain-gang and workhouse, chains, and a cold cell; but finally let her off on a promise of reform: at which unexpected act of clemency we thought the old lady was sinking to the ground from revulsion of feeling but it appeared that she was only making a profound curtsey accompanied with fervent thanks to his "worship" for his kindness.

Friday, July 18.

SURRENDER OF LE BRAS TO THE SHERIFF.—On yesterday morning, three of the Vigilance Committee brought Le Bras to the Sheriff and surrendered him into his custody. He is now confined in the county prison, ready to stand on his trial on the charge of murder, for which the Grand Jury has found a true bill against him. There is certainly a mystery about this case which leaves the mind in great doubt what to think, but the weight of evidence appears to be in favor of the prisoner's innocence. So, doubtless, thought the Committee.

The Committee's course in this matter sufficiently refutes the charges that have been made against them, that they were anxious to assume supreme powers and seize every opportunity of exercising judicial functions. As the community will perceive, they have heretofore confined their action exclusively to cases where the guilt of the offenders was established beyond the possibility of cavil or doubt, and so strictly have they adhered to this course, that whatever other charges have been urged against them by their opponents, none have been so reckless as to assert that they have ever punished an innocent man.

QUID NUNCS?—We certainly must be the most excitable and wonder-loving community in Christendom.—Does a man stop and look up at a window, in a minute a knot surrounds him with eager inquiries of "what is it?" "what's it about?" and ten to one but that the knot increases to a crowd anxiously expecting something to "turn up." We observed an instance of this yesterday in Clay street, where two parties interested were examining a horse. Very soon others joined them and formed a knot which hid from the view of those passing the object of their scrutiny. Then almost every man that passed stopped, hesitated a moment and finally joined the group. In a very few minutes the street was almost blockaded with the crowd—the outsiders, with a look of great anxiety, tiptoeing to catch a glimpse of the excitement over the shoulders of those before them.

ANOTHER CLIPPER SHIP.—The Gazelle, another clipper-built ship, arrived in the harbor last night. She is commanded by Capt Henderson, who has been afflicted with blindness for the last fifty days and lying ill nearly the whole voyage. The Gazelle is 1400 tons burden and 184 feet long. In twenty-three days from New York she crossed the line. One hundred and thirty days is her time from New York, though she has experienced head winds and calms. Her speed is fully proved from the fact that she logged 14 knots per hour for twenty-four hours.

TOUCHING.—In the Court of Sessions yesterday, [illegible] attachment was issued for a female [illegible] who had neglected to obey the *sub-pœna*. The [illegible] a penalty, that she pay the costs of the [illegible]. Of course she had numerous excuses, as was [illegible] privilege to have, but they did not [illegible] the Court. Tears were then brought into requisition [illegible] failed in their object. At last a humane counsellor, whose sympathy had been enlisted in behalf of the unfortunate female, after a few moments conference with her, arose and addressed the Court in her behalf, with the eloquence inspired by the occasion. He trusted "the Court would release the unfortunate female. Among other claims upon their sympathy, she had three small children and one wooden leg." This appeal was irresistible. The court relented, the sheriff and clerk with their most gracious smiles released their claims for the attachment fees, and Mrs. Pegleg went her way rejoicing, putting her best foot forward.

Saturday, July 19.

VOLUNTARY SURRENDER.—A man who gave his name as Alfred Edmondson, of respectable appearance, yesterday came into the Sheriff's office and stated that he desired to surrender himself

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...d Committee in the Courts.

...ing in the jurors in the case of ... Duane, arraigned for assault with ... to kill, reported in the *Herald* of Saturday—objection was repeatedly made to the competency of persons summoned as jurors, on the ground that they were members of the Vigilance Committee. We regret that this thing is done, as it must prejudice the case of anybody in whose behalf it is attempted. We fully admit Mr. Benham's right—far be it from us to deny it—to resort to every legal means to defend his client, and of the best means to achieve this end he is the proper judge;—but we can assure the members of the bar it will not serve to mitigate in any degree any harsh or stern feeling that may at present exist in the breasts of the community against criminals, to object to a respectable man serving as a juror on the trial of an accused person, simply because he belongs to the Vigilance Committee. It will be regarded by many as *prima facie* evidence of the badness of the case. If the entire Vigilance Committee and all who think with them are to be disqualified from serving as jurors, there will be very few left to try criminals.

But this course strikes us as more particularly inconsistent at a time when the Committee have been appealed to by every description of blandishment to trust the courts—to aid the courts—to act as auxiliaries to the courts;—now when they have shown a willingness to some extent and as an experiment to trust to the courts—when in obedience to the summons of the Sheriff they come forward to aid the courts—when leaving their business they present themselves ready to serve on juries as auxiliaries of the courts—they are told to quit the sacred precincts of the halls of justice as being incapable by reason of their membership of rendering a just and proper verdict. This is not the entertainment to which they have been invited, and considering all the circumstances we think the wisdom of the course extremely reasonable.

But this is not the only remarkable point of view in which the rejection of members of the Vigilance Committee by the counsel of the accused presents itself. Duane committed an assault—this is not denied. In doing ... against law and order. If the ... of the Vigilance Committee ...ive of law and order as their ..., surely they would be ex... with all those who ...uence they would ...thy with Duane. ...bjected to the ...mittee—be... gined they ... here is the ... a gentleman op... organization that they not only not countenance but that they are actuhostile to those who attempt to subvert and order. Our own opinion is that ...ld have obtained from a full jury ...ilance Committee as impartial a ... could possibly have got from any ...e men in ex..., and moreover ...r verdict ... been to the ...lenient as that which ... rendered.

...The Port Orford Party.

...patrick, the commandant of the party ...ettle Port Orford, and who was supposed ...ve been murdered by the Rogue River Indians, has published on his return to Portland, a ... of his escape. The party must have suffered a great deal, and it will be seen that they their safety to their own energy and fearlessness. We take up the narrative at the point ... the Indians tried to storm the camp:

...s retired to the top of the island, where we ...gun stationed. They had by this time gained ... of the first step, about forty of them in number. They then made a rush [illegible] into the camp ...us, the chief leading the ... as he approached ... of the hill, he seized hold of a musket belonging to one of the men, and would have wrenched it out ... hands, had not another man struck him over the ...ds and knocked his hold loose. In an instant they threw a volley of arrows at us, the most of them passing over us. The great crowd of them were within six feet of the mouth of the cannon. I jerked up a firebrand, and discharged the cannon among them, killing some six or eight. This threw them into confusion, which we followed up with a discharge from our rifles and pistols. Three of them only got into the camp, and were knocked down with the butts of our guns.—The fight lasted about fifteen minutes, when the Indians broke and ran, leaving thirteen dead on the ground.—They fled to the hills and rocks, and continued to shoot their arrows at us for some time.

There were a great many of them wounded, and I learned afterwards from an Indian at the mouth of Umpqua, who could speak Jargon, that there were 20 killed and 15 wounded. There were four of our men wounded. The Indians got several rifles and shot at us in the afternoon, but with no effect. In the afternoon a chief came up the beach and made signs that he wanted to come into the camp. He threw his arms down on the sand, and we let him come up. He made signs that he wanted to take away the dead. This we let him do, and whilst he was in the camp I made signs to him that in fourteen days from the time that we arrived there we would go away again. After they had taken away their dead, they fired a few shots at us and then left. We were not troubled by them any more till the morning of the 16th day, when they attacked us again. There were a great many more at the second fight than at the first. There were at least fifteen of them to one of us. Their chief came out and urged them in tones that could be heard a half mile distant, but could not prevail on them to make the second rush on us. They shot their arrows at us, at the distance of 300 yards, a great many of them falling in the camp, but none of us received any injury.

We were at this time in a critical situation. Our ammunition was just about done. We had not more than eight or nine rounds of shot left, and were surrounded by at least 150 Indians. The only alternative left was to take to the woods and make our way to the habitation of white men. Here fortune appeared to favor us. The Indians drew off and went down the coast to the mouth of a small creek and built a number of fires. There still was a number that stayed to watch us. We then went to work to strengthen our breastwork. This movement had the desired effect. In a few minutes they all left and went down to join the others. This gave us an opportunity to make our escape to the woods, which we effected, leaving every thing we had in the camp but our small arms. We travelled through the woods for about five miles and then struck out on the beach. We travelled up the beach but a short distance when we met a party of about thirty, all armed with bows and arrows and long knives. We rushed towards them to give them fight in open ground. When they saw that we would attack them, they broke for the timber. We continued up the coast a few miles further, and crossed a large stream of water. We then took to the woods and travelled in them two days and nights, and then made out to the coast. When we reached the coast, we discovered a fresh trail about five miles to the westward of a small creek; here the trail turned back again. I suppose they followed us thus far the first night, and the light of morning disclosed to them that we had not travelled on the beach, and they turned back to hunt our trail or gave up the chase. We travelled up the beach about fifteen miles, when we arrived at the mouth of Rogue river.

Here we found some large villages of Indians. As soon as they saw us, they prepared for fight. There appeared to be about two hundred of them. They soon kindled up a fire on the top of the highest bluff close to their village. We here had nothing but the river between us, and had to take to the woods again. We travelled up the river about eight miles, and effected a crossing by means of some old logs that we lashed together with some small rope. We then kept in the mountains two days, and made the beach again. Here we were four days without eating anything but salmon berries. In the evening of the fourth day we got some muscles to eat, which revived us some. We lived on muscles till we reached the mouth of the Cowans river: here we got among some friendly Indians, who gave us something to eat. But we had to give them the shirts off our backs to get them to ferry us over the mouth of this river. When across this river we thought it was the Umpqua, and continued up it about ten miles, when we discovered it was not the Umpqua. We then struck across the sand hills, waded through a large swamp, and struck for the coast. The next day we made the mouth of Umpqua, (it being the eighth day from the camp,) where we were received by a hearty shake of the hand, and entertained by the settlers in Umpqua City and Gardner. If we had been brothers, we could not have been treated with more kindness than we were at those places. At Scottsburg we were treated in the same cordial manner. Here [illegible] of the boys, being completely [illegible] kindly accepted the invitation [illegible] Scottsburg to stay a few days and rest, [illegible] reached Portland yesterday evening.

A Plea for the Mules.

The Collector of Stockton has issued a pronunciamiento against mules. He declares all those animals contraband which have traveled from the Republic of Mexico without proper custom house entry and payment of duties; and he gives notice of his intention to seize and prosecute to forfeiture all such illicit animals in whosesoever hands they may be found. All such stock as has arrived thus illicitly in this country within the past three years the Collector pronounces liable to seizure, and not only the mules but the pack-saddles and merchandize they carry. The pack-saddles cost in Mexico about one dollar and a quarter, and by the time they arrive in this country they are worth about one quarter of a dollar. The merchandise consists generally of a bag of beans, value three bits, a quantity of Chili colorado, value one bit; a couple of pounds of jerked beef, value ten cents; and occasionally a quart or so of pinole, value half a dollar. The mules themselves arriving at San Diego across the desert from the Colorado, unless fed on corn, which dainty fare is not enjoyed by one in one hundred, are worth about five dollars each. We very much fear the duties would eat up mules, merchandize, pack-saddles, Mexicans and all.

But then again, in this fast and variable country of California, mules and other stock which come into the country from Mexico, generally change hands once in three months at least. Thus the mules brought here three years ago would now be twelve purchasers removed from the first holder. Conceding then that the first wretch who had the audacity to import them across the desert, after losing perhaps half his stock by the Indians as such a wretch deserved, was really guilty of the crime of not paying duties never demanded of him, yet it must be admitted that the sin attaching to the present holder of the illicit property is very much diluted from its original enormity by this time.

We never doubted for a moment that some hidden and abstruse wisdom lay concealed in that practice of the followers of Confucius, of dooming to decapitation or strangulation, or any more refined mode of departure their pleasant ingenuity may devise, the thirty-first cousins of the culprit who has offended against the law. It always struck us that some sublime maxim of justice was at the bottom of this interesting feature of the criminal jurisprudence of the Celestials; but we have nevertheless been always puzzled to reconcile it with such vulgar ideas of justice as are entertained by outside barbarians like ourselves. This decree of the San Joaquin Collector visiting on the twelfth holder of a mule the fiscal enormities of the original contrabandista who first brought the illicit beast across the Colorado, strikes us as somewhat akin to Chinese justice.

But it is against scripture, for the third and fourth generation is the farthest on which wrath is visited. Who ever heard of the twelfth generation being punished for the frailties of an old curmudgeon who lived five or six hundred years before?—therefore we protest against this decree and in the awfully thrilling and fearful words of the congregated fellow-churchmen and annihilators of the Rev. Mr. Mines, we pronounce it absolutely "unchristianlike." Fifteen generations make a gentleman in the opinion of Quentin Durward, and certainly twelve transfers should give immunity to a mule. Will not the Collector, like the good-natured and sensible old gentleman that he is, reverse his stern decree and let the mules alone?

Late from Manila.

We are indebted to a friend in this city for a full file of *El Diario de Manila*, from the 1st to the 30th of April inclusive.

On the 28th of April a grand ball was given at Manila in honor of his Excellency Don Antonio de Urbistondo, Marquis of Salana, Governor and Captain-General of the Philippines, and the brilliant soldiery and marine, for their victories in Sooloo. A grand ode was composed for the occasion, of which the following is the first verse:

"We Spaniards in hymns of glory sing the praises of the Hero. We bind the brows of Urbistondo with a crown of myrtle and laurel, exclaiming with grateful harmony, Live, live the brave Spanish army! Live the Queen Isabel!"

Reviews, banquets, spectacles, entertainments of every description welcomed the victorious troops on their arrival.

On the 31st March the Corvette Villa de Bilboa and the steamers Queen of Castile and El Cano disembarked the troops that returned from the expedition. The action is spoken of by the *Diario* in the highest terms. The frigate Union, the barques Eurotas, Manila and Armistad, and the brigantines Oquendo, Nuevo Bilbaino and Tiempo were selected to take the troops ashore at Soolootown, and the conduct of the officers of those vessels under the fire of the guns from the fortress is warmly commended.—The storming of the fort was conducted in regular military order. The engineers on board the vessels of war kept up a constant fire on the citadel while the troops were landing, and in order to regulate the fire of the guns they posted themselves aloft in the rigging and from thence issued their orders to the gunners. The town and fortress were carried after some hours' hard fighting, and the Sultan would have been captured but for the misconduct or stupidity of an officer having charge of one of the divisions. The Sultan escaped into the jungle, and it was thought injudicious to attempt a pursuit, with the soldiers already worn out by a severe conflict; and having razed the fortress and destroyed the works, the Spaniards took several pieces of ordnance and returned to Manila. It was by all accounts a very brilliant affair, and the rejoicings at the result were kept up at Manila for an entire month.

A conflagration occurred in the Pueblo of Sampaloc on the night of the 12th of April. The troops turned out and by much exertion they arrested the fire after having been obliged to blow up several houses. Thirty-five buildings were burned, but the loss of property was inconsiderable. Another fire occurred on the 18th of April in the suburbs of Manila, doing, however, but little damage.

The Spanish vessel of war "Queen of Castile" sailed for Singapore on the 22d April, under command of Lieutenant Francisco de Paulo Izquerdo.

The shipping and commercial intelligence will be found in the appropriate column.

SUPPOSED MURDER.—Joseph Sproule Battee, of Brown's ranch, on the Calaveras, left that place on Saturday, July 12th, and arrived at Carson's creek on the following day. A Mexican called upon him while there, with a fine specimen of quartz, and they left the camp together for the supposed purpose of prospecting the vein from which this specimen was taken. He has not been heard of since and fears are entertained that he was taken to a Mexican encampment close at hand, and murdered. Battee received a large amount of money from his partner, Brown, the day before, which was seen in his possession by the Mexican. Battee, however, returned the money to Brown while alone. Great exertions have been made and large rewards offered for the body of deceased and arrest of the Mexican, but no information has yet been obtained.—*Republican.*

Later from the South.

By the arrival of the Ohio yesterday morning we have two days later dates from San Diego.—We are indebted to J. O. Wilkinson, Esq., purser of the Ohio, for files of papers and an abstract of the log.

The Ohio brings up about one hundred of the passengers of the ship Fanny, seventy-five days from Panama which put into San Luis Obispo in distress.

We learn from the San Diego *Herald* that the steamer Northerner called on her way down and and took off the passengers and gold dust from the wreck of the steamer Union.

The clipper ship Montauk, Capt. ——, arrived at San Diego on Tuesday last, from New York, with government stores. She made the passage in the short time of 116 days.

The *Herald* says that the bark Whiton, the captain of which was arrested a few weeks since on the charge of sending a challenge to one of his passengers, sailed from San Diego on the 5th inst., under the command of Capt. Almy, one of the Bay pilots, bound for San Francisco, but owing to head winds, springing a leak, pumps getting choked and being short of provisions, she was obliged to turn back, and arrived at San Diego on Saturday the 19th. It is intended to call a survey on the vessel and condemn her as unseaworthy. The Whiton has a full cargo of flour, beans, barley, etc. from Valparaiso.

The three companies stationed at San Isabel have been ordered to San Diego.

General Bean, after disbanding his company, had returned to San Diego.

Mr. Agoston Haraszthy, a Hungarian gentleman who is sheriff of San Diego, advocates in a letter to the *Herald* a separation of Southern California from Northern, and the establishment of a territorial government. He complains that the laws governing the two sections are unequal.

News from the Interior.

The *El Dorado News* gives the names of the two first companies of emigrants who have arrived across the plains this season. They are as follows:

FIRST COMPANY.

Laporte, Ind.—W. L. Keely, C. C. Crandell, W. Lemon, and John Hart.
Joliet, Ill.—H. Carpenter, C. Carpenter, and N. Flax.
Albion, Mich.—D. Howard, P. Omer, —— Porter, Benj. Monge, W. Hanson, W. Coats, Young, Hesekiah Brown, George Hiller, Grant Sheldon, Frank Seymour, Martin and Jones.

SECOND COMPANY.

Michigan City...Mr. Martin.
Dundee, Ill....Thomas Pinder, Riley Holdridge.
Potosi, Wis....Samuel Hunt, Garey.
Jonesville, Mich....James F. Stark. H. Burris, A. G. D. Lee, A. R. Wilson, M. Cook, P. Cook, James Kenedy, C. Chester, Ed. Button, Samuel Clay, Orrin Gray.
Scipre, Mich....John Hall, William T. Foster.
Litchfield. Mich....Wm. Wite, Ira Wite, Washington Wite, Miner Parker, S. Parker, Joseph Green, William Bolce.
Racine, Wis....Captain Head.
Missouri...Noah Simpson.
Elkhart County, Mich....M. Rowe, Mr. Bates, John Rowe.

The second party arrived at Coloma, on the 21st inst. They left Kanesville, on the Missouri river, on the 25th of April. For the first hundred miles they found the grass good, but after that until they got about two hundred miles on this side of Fort Laramie, it was very short.

They came by the way of Salt Lake, and report the prospects of a heavy harvest.

The *News* reports that the snow on the Sierra Nevada has almost disappeared. Where it was twenty and thirty feet deep this time last year it is now dry and dusty.

On the 19th inst. a severe storm occurred in the mountains. A great quantity of rain fell in the valleys and considerable snow on the summit.

A trader was murdered by the Indians at Red Lake, on the 14th inst.

The Coloma Damming Company have rigged up an Archimedean pump twenty-four feet long and four feet in diameter, capable of discharging 70,000 gallons of water by the hour. It is propelled by a large wheel set in the race.

The Nevada *Journal* has the following account of an attempt at highway robbery near that city:

As Mr. F. A. Houghton of this city was on his way from Grass Valley to Bouna Vista Ranch yesterday afternoon, when about half way, he was accosted by a man on foot who demanded his money. Upon his replying that he had none of consequence about him, the man requested him to deliver up his horse, at the same time presenting a cocked pistol within a few inches of his person.—Simultaneously upon the demand for the horse, Mr. H. drew his reins tight and applied the spurs to his animal's flanks, which immediately made a plunge, and as Mr. H. supposes, struck the highwayman with his heels, as the pistol was discharged at the same instant, the ball varying widely from the mark. A second discharge was immediately made, but at too great a distance to do execution. Mr. H. passed another individual a short distance ahead who was probably an accomplice. Mr. H. was without weapons of any kind. This is the third attempt at robbery which has been made within a mile or two of that place within two weeks, at one of which the villains succeeded in robbing their victim of some $250.

They are forming a Vigilance Committee in Nevada, and, judging from the above, it is not without necessity.

Mr. Gwin addressed the people of Nevada on Thursday evening last.

Religious Services in the County Prison.

We had the pleasure yesterday of hearing a very interesting and eloquent discourse from the Rev. Mr. Williams in the yard of the County Prison. The services commenced at half-past two o'clock, the prisoners having been brought outside the cells and being ranged on benches in the prison yard. The unfortunate men looked clean, and considering their close confinement, comparatively healthy. The services commenced with a hymn, after which a prayer was offered up, and a sermon was preached by the reverend gentleman from an appropriate text. Another impressive prayer closed the ceremony, and the prisoners were dismissed to their cells.

This is, we believe, the first time in California that prisoners have had the benefit of religious services on Sunday, and we are pleased to learn that they are to be continued regularly hereafter. The demeanor of the prisoners was throughout respectful and attentive, and it is not to be doubted that religious exercises regularly performed will have a most beneficial influence over those unhappy men. The discipline of the prison without any undue harshness is firm, and conduces as far as possible to keep them in health as well as to provide against their escape. When the building shall be enclosed, we expect to see the jail a model prison. Escape will then be wholly impossible, at the same time that the prisoners can be suffered to take such exercise within the enclosure as will keep them in good health.

The city council of Stockton have passed the following resolutions on the death of Mr. W. H. Robinson:

Whereas, It has pleased God in his all-wise Providence, to remove from our midst our fellow townsman, William H. Robinson, Esq., formerly a member of this council,—therefore,

Resolved, That we do deeply deplore his loss, as one of our most worthy citizens, and sincerely sympathise with the surviving members of his family in their bereavement.

Resolved, That the foregoing be published in both our city papers, and a copy be forwarded to his family in New York.

Trial of Duane.

The People v. *Charles Duane*—Indicted for assault with intent to kill, committed upon the person of F. Ball on Sunday night, July 20th, at the Cairo Coffee-house, in Commercial street.

This case being called for trial in the Court of Sessions, (A. Campbell, Judge,) Calhoun Benham, counsel for the accused, presented a motion for a change of venue, founded upon affidavits sworn to by the accused, by A. B. Berthoff, and George Cornell, to the following effect: on information and belief that recent events have so poisoned and corrupted the public mind as to render it impossible for the said defendant to have a fair and impartial trial; that a vast proportion of the French population are embittered against defendant and have also prejudiced a portion of his fellow-citizens against him; and that said Duane has been heretofore indicted for the offence of assault with intent to kill, in which case a *nolle prosequi* has been entered, on which account there exists a special prejudice against defendant, etc. The motion was argued with much earnestness by Mr. Benham with regard to the prevailing excitement of the day, and was opposed by H. H. Byrne, prosecuting attorney.

The Court took a recess of fifteen minutes, for the purpose of deliberating upon the motion, at the conclusion of which time they returned, and rendered their decision, over-ruling the application.

The court then proceeded to empannel a jury from the following persons summoned by *venue*:

H. Allen, being questioned as to his competency, replied that he had formed an opinion of the case, and was discharged for cause.

F. W. Macondray, had formed no opinion; was peremptorily challenged by the defence.

W. E. Stoutenburgh, had formed no opinion—was accepted.

J. C. Ball, had not made up his mind, was peremptorily challenged by defendant.

Horace Templeton, had formed no opinion, peremptorily challenged by defendant.

S. W. Hatch, had formed no opinion, peremptorily challenged by defendant.

James D. Roberts, had formed no opinion, was accepted.

Charles H. Harper, was accepted by defendant, but peremptorily challenged by the prosecution.

Francis Gassett, had formed no opinion, was accepted.

Charles H. West, had no bias or opinion against the prisoner, accepted.

James Harper, peremptorily challenged by the prosecution.

C. B. Young, thought he could give the prisoner a fair trial; was not a member of the Vigilance Committee, but approved of their proceedings; considered it a necessary evil—"Vox populi, vox dei." This gentleman was challenged for bias and referred to three triers, who reported him incompetent. Set aside for cause.

J. C. Sheppard, accepted.

J. C. Eddy, accepted.

J. L. Pool, accepted.

Joseph Kingsbury, accepted.

H. M. Lewis, peremptorily challenged by defendant.

W. H. Orowell, was a member of Vigilance Committee, reported incompetent by the triers and set aside.

Robert Wells, declined answering whether he was a member of the Vigilance Committee for the reason that it might implicate himself and others. Peremptorily challenged by defendant.

James Dearie, accepted.

W. A. Darling belongs to the Vigilance Committee.—Considered himself in a proper state to try the case.—Here, Counsellor Byrne arose and protested against the fact of membership of the Committee being considered a cause for challenge. The Court replied that it was for the triers to determine whether there was cause, &c., and charged the latter in the language of the statute. Mr. Darling, being referred to the triers, was further questioned. He considered that there were occasions which would justify a departure from the observance of the law; but his connection with the Committee would not prevent him from rendering a fair verdict, &c. The majority of the triers reported him incompetent, and he was set aside.

F. A. Hussey was not a member of the Committee, and thought he could give a fair trial. Accepted.

O. Ludium had formed and expressed a decided opinion. Was set aside for cause.

James De Long was a member of the Vigilance Committee, and justified a disregard of the law in case of public necessity. Reported incompetent by the triers, and set aside.

F. L. Jones was accepted.

Wm. Pearson was accepted.

The Jury being complete, at 5 o'clock, P. M., the Court took a recess until 6½ o'clock.

The Court being re-assembled, Mr. Byrne, the prosecuting attorney, stated the case to the jury, and proceeded to call the following witnesses:

F. A. Ball—Last Sunday night was at a ball in the Cairo Coffee House on Commercial street; had just finished dancing a figure of a quadrille when the accused stepped up to me and told me to step aside, he wanted to speak to me; I replied, "I am dancing now, I will see you after a while"; he said, "I want to see you now, you d——d son of a b——h!" I said I would see him at the proper time and at the proper place; he then said, "You d——d d——d son of a b——h, I want to kill you"; I said, "That is easily done, for I am unarmed," and turned to leave him; as I did so, he struck me in the face, and I fell; I was about to raise myself on my arm, when he stepped forward and kicked me in the upper part of the bowels; I remember nothing further; I have an indistinct recollection of some things that took place in the saloon afterwards; how long I do not know; I have since been confined to my room under medical treatment; I had no other conversation with Duane that evening than above related; within the last six weeks, the accused, on passing me, has said, "There goes the little d——d son of a b——h," as if to pick a quarrel with me; about a month ago, I was singing at Clayton's saloon a song about the hanging of Jenkins, when he (the accused, who was present,) got up and called me a stinking little puppy, for singing such a song about his friends, and said that the company present were the same, and cowards for listening to it.

Cross-examined—When Duane struck me, I know that his knuckles hit the blow; as far as feeling goes, I think his hand was clenched; I did not see him have any weapon; I went to the ball in the disguise of a black person; I had on the Bloomer costume, a short frock and two or three petticoats, some three shirts in all, gathered at my waist.

Dr. S. R. Gerry—Knows Mr. Ball; was called last Monday morning, at about 1 o'clock, to see him; found him stretched on a sofa, talking incoherently; proceeded to examine him, and found that he had received a contusion on the chin and a cut on the lip; his pulse was weak; he was attacked with violent retchings or vomitings, and threw up blood; soon evinced that he was attacked with violent cramps in the abdominal muscles; found the epigastrium very tender; he was apparently out of his mind; I found no external marks of violence on the stomach; saw a slight discoloration the next day. This incoherency lasted for about an hour, when he commenced to regain his senses, and recognize his friends around him; from that time to this he has been gradually improving. A severe blow on the stomach may produce death. The probable effect of a severe kick in the stomach would be to produce death. The complainant had on, at the time, a number of petticoats and other female apparel, which probably deadened the force of the blow.

Cross-examined.—I would not state positively that I think this kick would have produced death, though I think it was, from the effects, a pretty severe one.

Nathaniel Truesdale—Know Mr. Ball and Mr. Duane; saw Duane strike Ball on the floor; right opposite to where I was dancing. I saw Duane standing against a post; saw him walk up and speak to Ball; then saw him strike him, and then kick him some place about the stomach; saw him kick him twice, while the latter was lying on the floor; myself and a friend picked him up and took him home; he appeared to be insensible.

Samuel Marks—Know Ball and Duane; Mr. Ball was standing in a quadrille; I stood talking with him; Mr. Duane came up to him, apparently very friendly, and told him he wanted to speak to him; Ball replied that he was dancing, he could not go then; Duane insisted upon speaking to him then; Ball persisted in refusing; Duane then told him "you black nigger——" and the first I saw then was, Duane knocked at him, when he fell down and Duane kicked him at the same time; think he kicked him as he fell.

Artemise Simon, proprietress of the Cairo coffee-house, where the ball took place, testified that she saw Duane strike Ball, nothing more.

Dr. Burdell—Know Mr. Ball and Mr. Duane. On two occasions—the last time about 3 weeks ago as he was coming out of Clayton's, the former just after he had been tried in the Payot case—I heard Duane say he would "kill the red-headed son of a b——h, Frank Ball"; I went to Mr. Ball, told him about it, and gave him my pistol, advising him to shoot if Duane approached him to attack him.

Cross-examined—I belong to the Vigilance Committee; the Committee never endeavored to cause any proceedings against Duane; I belong to the St. Francis Hook and Ladder Company. During an absence from the city a committee of the company declared me expelled; I have understood it was Messrs. Duane, Henriquez and Parker who were the cause of this. I was reinstated on my return.

The case for the prosecution was here rested, when Mr. Benham opened the case for the defence by stating that he expected to show that the offence was nothing more than an assault and battery, and called the following witnesses:

Ira Cole—On Sunday night last, Duane, myself and others were pretty tight; went to the ball on Commercial street, where we drank a good deal; I was standing at one end of the bar, talking with Mr. J. Treadwell. Mr. Ball, dressed as a black woman, stepped towards the counter, when Treadwell asked me "who is that." I replied that it was a man who was on the jury in Dutch Charley's case. Ball overheard me, and asked what I had said. I repeated it; he said yes, and voted for hanging him; and he had tried to convict him; he was on the Grand Jury now, and would like to deliberate upon his case again. I then made some remark that Duane ought to do something about it, when officer Blitz came up and said don't have any difficulty here, &c. About that time Ball stepped away and Duane came up, asking what was going on; I repeated the conversation to him, and had told him that Ball had left the idea that he would meet him on an equality and give him satisfaction; thereupon Duane said he would see if he would, and would go speak to him—saying that if he would not step outside with him, he would slap his face. I turned around to drink—heard something, turned around and saw Ball on the floor.

Cross-examined—Went to this ball at about 11 o'clock; had been drinking very often all day and felt pretty good—pretty keen; was sufficiently sober to recollect the circumstances; Duane had drank more liquor that day than I had ever known him to drink before.

Officer Blitz—Saw Duane and party come into the Ball; afterwards heard some words between Ball and Cole, and fearing that there might be some fuss, went up and advised them not to have any.

I. Cole, recalled—Q. Did you not a day or two after this occurrence, say to Mr. Francis Panton that you were so drunk on that occasion, you did not recollect anything that happened. Do not recollect; if I did, the reason was that I was at that time threatened with an indictment and wanted to appear as innocent as possible.

Roberts—Was dancing in the same cotillion with Ball; Duane came up and said something to him; Ball said "you will," and Duane knocked him down with his open hand; he then kicked once at his head; I will swear positively that he did not kick him in the stomach; he then stepped back and stood a few minutes; he had no weapon.

Cross-examined—Reside in Sacramento, where I have kept three public houses; this kick was given to Ball after he had fallen to the floor; Duane then stood about two or three feet from him; I do not think that Ball was hurt at all.

—— Carroll, Police officer.—Saw Duane strike Ball with his open hand, and, when the latter was down, kick him in the face with the side of his foot.

The defence was here rested, and the prosecuting witness called as rebutting testimony—

F. Panton—Know Ira Cole slightly. About two days after the occurrence was at Clayton's saloon, and heard him say that he was so drunk on that occasion he could not recollect any thing about it. I was on the Grand Jury who found the bill against Duane.

F. A. Ball re-called.—When Cole and I had this conversation, he asked me if I was on the jury who tried his friend, Dutch Charley. I said yes, and had voted to punish him. He replied that I ought to have my d——d head stove in. I answered that I was responsible for what I did, and would on any other occasion, while on a jury, vote according to the evidence. I said nothing about the Grand Jury. Cole commenced the conversation.

The testimony was here closed, at 10 o'clock, P. M.

The Jury were ably and eloquently addressed by Mr. Byrne for the prosecution, and Mr. Benham for the defence; the address of the former gentleman being followed by loud applause from the audience.

At 11¼ o'clock the case was submitted to the jury, who were out at 1¼ o'clock this morning, without a probability of agreement.

The Poisoning Case.

The People v. *Richard Hall.*—The defendant was put upon his trial in the District Court, L. Parsons, judge under an indictment charging him and one Spiers with having on the night of the 1st of June, caused the murder of an Indian, named Frank Brewer, by administering poison to him.

G. K. Platt, District Attorney, appeared for the prosecution; Messrs. James & Brodie appeared for the defence.

Much time was spent in empanelling a jury, which was not accomplished until one o'clock, the defendant's counsel having exhausted the number (twenty) of peremptory challenges, allowed by the law.

The following gentlemen summoned as jurors, and not answering to their names were fined $25 each: J. Boyer J. Howell, C. E. Huse, J. Andrews, W. H. Jones, H. A. Harrison, W. T. Coleman, F. A. Bartlett, Olof Swedenstein.

The following gentlemen were accepted and sworn on the jury: Thomas L. Mount, T. J. Haynes, D. S. Turner Thos. Corn, W. F. Cooper, H. C. Logan, S. D. Smith, D. W. Smith, W. H. Colt, G. M. Blake, J. Dows, Wm. Webster.

The District Attorney having stated the case to the Jury, the following testimony was produced.

Edward Gallagher.—On the morning of 2d day of June met Capt. Harding, who informed me there was a man lying dead around the corner; went and saw him lying by the side of a house or shed on Montgomery street, above Pacific; examined the man and found that he was dead; empanelled a jury and held an inquest on him; he was copper-colored, an Indian, about five feet eight inches high, about thirty years of age; had on a dark colored sac coat; we saw no marks of violence on the body, and the jury found that he had come to his death from some cause unknown. The house said to be How's was about twelve or sixteen feet from the body, which was lying on its side, the head being towards the street, and more elevated than the feet; there was nothing unnatural either in the position of the body, or the appearance of the face. Hall was present at the examination. The body was buried by my order the same day at about 4 o'clock, afterwards had it disinterred and a *post-mortem* examination was held by Dr. Zeille, which I witnessed. One of the intestines seemed to be perforated. There were three or four others present. A portion of the intestines were put in a bottle; the other portion were wrapped in a cloth and placed in a keg formerly containing paint. The keg and bottle were conveyed by us to Dr. Zeille's house, where I left them.

This witness was also examined and cross-questioned at some length upon the *modus operandi* of the examination.

Dr. Zeille—First saw the body at the cemetery, in the company of Mr. Gallagher and two other men; the body was brought into a small house; I commenced an examination of the belly. (Here the witness was requested by defendant's counsel to prove that he was expert in surgery, and was questioned at length as to his acquirements in that science.) On opening the stomach and bowels, I found the intestines in a state of great inflamation; in one of them, on the right side, a hole about the size of a quill; I cut this part out; put the contents of the bowels in a bottle which I had brought for that purpose; I made no further examination at that time; I cut out three parts—the first from the small intestines, second in which was the hole, the third was the stomach; wrapped it in a piece of the man's shirt, and secondly in a piece of sack, and then put it into a cask; the bottle was then cleaned before my eyes; the cask was an old dirty one; they were put in the wagon by the Coroner, and put in the place whence they were never removed except when taken by Dr. Burns; I think they were there 24 hours; I made no chemical examination of them; my opinion is that the hole in the intestine was occasioned by corrosive stuff; the inflammation was like that produced by Arsenic; it is impossible to say how long before such a dose would produce death; my opinion is it was taken in connection with a powerful narcotic; there was about one pound and a half or two pounds of matter in the bowels.

Cross-examined—I have practised medicine for about 22 years; have held several examinations of this kind in my practice; think I was more than an hour and a half making the examination; on examining the brain, found strong appearance of congestion; I have known other instances of arsenic making a perforation of the bowels; saw one other; in this case I discovered no substance like poison.

It being 4 o'clock, the Court took a recess until 7 o'clock.

The Court being reassembled, pursuant to adjournment, the evidence for the prosecution was proceeded with as follows.

Dr. M. P. Burns, graduate of the University of Glasgow in 1843, and of the College of Physicians and Surgeons in Canada, 1848, related minutely and in detail the process and results of a chemical analysis made by him of the stomach and intestines received by him from Dr. Zeille on the 5th of June. He testified that he found therein from thirty to sixty grains of arsenic, and also a portion of opium or morphine; and stated his opinion to be, that the deceased had come to his death from the combined effects of the two. He produced in court a portion of the arsenic extracted from the stomach.

The examination of this witness was very lengthy and tedious, occupying the Court until half-past 9 o'clock.

Norah Maloney—Lived on Montgomery street, three doors from Pacific; saw a colored man playing cards all of Sunday evening; saw him at 5 or 6 o'clock in the evening, playing cards with Hall and Spiers and his wife; saw from my door opposite; between 10 and 11 o'clock saw Hall and Spiers take and throw the man out of doors; they threw him about five or six feet from their door, with his head down, near the butcher's shop. I knew Hall by sight alone; I had come here in the same ship from Sydney with Spiers about two years ago; the first time I saw the colored man was in that house that evening. I stood at the door which was on the opposite side of the street, a little above their house; there was a candle burning on their table when they were playing cards; when they were throwing this man out he sung out "murder" and "robbery," whereupon I turned and told it to a gentlemen in my house, Mr. Swords; this was between 10 and 11 o'clock by my time; I saw Hall and Spiers at their house at different times during the day, and at 5, 6 and 8 o'clock that evening.

Cross-examined—Since the last fire, I have lived aboard the Mason, opposite Pacific Wharf; I am a Catholic; went through a marriage ceremony in a Protestant church to a Mr. Bowden, against my consent; but I never considered that marriage binding, being a Catholic; I never lived with Bowden an hour; never became acquainted with him; he bribed a woman to carry me to church, where I was married to him; he took me immediately aboard the ship; before the Recorder. I stated under oath that I was not married; I do not consider that I was; I have got a child; its name is Maggy Maloney; I shall not say who is its father unless the Court says so. (Court overrules the question.) Can't say whether the body found was that thrown out by these men; suppose it was; Mrs. Fossett lived just opposite to me; I never said that I would have revenge on George Spiers, or threatened him, or accused him some time since of stealing; I lived at a house on Pacific street called the Mermaid; I kept it; had about one or two female boarders. (A question whether witness kept a brothel or was a prostitute, was overruled by the Court after considerable argument.) I do not live with John Swords.

At the close of this witness's testimony, the Court adjourned until this morning, at 9 o'clock.

The People v. *Richard Hall.*—The examination of the testimony for the prosecution in this case before the District Court was resumed yesterday morning:

Dr. Burns produced two phials, one broken and containing a white powder, the other a fluid, which he testified he had received from Marshal Crozier. A third phial received by him he had returned to the clerk in the marshal's office.

Marshal Crozier testified that he had received three phials from a police officer, which he delivered to Dr. Burns, and which he thinks are the same produced in court. They remained in his office two or three days.

Officer McKenzie—Searched the house in Montgomery street, by request of Capt Ray; found there one of the phials in court; in the back part of the house under a cot. I found a box containing a white powder, a portion of which I put in one of these phials now in court; delivered them to Capt. Ray. I searched this house at about 9 or 10 o'clock on Monday evening, I think; there were two or three pounds of this powder, in a tin box under a berth; found one of the phials in the bar; officer Regan was with me.

Capt. Ray—I think that the two phials in court are the same brought into the police office by officers McKenzie and Regan; they were enclosed and put into the desk, whence they passed into the hands of Mr. Lindenberger, Marshal's Clerk.

[illegible] June, there were [illegible] marshal's office, by a [illegible] Coroner Gallagher that [illegible] was a little larger than th[illegible] round phial containing [illegible] dark-co[illegible]re returned by the coro[illegible] and aft[illegible]r to Dr. Burns, who had them [illegible] four or [illegible] whether those returned by him were the same.

Dr. Burns was recalled to prove the nature of the contents of the phials; (objected to on the ground that they had not been identified and connected with the accused; objection overruled.) Received the phials from Mr. Lindenberger; there was no stopper in the broken one; received three and returned the one containing the dark acid; as to the whole phial in court, there was no liquid in it; there was a powder adhering to the side, which I diluted with an acid; it was strichnine, a poison which causes death (defendants here objected to testimony of any other kind of poison found in the house, than that found in the analysis of the man's stomach—objection sustained.) Examined the contents of the broken phial, which I received from the Marshal's office, scattered in a piece of paper, and found it to contain morphine and arsenic; think the proportion of arsenic was greater than the morphine; when I got the phials from the marshal's office, the three were wrapped in a piece of paper, into which the white powder from the broken phial had been spilled. Witness having stated the effects of strichnine to be similar to those perceived in that part of the body examined, he was then allowed to testify as to the phial containing strichnine, &c.

At

THE SAN FRANCISCO HERALD.

...Officer Thorpe...be was there Ex... tion... Know Mr... ...n and heard of her, ...th.

...ss-examined—I did not give ... to the Recorder about my seeing this ... ..., because I was not summoned. I came by again ... 11 o'clock, and saw these three men there a... a candle and were apparently looking at the body, which was then lying on the ground; there were no policemen there; saw one there the next morning at 6 o'clock; I was subpœnaed as a witness at about 6 o'clock last Saturday evening, as I was starting for San Jose. Am certain that Judge Waller was not one of the three men.

The Court then took a recess until 7 o'clock.

Officer Thorpe, recalled at the request of the District Attorney. I have no knowledge of stating in the Marshal's office, the day after the arrest of the defendant, that I saw Brewer at 1 o'clock that night (Sunday,) and that he was not dead; neither have I any knowledge of stating that I returned at 11 o'clock that night and found him alive then; nor of making any such statements on last Friday, or on last Saturday.

Joseph Miller—Am foreman for the Messrs. Cornell, in the excavating business; know Hall and Spiers; on the 1st of June, lived at the Albion Inn, on Broadway; on on that day was in Spiers' house from about 1 to 4 or 5 o'clock; Spiers was there all that time; Hall was there when I went away. Know Norah Maloney; was at her house three or four months since; heard her say that she believed Spiers had robbed her, and she would have revenge upon him some day; from what I have heard of Norah, I think I would not believe her under oath.

Wm. Berry—Kept a house on Montgomery street, nearly opposite Hall's place; know him and Spiers; on Sunday night was at home from 8 to 11 o'clock; I heard no cry of murder, &c. that evening; from what I have heard of Norah Maloney, I would not believe her under oath; had only heard people say that Norah was a loose character.

Capt. C. A. Howard—Know Big Norah and "Peg Leg" (Mrs. Fawcett) by character; I would not believe either of them under oath.

John Davis—Live with Mr Berry, on Montgomery st., about six fathoms from the butcher's shop. On Sunday evening I was sitting at the front door, outside, from 7 until 10 o'clock, smoking a pipe, as is my custom of an evening; I heard no cry of murder or robbery; saw nothing unusual at Hall's house, over the way; did not see any man carried out of that house; am some what hard of hearing; heard some noise that night a little way up the hill.

Edward Hilliard—Knew Big Norah in Sydney in 1840; she was bar-maid at the "Liverpool Arms"; her character was bad in Sydney, and is not of much account; would not believe her under oath; she was married in Sydney to Joseph Bowden; I know that they lived together four days.

E. Gallagher—Saw Norah Maloney on Monday, June 2d, after the inquest was held on the body of Brewer; she stated to me that on going to close her door, she saw somebody throwing the man out; she said her impression was, from the size of one of the parties, that it was John Spiers; I do not recollect that she said that Hall was one of them.

It being 10 o'clock, the Court adjourned until Tuesday morning at 9 o'clock.

Court of Sessions.

A. Campbell, Judge; H. S. Brown and E. McGowan Associate Justices.

The People v. *James Burns*, alias *Jemmy-from-town*.—The defendant was put upon his trial, on the charge of stealing a trunk of clothing from Mr. E. H. Breed on the 22d of May last; the same offence for which Richard Plunkett, *alias* Robinson, was tried as an accomplice, on Saturday, and acquitted. The following jury was empannelled: Messrs. S W. Hatch, Jas. Harper, F. A. Hussey, H. Templeton, F. Gassett, H. Allen, F. L. Jones, J. B. Roberts, W. B. Stoutenburg, W. H. Crowell, C. H. West, J. L. Pool.

H. H. Byrne conducted the prosecution; W. Higby, Esq., for the defence.

Mr. Breed—Testified that the trunk was stolen on the night in question, and identified the contents at the Station House.

Mr. Stoutenburg—One of the jurors proved their value to be over $100.

Officer Card, together with Officer O'Donnell, arrested the prisoner and Plunkett on the morning of the 22d of May, at about 2 o'clock, in Broadway street; found a number of articles, clothing, &c., secreted on their persons; afterwards found the ... on the hill; it was a large heavy trunk, req... to assist to carry it; it was found about two squares from Mr. Breed's house, whence ... was taken; the place was shown ... the house from ... it was removed; two pistols were found on Burns; ... they were loaded; the trunk was so full of clothes ... heavy that one man could hardly have carried it ... point where it was found; both Burns and Robinson ... a bundle of clothes in their hands and some artic... ...ed in their bosoms. (A number of keys, chisels, etc., were produced by the prosecuting attorney, which the witness said looked like those usually ... on thieves, but did not recollect having taken ... from the prisoner.) Burns was examined by the ...rder, and remanded to prison ... his trial on ... charge; he was then ... ... he broke ... Has known the pr... for ... his associa... been with those ... as thieves. ..., when the two were arrested ... to Burns, ...ou'll pay me?" Burns replied that he would, but had no money at the time.

O'Donnell, sworn—Was a policeman on the 21st last; was one of the officers that arrested the ...; about 2 o'clock on the morning of the 22d of ... witness and officers Card and Eilleard met Burns ...inson carrying bundles of clothes, stopped them ...ed them where they got the articles; Burns said ... from his washerwoman; saw a pair of shoes ... a pocket; Officer Card ... out; the ...ticles in their pockets; witness's ...rchief, and the prisoners ... the station house. The clothing con... ...ety of fine ...cils, etc. ... said he thought he could show ... here the trunk ...rom which they got the things; he said, it was ...re on the hill; the officers separated to hunt ... and Burns kept saying they were not far from it, ... near a church that he seemed to know very ...terwards met Mr. Card, who ... he had found ...k; Mr. Breed's name was ... clothing found ... prisoner and in the trunk. Took a pair of pistols ...Burns; understood Burns to say he got them out ... trunk; thinks those produced in Court are the ... taken from the prisoner.

Wm. H. Hays, sworn—Was in prison the night of Burns' arrest; prisoner ... witness a silver knife saying tha: he took it from the trunk with the other things, and the man to whom the trunk belonged had said that all he cared about was the knife.

Cross-examined—Never have had any difficulty with prisoner; showed the knife to a policeman; Burns said he had broken open a house, taken a trunk from it out on the sandhills and removed two bundles of clothes from the trunk. He said he had given the clothes to another man to carry for him. He further said he wouldn't stay long in such a prison as that. Witness was in prison on a charge of stealing some money from a Mexican in Pacific street; he was innocent of that charge and had been acquitted by this court; the real man that stole that money was Burns (this last answer was ruled out as inadmissible evidence.)

By a Juror—The knife shut up; both handle and blade were silver; thinks there were two letters on the blade.

Mr. Breed, re-called—Among the articles stolen from witness was a silver fruit knife with his initials in it—just such a knife as was described by the last witness.

For the defence.

Richard Plunkett—Was carrying a bundle of clothes for Burns at his request. Burns said if they met a policeman he should give up the things to him, otherwise he would take them to the station-house. Burns said here are some things; he told witness that two men had run off and left the trunk. ... Witness had been drinking during the day pretty hard, and does not recollect much that occurred that night; Burns used to live next door to witness; had no acquaintance with him.

Arguments were made by the counsel, and the Court instructed the jury that they might punish the prisoner if guilty, by imprisonment or death.

The jury were out a short time and returned with a verdict of "guilty," fixing the punishment at ten years' imprisonment.

The Initial Point of the Mexican Boundary.

We find in the *San Diego Herald* the following copy of the record placed underneath the monument, marking the initial point on the Pacific, of the boundary line between the United States and Mexico.

On the 14th day of July, A. D. 1851, the undersigned, appointed and commissioned by our respective governments, deposit this record beneath the marble monument, now erected by us, to mark the initial point of boundary between the United States and Mexico, established by the joint commission, October 10th, A. D. 1840, agreeably to the treaty dated at the city of Guadalupe Hidalgo, February 2d, A. D. 1848. This point is situated on the Pacific coast one marine league south of the southernmost point of the port of San Diego, and its geographical position is north latitude 32-31-59-58; longitude 7h. 48m. 21s. 1. west of Greenwich.

[Signed] EDM'D L. F. HARDCASTLE,
Bv't Capt. U. S. Topog'l Engr's
RICARDO RAMIREZ.

Names of the members of the Joint Commission as recorded upon the journal of July 9th, A. D. 1849:

UNITED STATES COMMISSION.

John B. Weller, United States Commissioner; Hiram H. Robinson, Secretary; E. Kirby Chamberlain, Surgeon and Physician; Denis Gahagan, Interpreter and Translator; O. S. Witherby, Quartermaster and Commissary; Charles L. Weller, Clerk and Disbursing Officer.

Astronomical Party—Major Wm. H. Emory, United States Army, Chief Astronomer; Capt. E. L. F. Hardcastle, and Lieut. A. W. Whipple, U. S. A., Assistant Astronomers; James Nooney Jr., Principal Computer; Charles C. Parry, Assistant Computer; G. Clinton Gardner, and Edward Ingraham, Junior Assistant Computors.

Surveyor's Party—Andrew B. Gray, United States Surveyor; Charles J. Whiting, Principal Assistant Surveyor; Henry Clayton, Draughtsman and First Assistant; J. H. Forster, First Sub. Assistant Surveyor; George P. Hooper, Wm. A. Taylor, and Frederick Emory, Sub. Assistant Surveyors; Joseph Kaufman, Sub. Assistant Surveyor and Clerk.

MEXICAN COMMISSION.

Gen. Pedro Garcia Condi, Mexican Commissioner; Jose Salazar Ylarregui, Surveyor ... Astronomist; Francisco Jimenez, First Engineer ... M. de Chaurs, Engineer and Secretary ... Condi, ... Engineer; Ricardo Ra... ...; Felipe de J. Iturbide, ...

[Signed] EDM'D L. ...

...names of several citizens in ...ecord was deposited.

San Joaquin Intelligence.

A shocking murder has been committed at Chilian Gulch, near the North Fork of the Calaveras. The following account is from a letter in the Stockton *Journal*, dated July 18:

About two o'clock this morning, two Americans who were passing up the Chilian Gulch, within two miles of this place, called at a tent to make some inquiry, when they discovered that a young American had been murdered, and his companion lay by him exhausted and bleeding, but sufficiently sensible to ask for a drink of water, which was given him, and he then stated that he and his dead companion were attacked at noon by three armed Mexicans. At the time they were attacked the survivor said he was inside the tent engaged in writing letters—one to his mother was finished and another to a friend commenced, when hearing the attack outside upon his companion, who had gone out to cook their dinner, he attempted to step out and was met by the three Mexicans, one of whom snapped a large revolver twice at him and then assailed him with the butt of the pistol, and also with a heavy sharp sword or cutlass, which he attempted to ward off with his naked hands, as neither of the Americans had fire arms.

One blow cut the thumb of his right hand entirely through the bone, leaving it barely hanging to his hand, and his left hand had grasped the sword which had been wrenched out so as to lacerate it dreadfully. One stab penetrated the cavity of the chest, wounding the right lung—another thrust entered the windpipe, and his head appeared cleft to the brain, with other wounds of so shocking a nature that it is wonderful he survived so long. He had there lain by his dead friend about three hours. He retained his senses for an hour or two, and bore his sufferings with a noble courage and fortitude; he described the murderers as entire strangers to them; that they left him for dead and rode away upon two animals, two of them riding on one; that they had robbed them of all their gold, some two or three hundred dollars.

The name of the young man murdered first, is Robert E. Bradshaw, from Massachusetts, about 22 years old, and the other is William A. Sampson, from Charlestown, Mass., aged about 24 years. Their tent was in an unfrequented glen, which probably induced the murderers to believe that their death would not be soon discovered, and there is little doubt that the assassins had watched them for some time. They were remarkably correct and inoffensive persons, and much esteemed by all who knew them. Every assistance was given to young Sampson by staunching his wounds and administering medicine by men who immediately gathered in as the news of the murder spread. He expired at 10 o'clock this evening.

The murderers took the road towards Stockton, and five men well armed, are in pursuit of them, who it is hoped will succeed in arresting these monsters. They are certainly guilty of the most blood-thirsty and awful murders in open day, that ever have occurred in the country.

It appears that young Bradshaw must have been killed instantly, as his scull was cleft to the brain in three places, and he was found lying upon his face with a box of matches scattered around, as if he was about to light a fire.

On Friday evening about 8 o'clock, two prisoners named Mack and Fuller, confined in the Stockton jail, effected their escape. The *Republican* says that rushing from their cell, through an outer apartment, where two turnkeys were sitting at the time, they reached the balcony in front, and jumped to the ground. Fuller sprained his ancle in the fall, and was recaptured. Mack, favored by the darkness, managed to make his escape; and, at the latest accounts had not been found, although a large party was in immediate pursuit.

News from the Mines.—The *Republican* says that the excitement is increasing in favor of quartz veins. In the vicinity of Sonora and Jamestown, many shafts are being sunk, and exceedingly rich gold bearing veins made visible. The ore has been struck in every part of the Sandias Mountain where the miners have prospected.

The Tennessee company have struck a vein of twelve inches thick.

A vein of decomposed quartz has been discovered, so soft as to crumble with the hands. Its extent is visible some fifty yards, and will yield ten cents to the pound. Rastra, or track mills, (a simple construction for amalgamating,) are now being made, each of which will pulverize and amalgamate forty-five hundred pounds of the quartz per day, giving to the parties interested a very bountiful yield.

At the washings the miners are doing well. On Woods' Creek, above Sonora, a company of ten men take from their long-tom, daily, from four to five hundred dollars. Where water can be had without carting earth, the miners are well satisfied with the result of their day's labor. Many of the diggings are without water, and earth is carted a distance of one to three miles. The Stanislaus Water Company will remedy that evil for many miles from the commencement of their work, which they expect to finish in the course of two months. It will give an abundant supply of water to the different camps, and irrigate many of the beautiful gardens to be seen in the mountains.

We find in the *Republican* the following card in relation to Stuart's accusation of the Sheriff of Monterey:

Sir—We have read with much pleasure the letter of Mr. Phillip Roach, in the San Francisco *Herald* of July 19th, in regard to the statement made by Stuart, respecting the character of Mr. William Roach, Sheriff of Monterey. We heartily coincide with the letter, and would state, that we have known him for a long period, as an upright and honorable gentleman. He was one of the first settlers in Stockton, and was always universally and deservedly respected. His character is without a blemish, and no charge to his dishonor made against him, until the villain Stuart thought fit to state to the Vigilance Committee that he had been bribed in the sum of $700 Now, we ask any reasonable man, if there is the appearance of truth in this statement?—when Stuart states that Roach knew that the bribing party had the immense sum of $21,000? Is it at all probable that Mr. Roach would sacrifice the reputation he has hitherto enjoyed in California, for the paltry sum of $700!

It is a well known fact, that Mickey Lyons, (who was hung in Stockton,) spoke falsely whilst the rope was round his neck.

The public ought in justice to the accused, to suspend their judgments when the character of a man, who has borne so honorable a reputation, is at stake.

Nelson Taylor,	William Ward,
John Heyland,	F. Q. Brown,
John Murphy.	Henry S. Morton,
Sam'l. Ferguson,	Sam'l. H. Catts,
James Lynch,	Wm. Atherton.
C. R. Williams,	Michael Conelly,
C. H. Thurston,	Daniel P. Clark,
Richard Wall,	Geo. W. Shoemaker,
Elbert Weekes,	Monroe T. Robertson.

The Shower of Flesh at Benicia.—In relation to this phenomenon, of which we gave an accurate account some days since, the *Gazette* says:

The meat was generally quite fresh, although some pieces were partly dried as by exposure to the weather, and all had a ragged appearance as if they had been torn from the bone and swallowed by birds.

Two opinions exist as to the cause of the phenomenon; one, that a large number of carniverous birds were above the spot at such an altitude as to be invisible, and were caused to disgorge by some—perhaps electrical—change in the atmosphere; the other, that the meat had been blown to a great elevation by a whirlwind, whence it descended in the manner described.

Valuable Discovery.—We had always given Mr. Gwin credit for many excellent qualities of head and heart, and had awarded him much credit for his industry and zeal in pressing the claims of his constituents before Congress. We always thought he made an able representative, and we have heretofore expressed our humble opinion to that effect. We begin to believe now we were dull enough not to do him half justice. The *Star* has recently discovered that he is not only one of nature's noblemen generally, but a most profound and erudite statesman, and a very paragon of eloquence and logic;—and what is remarkable is, that it is not as an orator and a statesman and nature's nobleman generally that the *Star* thinks most of him—it is as a California Senator that he commands the unlimited admiration of that intelligent journal. As we must always take pleasure in whatever conduces to the glory of Mr. Gwin, we rejoice in this highly important and interesting discovery by the *Star* of those many eminent and brilliant qualities in that gentleman's character. The most remarkable feature of this discovery is that it was made in a single day after reading Mr. Gwin's speeches.

THE CITY.

Friday, July 25.

Dreadful Accident.—A horrible accident occurred yesterday in Battery street near Macondray's. An individual named George W. Quley, from Indiana, was standing on a pile of lumber as the railroad car loaded with sand came rushing down the street. The brakeman blew his horn, and did all in his power to stop the cars, but their impetus was so great that one of them caught Quley's clothes and hurled him under the wheels, three of which passed directly across his leg, just below the knee, severing it as with a knife from his body. He was taken immediately to the hospital when his leg was amputated just above the knee. He must have been deaf, as the conductor of the car blew his horn most lustily to warn him of his danger, but without effect.

A New Division of Time.—At the head of Sacramento street may be seen the following sign, informing those interested that there can be purchased "Water by the month, week or *pail*." What is the duration of a *pail*?

Fined.—The District Court was much delayed yesterday morning in consequence of the difficulty of procuring unprejudiced jurors on the trial of Hall. The panel was exhausted, and the Sheriff had to summon *talesmen*. A number of those summoned to attend as jurors failed to obey, and were fined $25 each for non-attendance. In the present state of crime in our city, every good citizen is morally bound, as he values his personal safety and the interests of society, to perform cheerfully his duty as a juror.

Quick Work.—James Burns *alias* Jemmy-from-town was only turned over to the Sheriff by the Vigilance Committee about 1 o'clock yesterday morning, and by 11 o'clock the Grand Jury had found an indictment against him, and he was arraigned to answer the charge of breaking into Mr. Breed's store and stealing therefrom a great variety of articles. His trial was fixed for to-day. The Committee tracked Burns from point to point until they captured him, and then thoroughly investigating his case, they placed the evidence that they had collected of the prisoner's guilt before the Grand Jury, who promptly found a true bill. This course meets, as far as we have ascertained, with universal approbation, and many who were before lukewarm in their support of the Committee are now earnest in their commendations. Their opponents too have been completely disarmed, and are compelled to acknowledge the very great assistance that such a body so acting may render to the regularly constituted authorities.

Another Clipper.—The Ino, a clipper ship, built in Williamsburgh, arrived in our harbor yesterday. The Ino is of a beautiful model—160 feet long, 35 feet beam and 19 feet depth of hold, and spreads 10,000 square yards of canvass.

Saturday, July 26.

Happy Valley Public School.—We attended yesterday afternoon, the concert and exhibition by the children of the Happy Valley Public School. The school is under the charge of Mr. J. H. Cooley, and was instituted in June, 1850, and now numbers upwards of 120 pupils, boys and girls, from the age of four years up to twelve. The scholars of Mr. Cooley were joined by a portion of those of Mr. Osborne, whose school is situated at the head of Clay street, and together they marched in procession, numbering we should suppose 150 or more, to the Rev. Mr. Wheeler's Baptist Chapel. The children were all very neatly dressed—the girls in white, and all ornamented with red and white rosettes. The ceremonies of the evening commenced with a full chorus by all the little choir, which was admirably sung for children so small. Numerous songs, duetts and choruses were sung during the afternoon, to the great gratification of the large audience present. In fact, the church was full—a larger number of ladies being present than we ever before saw together in California. A number of recitative pieces and several dialogues were handsomely delivered by the boys, one of whom could not have been more than six years of age. All the performances of the evening were received with great applause by the audience.—The occasion was an exceedingly interesting one; the children were admirably drilled and instructed, and not one hesitated for a moment in the performance of his allotted part. Little fellows four years of age sang in the chorus of "Sparkling and Bright," with as much correctness and earnestness as if they had been used to it for years. The exercises were concluded by some very just remarks from the Rev. Mr. Willey, urging the importance of supporting public schools in our midst. He referred to the motto on the banner of the school, "Educate the Free Schools and you elevate the People," as one that all would sanction, and if carried out, would render us hereafter a great and a happy people.

In conclusion, we cannot too warmly commend the energy, labor and care that have been expended by the teachers of these schools, Messrs. Cooley and Osborne, in training their youthful pupils so excellently. We heartily commend their schools to the support of every man in the community that has an interest in the welfare of our young and growing State.

Monday, July 28.

Trial and Conviction of Duane.—The trial of Charles Duane commenced at an early hour on Friday morning, and though much time was spent in empanelling a jury, the Court continued its sittings until late at night, when the case was submitted to the jury and they retired to deliberate on their verdict. During the whole day the court room was crowded with citizens deeply interested in the proceedings and watching anxiously all the developements in the case. Their feelings were not to be mistaken, when at the close of Mr. Byrne's (the prosecuting attorney) address to the jury, they broke out in involuntary applause. Mr. Benham made an eloquent defence of his client, but he struck no responsive chord. No one sympathised with him in his sentiments. The jury remained out all night and all day Saturday, until 6 o'clock in the evening, nearly twenty hours, when they came into Court and rendered a verdict of "Guilty," on the charge of assault with intent to kill, recommending the prisoner, however, to the leniency of the Court. The punishment fixed by the statute for the offence of which Duane has been convicted, is imprisonment in the county jail for not less than one year nor more than fourteen years. During Saturday, great anxiety was exhibited to ascertain whether the jury had agreed and upon what verdict, and these were the questions constantly asked throughout the city. Mr. Benham, after the rendition of the verdict, gave notice of his intention to move for a new trial, on the ground that the verdict was contrary to the evidence. His client will probably be sentenced to-day or to-morrow.

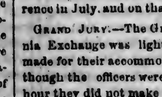
Melancholy Occurrence.—Yesterday (Sunday) a party, consisting of Capt. Gellatly, of the British ship William; Mr. W. H. McComb, agent for the owners of that vessel; Capt. P. Crowell, of the storeship Charlotte; Capt. J. P. Ward, formerly in the employ of D. Gibb, Esq., as master of a vessel; the captain of the British brig Desire, and four seamen, went on an excursion to Contra Costa in a long boat, and in returning, a violent wind struck her sails, capsizing the boat, and drowning all except Capt. Crowell. After the boat capsized, they all clung to her, but being ballasted with two casks of water and two large cannon firmly fastened, she went to the bottom. They then commenced swimming, but were soon exhausted, and sank to rise no more, with the exception of Capt. C., who held out till picked up by a boat's crew (who saw the accident) as he was sinking.

Capt. Gellatly was from Glasgow, and leaves a family to mourn his melancholy death. Mr. McComb was also from Glasgow. Capt. Ward was from New York, had obtained a competency in California, and was intending to return on the first of the month, to enjoy, with a devoted wife, the result of his industry. The names of the seamen are John McGowan, William Hunter, Robert Taylor, and Dugald McKenna. Three of them were apprenticed boys, who nine months since started from their Highland home, leaving their parents, to seek their fortunes on Neptune's domain. Alas! a sad fate has attended them.

We were informed that another boat was capsized off Mission Creek. There were three persons in the boat, two of whom were saved by clinging to the bottom; the third, in attempting to swim ashore, was drowned.

Burial of a Chinaman.—We have to notice the death of Mr. Ah-hang, on Friday last, head of Sacramento street. The deceased was a respectable merchant of Canton, and died after a few days illness from disease contracted on his passage to this country. He was buried on Saturday at the Yerba Buena Cemetery, and was followed to the grave by a large concourse of his countrymen as well as Americans who accompanied the procession from curiosity. The procession was headed by Mr. Norman Asing as chief marshal, and two respectable merchants of Sacramento street as aids. Then followed the hearse with the body enclosed in a plain but elegant mahogany coffin, three carriages, about twenty horsemen, and over three hundred on foot. On arriving at the cemetery they proceeded in a body to the different graves of their countrymen, who had been buried there at different times, sprinkling wine upon their tombs and performing sundry ceremonies. Then followed the interment, with all the ceremony usual on these occasions—throwing the white ribbon, which they all wore on their left arm as a badge of mourning, into the grave—burning a number of candles, incense, torches, and a quantity of slips of gilt paper at the foot of the grave with a salaam from each. They then made room for the brother of the deceased, who approached the grave, apparently much affected, and performed nine genuflexions, kissing the ground and salaaming. After which they distributed cigars, wine and perforated Chinese coin among all present and returned with the decorum characteristic of that class of citizens to their homes.

The following is a fac-simile of the hieroglyphics on the unpretending head-board raised to the memory of the deceased:



Witness in Kay's Case.—It is known that the Grand Jury have been for some time investigating the charges made against Belcher Kay. On Saturday last a female named Fanny Seymour came down on the boat, who is said to be an important witness in the case. She will probably be examined before the Grand Jury to-day.

A Mad Bull.—One of the wild bulls that have been ranging over the surrounding country for some months past, was being driven down Telegraph Hill yesterday afternoon, when he broke away from his guards and dashed furiously down the hill, clearing every thing before him. In his rapid descent, he came full upon a Mr. Spires, and before he could escape, gored him in the eye, producing a frightful wound, which it is feared will be fatal. Continuing on his course, the infuriated beast dashed at every thing human that crossed his path, until coming suddenly upon a boatman, named Bell, on Pacific street, he pitched, horns down, into the unfortunate man, and in a twinkling tossed him in the air.—He was rescued however before any dangerous wounds had been inflicted, and the savage bull dashed on in his mad career, until he was checked on Pacific street wharf, captured and killed. The man that would drive such an animal into a crowded city, should have been the first to be gored.

Late Rains.—Throughout the day on Saturday last the scud was driving in from the ocean and falling like a heavy Scotch mist upon the city. The Rain King seemed disposed to favor us with that unprecedented phenomenon at this season of the year—a shower—but managed to preserve his consistency by compromising on a dripping mist. After night, however, the mist gradually increased in density, until a little while after midnight, when it settled into a bona fide shower, that pattered upon the roofs in real wintry style, and made itself known to many, sleeping in summer-built houses, by dripping through the crevices, and soaking their beds and apparel. This is a most unusual occurrence in July, and on that account deserves to be noted.

Grand Jury.—The Grand Jury room in the California Exchange was lighted up, and every preparation made for their accommodation on Saturday night, but though the officers were in waiting for them up to a late hour they did not make their appearance. They had for good and sufficient reasons quietly withdrawn to the corner of Bush and Sansome streets, where they were occupied up to a late hour in the transaction of important business. Their object of course was to avoid publicity, and therefore we refrain from any statements of their probable action.

Tuesday, July 29.

Shocking Accident.—Yesterday morning a French man named Jean P. Basque, rowed his barge containing his goods and chattels alongside the steamer Jenny Lind, lying at Central wharf, and taking his double-barrel gun in one hand, attempted to climb over the railings of the steamer to get on board. In the attempt the gun went off and lodged the whole contents of the oft barrel in the side of the unfortunate man's head. He fell back into his boat horribly wounded and weltering in his blood. He was of course insensible, and at ... thought to be dead, but signs of life appearing ... took up on Dupont street, where his wound... ...ssed. They will probably prove fatal. It is supposed that the accident was caused by the hammer of the gun catching in the slats of the railing, and falling sharply on the cap when extricated, with force sufficient to explode it.

Coroner's Inquest.—Coroner Gallagher held an inquest yesterday upon the body of the unfortunate man, John Spiers, who was so dreadfully gored by the mad bull on Sunday evening that he died yesterday morning. The bull's horn entered his eye, forcing it out and fairly lifting the top of his skull off. His friends will meet at the Steamboat Hotel, on Long Wharf, at 12 o'clock today, for the purpose of attending his funeral. The other man, Bell, who was tossed by the same animal, had six of his ribs broken and one of the intercostal arteries ruptured. He will probably recover.

Cheap Property.—At the Sheriff's sale of the City property, on the 8th instant, to satisfy a judgment obtained against the city by Dr. Peter Smith, some astonishing bargains were made by the purchasers. For instance, the City Hall lot was bought by John McHenry for $650, and what is more he paid the money for it. Taylor street wharf was bought by J. McVicker for $225, cheap enough certainly, just the price of sinking seven spiles. Broadway street wharf was bought by the last purchaser for $550—this wharf it will be recollected has been completed so as to allow ships drawing twenty-six feet water to lie alongside. Pacific street wharf, the rival in length of Central wharf, was bought by Alphonzo Brooks for $5000—this is rather a more liberal bid than the others, still it is a splendid bargain, the rents for a single month will probably pay the whole purchase money. Market street wharf was bought by Mr. Fitch for the trifling sum of $650. California street wharf was purchased by John McHenry for $600, and afterwards resold on his account to S. A. Morrison for $575—a bargain. The Hospital building and lot was knocked down to S. B. Dewey for the inconsiderable sum of $375. Such splendid investments of amounts so trifling are rarely to be met with, and we wish the purchasers joy of their bargains; the enjoyment of them is another thing. The lawyers are rubbing their hands in anticipation of the rich harvest of lawsuits that will grow out of these sales, for some of the purchasers intend to make a sturdy fight to get possession of the property they have bought.

Young Men's Democratic Association.—The young Democrats of San Francisco meet to-night in the District Court-room for the purpose of organizing themselves into a Democratic Association, that they may thereby act with greater efficiency in the political canvass that now engages the attention of the community. Both parties in this country are composed in a great measure of young men, whose natural ardor and enthusiasm exerted through an efficient organization, are capable of producing important results. As a general thing too, they are disinterested, uninfluenced by cliques, and have nothing in view but the success of the principles professed by their party. They are honest in their convictions even if they be erroneous, and honesty in politics will palliate a multitude of errors.

Trial of Hall.—This trial which has been prolonged already through four days, promises to continue two or three days longer. A great number of witnesses have been examined, and many still remain to be called for the defence. The developments that have been made within the last two days go to prove, if the jury believe the testimony of the witnesses for the defence, an *alibi*. No more conclusive defence can be made than this, where it is sustained by the testimony of credible witnesses. The evidence thus far has been diametrically contradictory. There must have been some terrible hard-swearing by some of the witnesses. The defence seem now endeavoring to fix the crime on Turner, the man who was arrested at the same time with Hall and Spiers, but was discharged for the want of evidence.

Progress of the Funding Commissioners.—The Commissioners of the Sinking Fund have issued up to date stock bonds and certificates to the amount of $519,000 and have on hand, surrendered for examination and to be funded, scrip to the amount of nearly $500,000 more, making the sum that will be funded under the law at least $1,000,000. This is making pretty clear work of the old debt. If it shall continue to come in at the average rate of the last ten days for the three days remaining before the 1st of August, at which time no more can be received, there will not be $50,000 worth of scrip in California unfunded. This is gratifying as it gives the law a fair chance of proving its efficacy.

Case of Duane.—The Court of Sessions having yesterday disposed of Jemmy-from-town by sentencing him to ten years imprisonment in the county jail, will take up this morning at ten o'clock the case of Charles Duane, and hear the argument of Calhoun Benham, Esq., on his motion for a new trial. Should that be overruled, the prisoner will be at once sentenced. The extreme measure of punishment fixed by the law for the crime of which he has been convicted is fourteen years' imprisonment in the county jail.

Quartz Mining.

Grass Valley, Nevada Co., July 16, 1851.

Editor Herald.—Dear sir: Having a few hours to spare and a quiet room to myself—no trifling luxury in a mining district—I sit down to write you a long rambling letter on the subject of the auriferous quartz in this portion of the State, where I have passed nearly three months, examining the several ledges and veins in the surrounding hills; taking nothing for granted, but endeavoring to satisfy my own mind by investigation, as to the quantity and quality of the rock, avoiding the extremes of extravagant and wild calculations on the one hand, or of incredulity on the other. Should you consider this communication of sufficient importance to give it a place in the columns of your paper, it may assist in spreading information of an interesting and useful nature. My remarks for the present will be confined to this neighborhood and Nevada City, embracing a circuit of about fifteen miles. After a residence of more than a year in San Francisco, where my professional duties detained me, I determined to visit the mines, more particularly the quartz hills, of which I have heard various reports, and imagined that I knew a great deal; it has been my custom to converse with every intelligent miner I came across, and from all the information I could collect from them, as well as from reading different newspaper articles, I felt tolerably confident that I was well posted up, as we say, on this subject. But I confess, that after a short residence here, and after comparing my previous opinions with those formed from personal examination, I arrived at the conclusion that I ought to be ranked among a very numerous class of my fellow men, who assume to know much with but slight foundation for their knowledge. In fact, that I had been a most erudite "ignoramus." Before proceeding further let me give a piece of passing advice to all letter writers, and to all intending to return to the States, that they will not undertake to speak of the mineral resources of California, from mere reports; but if they wish to do justice to themselves or to others, let their opinions be given after a careful investigation and actual inspection of these quartz regions; for I have no hesitation in saying that those who have never visited them, and whose information is acquired by a residence in San Francisco or Sacramento, are as little acquainted with the real state of things, as persons in the States or Europe are about our commercial wants, our social condition, our geographical advantages, our noble bays, our stately forests, our rich productive land, or our healthy and invigorating climate.

I will attempt no lengthened description of the scenery and beauty of this immediate section of country in which I am at present residing; let it suffice to say that there are some as picturesque and lovely valleys lying embosomed among these gold-bearing hills as the most fastidious admirer of nature's charms could desire. The whole region abounds in auriferous quartz; some richer in quality than others, but all sufficiently so to pay an ample remuneration for the erection of machinery.—Your readers would at once set me down as some crazy-pated enthusiast were I to state the amount of gold which may be calculated as the product of Nevada county alone; and no doubt the opinion I am about to advance will be received with astonishment and unbelief by some, and regarded by others as chimerical and visionary—still that does not prevent me from giving as the candid and deliberate conviction of my mind, that the quartz of this one section is amply sufficient to supply gold enough for the circulation of the whole United States during the next fifty years! Be it recollected that this is but from a single county in the State; what then must be the aggregate from other parts of California equally rich in these wonderful depositories of the precious metal.

I will not bewilder you or your readers with a formidable array of figures and calculations based upon erroneous data, but will simply state that a mill with proper machinery, capable of crushing twenty tons of auriferous quartz per day, yielding on an average only three cents to the pound, will produce a profit of at least one hundred per cent. upon a capital of two hundred thousand dollars, and greater in proportion to the limited amount of the stock; this too, after allowing a liberal outlay for all necessary expenditures, and appropriating a contingent fund, to provide for all risks of explosions, breakage, or other accidents—wear and tear of machinery, &c.

It is generally supposed by miners and by scientific men who have made various assays of the different kinds of quartz that the average value may be estimated at from six to eight cents per pound, instead of the amount already named. Nay more, there are companies who calculate upon fifteen to twenty cents, and there is one in Nevada, whose lead or vein is so exceedingly rich that they expect a yield of 50 cents to the pound, but when you bear in mind that the addition of a single cent will increase the product of gold twenty fold, it would swell the amount on these two last calculations to such a degree that no credence would be given to the statement. My own impression is that about eight cents might be a fair estimate, and that, with the best machinery, and most approved process of amalgamating and saving the very fine gold. I have therefore spoken of a *minimum*, rather than a *maximum* rate, if these data be correct, the profits from a mill of the power mentioned, will be immence.

I may also remark that several of the companies at present putting up large mills at Grass Valley, calculate to crush from thirty-five to forty tons of quartz per day; while others, having less capability, intend to run their engines night and day. Now, it is by no means an overstretch of the imagination to suppose, that within the next three years—particularly when confidence and conviction have taken the place of present doubt and mistrust, there will be capital enough invested to have not less than two hundred mills erected throughout the different parts of the State, each capable of crushing on an average twenty-five tons per day; yielding from $60 to $160 for the 20 cwt., according as the richness of the quartz may vary from three to eight cents per pound. Now, then, let your matter-of-fact man of figures amuse himself for an hour in making these difficult calculations, I think the result will somewhat astonish him, at least *on paper*—time alone must prove the truth of the problem.

In alluding to the vast profits to be derived by companies from this source, I wish to be understood as premising that suitable machinery, favorable location of the mine, skilful engineers, sensible directors, and honest management, will be required to make investments pay a large dividend, with these advantages combined, the most sanguine expectations may be realized; without them, the results will be more or less doubtful.

The drawback now upon quartz operations is the want of capital, compared with the unlimited opportunities and inducements for investing. This arises most probably from a suspicion in the minds of moneyed men that these matters have fallen into the hands of speculators, and consequently that the investment is not a safe one; but surely the abuse of any thing does not prove it to be worthless. How many banking institutions, insurance companies, railroad companies, mining associations, *et ilgenus omne*, have had their day of ill accounts in the older States, and by inefficient or desperately dishonest management on the part of those chiefly instrumental in getting them up, have brought ruin upon many a family and discredit upon similar enterprises? With all this, capitalists have not been deterred from again and again subscribing to such undertakings. Why should we expect in California to escape the consequences of that greedy thirst for sudden gain which, like a raging fever, has preyed upon the moral vitals of thousands who have come among us, inducing them to adopt every conceivable mode of obtaining wealth without regard to the means used? How could it be otherwise than that hundreds of the motley crowd of needy adventurers who have flocked to the land of promise, would eagerly seize upon just such a tempting bait to entice their victims as dazzling specimens of auriferous quartz? It seems as if men were attacked with a golden mania which deprives them of the ordinary powers of prudence, reflection and caution, leading them into the wildest speculations, set on foot by unprincipled, cunning knaves—the result of which is the certain loss of money invested, and denunciations, loud and deep, against the originators of these schemes. It is well known that several mining bubble operations have burst up in various parts of the State during the past year, and so notorious has been the conduct of the principal actors, that it has not only thrown a damper over quartz mining, but when men of undoubted veracity and honor have attempted to get up a company, they have been met on the very threshhold with the taunt of some delinquent who had lately duped others. This state of things, however, cannot last; the evil will work its own cure; gradually confidence will be restored, capitalists will associate themselves together and take into their employ none but tried and honest individuals to manage the concerns of any crushing mill which may be erected by them, and with the requisite machinery, as well as steady perseverance, there cannot exist a doubt of larger fortunes being gained by investments in quartz mining than by any other means in California. We must be prepared to hear the doleful cry of

HERALD.

AY, JULY 24, 1851.

ral Election in September.

next general election will take place the first Wednesday in September, at ich time the citizens of San Francisco will be called upon to choose the largest number of officers ever voted for in this city, or, [illegible] any other. The election will [illegible] State, County and Municipal offi- [illegible] with the following is a list :

STATE OFFICERS—9.

	State Comptroller,
Lieutenant Governor,	Attorney General,
Justice of Supreme Court,	Surveyor General,
State Treasurer,	Two Members of Congress.

LEGISLATIVE OFFICERS—10.

Three Senators,	Seven Representatives.

COUNTY OFFICERS—18.

County Judge,	Coroner,
County Clerk,	District Attorney,
County Treasurer,	Four Justices of the Peace,
County Recorder,	Two Constables,
County Surveyor,	County Assessor,
Sheriff,	Three County Supervisors,

MUNICIPAL OFFICERS—30.

Mayor,	One Judge of Superior Court
Recorder,	Tax Collector,
Marshal,	Harbor Master,
Treasurer,	Recorder's Clerk,
Comptroller,	Three Assessors,
Street Commissioner,	City Attorney,

Sixteen Aldermen.

We have thus to vote for nineteen officers of the State Government, eighteen of the County and thirty of the City, making sixty-seven in all. A doubt is entertained by some whether, under the peculiarly loosely drawn provisions of our City Charter, the next election of municipal officers is to take place in September, eighteen hundred and fifty-one or September eighteen hundred and fifty-two. The section of the charter bearing upon this point reads thus : "The first general election for officers under this charter shall be held on the 4th Monday in April, 1851, and thereafter, annually, at the general election for State officers." Without entering into an argument to prove that from the terms of the section September eighteen hundred and fifty one must be meant as the time for the next election of city officers it is sufficient to decide the question that such was the intention of the members of the Legislature as declared by many of them when the charter was passed. Granting that this amounts to nothing, and that the question is still one of doubt, whether the present officers are to hold power for four months or sixteen, the Common Council with whom it will rest to order the election, must give the people the benefit of that doubt, and put the construction on the charter which will be most favorable to popular [illegible] Should they adopt any construction by in effect [illegible] themselves for twelve months longer than the Legislature intended, they will [illegible] the people of their elective rights. If popular feeling would undoubtedly against them, and much of [illegible] to good be destroyed. We wanted, therefore, that the [illegible] be selected in September [illegible] it will be perceived a Dis- [illegible] to be elected, upon whom [illegible] to the duties of County Attor- [illegible] will then be abolished. The [illegible]er holds office under a spe- [illegible] from the time of his elec- [illegible] April, 1852. His office will [illegible]e to be filled in September [illegible]t time the number of Judges [illegible] Court will be reduced to one, [illegible] then elected. We consider it [illegible]d policy to hold the election for [illegible] a number of [illegible] at the same [illegible] the idea of [illegible] with sixty- [illegible]nes on it is [illegible]rous. Many [illegible]ke the trouble to examine the merits of many candidates, but will deposit a whole ticket, including the good, bad and indifferent in the ballot box, thereby perhaps saddling us with faithless and incompetent officers, who could never have been elected if running alone on their own merits. Thus one party may have a good State ticket, and another a bad one, while the city ticket of the former may be worse that of the latter, and yet if they are all voted for together, the chances are that the good names on the ticket will carry through the bad, or *vice versa*, the bad sink the good. This must, in the present state of parties, always be the case, where a great number of names [illegible] to be voted for on the same ticket.

[illegible]ers will not scratch a ticket, who, if the [illegible]ion were nakedly presented to them [illegible]ether to vote for a given nominee on their party ticket or his better qualified opponent, would not hesitate to support the latter.—Every reasonable man will see that this voting for so great a number of officers at once tends to defeat the sober and intelligent expression of the popular will, and must almost certainly foist some unworthy men into office. The evil is now past remedy as far as voting upon the same day for all these officers is concerned, but something towards mitigating it may be accomplished by having separate tickets for the State, county and municipal officers, and separate ballot-boxes in which to deposite them. By this means, it may be expected that the individual merits of candidates will be more closely scrutinized, and, of consequence, greater care and discrimination be displayed in the selection of those who are to rule us.

San Joaquin Nominations. — Messrs. Hammond, Yeiser and Stephenson have been nominated as candidates for the Assembly by the Democrats of San Joaquin county, and Messrs. Shurtleff, Crabb and McMullen by the Whigs. Mr. Yeiser was one of the few members of the last Legislature who combined thorough and pure integrity with industry and talent. His re-nomination is highly creditable to San Joaquin county. [illegible]ajor Hammond is not only unexceptionable, but [illegible]e doubt if [illegible] so admirably fitted for the position, except perhaps Mr. Y[illegible] could be found in [illegible]county. [illegible] McM[illegible] well known as one [illegible] most gallant and accomplished rangers that [illegible]t in Texas. If we can send such men [illegible]Legislature as the three we have named, we, [illegible]no apprehension of a recurrence of the [illegible]t session.

[illegible]ve arrived at San Diego [illegible] the southern route. They [illegible] very troublesome beyond

The Man Stuart.—The Rev. Dr. Mines.

In presenting the subjoined communication, from the Rev. Dr. Mines to the Vigilance Committee, we scarcely regret that want of space precludes any extended remarks upon its spirit and character. It speaks for itself—and in such apt, forcible, eloquent and energetic language that it cannot fail of exercising a beneficial effect. The Reverend gentlemen bears testimony manfully and boldly against the many evils which the Committee are striving to remedy, and under which the community has so long groaned. With the aid of the reverend clergy, combined with such other healthful agencies as have been brought to bear to extirpate crime, the people cannot fail to succeed in the task they have undertaken. To the Vigilance Committee it must be extremely gratifying to receive commendation from such a source :

San Francisco, July 18, 1851.

Gentlemen,—I beg to acknowledge, and I do so with many thanks, the kind communication of the 12th instant, received on the 15th, wherein you are pleased to notice the services recently rendered by me on occasions of great solemnity, doubtless as trying to you as to myself.

On one of these occasions, I regret to say, to all but man appearance, my ministrations were not of the least avail. The unfortunate man, whom I had exhorted to depart this life with the prayer of Saint Stephen and of the penitent thief on his lips, employed the last moments of his earthly life, at least so long as he could speak, in exclamations of indecency, revenge, and blasphemy. I never before had seen the man that came so fully up to one's ideas of a being "given over," and no longer able to control the evil influences he had drawn around him, and it is risking nothing to say, with our knowledge of the laws and processes of the human mind, that the condition of mind in which I found and left him, could not have been attained but by a long-continued course of sin and crime. The dominant passion of his dying hour was the vindictive, which I labored without the slightest avail to soften, warning him how unsafe it would be to appear before God with so dark and deadly a passion rankling in his breast. But the fearful passion seemed now inseparable from his being, and he passed away apparently an unresisting prey to the evil influences he had gathered around him in life. I beg however to say, in correction of the report that he was insolent and rude, that he treated me personally with all the respect I could have looked for, and at parting said, "I am much obliged to you ; God bless you."

Much less is it true, that the man Stuart, (whose real name has not been given to the public,) received me rudely. When I first proposed to him my services, he did indeed insist that "it was not worth while." "I," said he, "have not thought of God for fifteen years ; and I cannot expect that He would think of me in the few moments that are left me now. If there are everlasting burnings," he added, "I expect to go to them, for I have led the life that must take me to them." I reminded him that the fires were in his own breast, and if, in the moments left him, he could extinguish or subdue them by the tear of repentance and the blood of the Lamb, he might yet be saved. He said "it was too late ; so great a work could not be done in so short a time." Besides, he hardly knew any longer, he said, whether the religion of his youth was true. After reasoning with him that the convictions of his mind, while it was yet unclouded by sin, and those of a large and excellent family (parents, he had told me, and eleven brothers and sisters) were more likely to be true than his, which had been darkened by a life of sin and passion ; and after reasoning from the instance on the cross so like his own, and pressing on him the memories of his early baptism and youthful communions (as I ascertained, at the altars of his church, a change of thought and feeling appeared to come over him, greater and in a shorter time than I had ever met with in my life before. At first, like Jenkins, he was vindictive, though certainly less sullen in his temper. At my second interview, he promised that he would try to lay aside the feelings in which it was so unsafe to die. At the third meeting (having left him a space to his reflections,) he acknowledged the justice of his fate, and declared he could die without resentment and in charity with all, and that, with the crucified malefactor, he could confess that he received the due reward of his deeds, and could trust only in the mercies of the cross for pardon. As he declined my offer, twice made, to accompany him to his execution—although I should have persisted in going if I had supposed that such decorum would have prevailed—I begged him to renew those confessions in his last moments to those who might be near him ; which I am gratified to learn that he did. As he died penitent, professedly, and received the church's absolution. I afterwards desired the Coroner to have me notified of his funeral, that he might receive the rites of church burial. I did not get the notice.

I very much regret that I did not know of the suspicions of murder which, I now hear, rested on Stuart ; for I am quite sure that if he had been put upon his conscience, he would have revealed to me information, to be made use of after his execution.

Long as this letter is, I cannot close it, gentlemen without expressing the satisfaction felt, I do not doubt by this whole community, and felt very deeply by myself, at the humane consideration of your Committee, in invoking the offices of religion on these trying occasions The eternal world will undoubtedly bring more instances to light than the one recorded in the Gospels, in which, through God's unbounded mercies, good has triumphed over evil even in the last desperate moments of this mortal life. And while we so believe, we cannot hide from the eyes of the dying, however steeped in guilt, the light and healing of the cross!

May wisdom and moderation and a due regard to the dictates of humanity, continue to guide you in your difficult and self imposed task! But, better still, may the day soon come when, in the judgment of all the good, the safety of our citizens and the restored tranquility of our city, shall make your terrible organization no longer necessary :—a result not to be looked for, we fear, until an outraged community, merging the trivial distinctions of political party, shall rise at the next polls and drive our profane and profligate, obscene and drunken ministers of law from their places, and raise men to power who have families and interests in the country, and at least shall be above suspicion and collusion with fiends and felons. It is really sickening to think how fair and beautiful might have been our world-renowned city, and how happy might have been its teeming population, where poverty is not known, and how much greater, too, that population itself might have been, this moment, and this in spite of all the felons in the land—if a purer crimine had rested on our judiciary and the officers and counsellors and makers of the law had all been decent men and above the influence of gold.

While it is to be hoped that these sad offices will be seldom required hereafter, yet, I beg to assure you, gentlemen, that in all cases, and especially such as like the two which have occurred already, are associated by the memories and ties of other days with the church to which I belong, myself, my services will be most cheerfully and gladly rendered.

I am, gentlemen, very respectfully,
Your obedient servant.
FLAVEL S. MINES.

To Stephen Payran, Esq., President of the Executive Committee and Members of the Committee of Vigilance Committee of San Francisco.

Late from South America.

By an arrival yesterday we have advices from Valparaiso to the 25th of May.

Bolivia.—The Government of Bolivia has issued a manifesto or programme of a Constitution based on the following articles: 1st. The Government will defend and uphold the sovereignty and independence of the Republic abroad and peace and tranquility at home. 2d. The Catholic Religion shall be that of the State. 3d The best relations shall be maintained with other American and European states and all treaties strictly observed as well as a neutrality in discussions arising between them. 4th. The civil liberty of citizens and the inviolability of property shall be respected in conformity with the laws. 5th The crimes of conspiracy and sedition shall be judged by verbal courts martial. 6th. The liberty of the press shall be guaranteed. 7th. Foreigners shall be respected and protected in the exercise of their trade and commercial pursuits. 8th. A National Convention shall be convoked. 9th. The independence of the judicial authority shall be respected. 10th. Official appointments are confirmed. 11th. The political opinions of all citizens shall be respected. 12th. The Ministers of State shall be responsible for the acts of their administration.

By another decree the convention has been convoked for the 16th July. Another has also been issued relative to the amendation of the laws of elections. The number of deputies is to be 53.

Peru.—The 20th of April being the day of the installation of the new President in Lima, and a feast day in that city, it was the intention of the President's party to celebrate the same day in Arequipa, and the general display of banners and bands of music took place, until the malcontent party interrupted the proceedings.

The Governor ordered the soldiers out to disperse the mob, and so the affray commenced.

The people mustered very strong, and defended themselves behind barricades against a cavalry regiment twenty-six hours under a continual fire, before peace and order could be restored. It is stated that eighty persons were killed and wounded.

On the same day an event of a different nature took place, namely the opening of the railway, from Callao to Lima. The passengers traffic from the 12th to the 19th of April amounted to 6,245 persons.

A cabinet has been formed of which Gen. Torrico is the head as minister of war and president of the council. The three other ministers are D. Jose Gregorio Paz Soldan, D. Gomes Sanches, D. Miguel Carpio.

San Diego Items.

By the *San Diego Herald* of July 10th, we have the following items of intelligence:

Murder of Capt. Caldwell.—By a letter addressed to Mr. John Nooney, by the Hon. A. Randall of Monterey, it appears that serious fears are entertained by his friends that Capt. Caldwell has been murdered by the Indians. The last that was seen of him was at the Mission of Santa Ynes, about thirty miles from Santa Barbara, where he stopped on Friday night, the 21st ultimo.

Two Americans are said to have left the Mission about an hour after he did, and suspicion naturally rests on them ; although the opinion is quite prevalent about Santa Barbara that Solomon Pico, who is reported to have a gang of some fifty men with him, knows more about the mysterious disappearance of Capt. C. than he would perhaps be willing to acknowledge.

Late from China.

We are indebted to a mercantile friend in this city for China papers to the 23d of May. The insurrection in that country appears to be much more formidable than it was at first regarded. From the *Friend of China* we obtain the following summary of the warlike movements :

The Prime Minister Sai-shang-ha, Tah-tung-ha (of Formosa celebrity) and Teh-hing have been appointed Commissioners by Yih-chu (who may now no longer be called *the* Emperor, as there are two who act under the title,) and have been directed to Kwei-lin-fu the capital of the Kwang-si province, which city it appears has not yet fallen into the hands of the insurgents.

In some of the daily papers statements are given of the amounts of money ordered to be sent on to the commissioners, which are recorded as exceeding a hundred thousand taels, and the great merchants have been required to make up a further sum of five lacs of dollars without a moment's delay. A report has got into circulation that the new Emperor, a scion of the Ming dynasty, is a Roman Catholic, and that he is destroying idols and temples with all the fury of a zealot—Others speak of him as a *Shang-te* man, (the name generally given to the Converts of protestant missionaries) but that is more unlikely to be true than the other report, which in connection with past events, has some possibility of truth in it ; by those, however, who are carefully watching the turn affairs are about to take, the report of the new Emperor's profession of Christianity, (we may not call him an usurper, for if he succeeds he has but recovered his own again) is looked on as got up by the Ta'tsings for the purpose of creating disaffection towards him—it is also rendered improbable by the assumption of the purely heathen designation, Tien-teh, (heaven's virtue.)

The water suburbs of Canton are quite rife with martial preparation. During the past fortnight as many as five thousand men, it is said, have been seen to pass up the river in boats, all accoutred for immediate action. They appear to be levies from the northeast coast, speaking an entirely different dialect from that spoken by the Canton people.

As the Spanish government, for upwards of two years, maintained an expensive legation in this country, with a view to obtaining a treaty of alliance similar to that entered into with two other European nations, and being, it would appear, totally unsuccessful after all, it will be for the able envoy, Don S. de Mas, to advise in the matter of a negotiation with the Ming should further successes tend to the total upsetting of the Tartar dynasty, an event no friend of China would regret to see, for matters can hardly be much worse than they are, so far as foreign interests in China are concerned.

Governor General Seu has been very sanguinary lately. We counted as many as 150 tubs of heads last week (labelled some of this and some of last month's work,) stacked against the wall bordering the execution ground.

The *Chinese Repository* for April contains the following in relation to this important subject :

"The insurgents in Kwangsi have given rise to many rumors during the past month, but as usual, we are unable to draw the line between the real and the doubtful. It is a fact, however, that the impression of the danger to the stability of the imperial government by the proceedings of these banditti is constantly deepening among the people of Canton, and they regard the restoration of quiet and legitimate authority throughout Kwangsi as remote. It is said that about three-fifths of the entire province is under the control of the self-elevated chief Tienteh, and that his forces possess the three important stations on Pearl river which command the three great branches flowing through the province. The former imperial commissioners, Li and Chau, having failed, his majesty has appointed three Manchus to proceed at once to the scene of conflict, whose rank indicates that the affair is regarded as a serious one at the metropolis. Their names are Saishangah, the prime minister, who has succeeded to the post held by Muhchangah; Tatungah, known for his barbarous execution of shipwrecked sailors in Formosa in 1842 ; and Hingteh. They will reach Kweilin through Hunan, taking troops and stores from that and other contiguous provinces. This province has also been drawn on for a large sum of money—some say a million of taels—and a number of large cannon have been cast. Troops have left Canton during the month, drafted from Hwuichau, and there has been considerable bustle in the city caused by their presence. The interruption to the trade between the two provinces is increasing, and the traffic is now reduced to almost one-half of its usual amount."

The French Consul of Shanghae, with Mr. Interpreter Kleskowski and Mr. Macdonald, had started for the coast of Corea, in search of the crew of the wrecked whaling ship "Narwal," of Havre.

The American clipper Oriental has beaten the English ship Reindeer. The *Register* says :

"On the 9th the Reindeer arrived, having left England on the 30th December, a passage of 130 days. The Oriental arrived on the 11th, having left England on the 14th January, making a run of 117 days—the latter a fair passage, though nothing to talk of."

Our Los Angeles Correspondence.

Los Angeles, July 5, 1851.

There have lately arrived in this neighborhood one hundred and fifty families from the Salt Lake. They are accompanied by Gen. Rich, one of the Twelve Apostles of the "Latter Day Saints." Their design is to make a settlement in California, and I think they will either go to the "Four Creeks" in the San Joaquin valley, or to the Colorado, and settle at the point of land where that river connects with the Gila.

It is not true as reported that the Indians have robbed Tueson lately, but the Maricopas have become troublesome. A party of Americans with sheep lately were obliged to kill three of them as they were very insolent. There is no doubt that this is the tribe that recently murdered the family of Mr. Oatman on the Gila.

On the Colorado all is quiet. Major Heintzleman has left, but Lieut. Sweeney remains with ten men There are now two Mormon families at that point who talk of making farms there. They came on this spring from El Paso.

They are now about twelve thousand sheep on the road between this and Chihuahua. Sheep can there be had for ten shillings the head, and very fine ones at that.

The Amorgosa gold mine has exploded. Mr. Antonio Roubidoux, (the same who came into the country as Interpreter for Gen. Kearny—see Emory's report.) went out there several weeks ago under a contract to grind the stone and give the mine a fair test. He has done so, and reports that it will not yield over one cent's worth of gold to a pound of rock, and of course will not pay. All the men have left the mine but three. Mr. Roubidoux assures me that there is no vein of gold to be seen. Occasionally, however, they come at little spots where there are some fine specimens.

Yours, JOB.

We think our correspondent is mistaken in regard to the murder of the Oatman family. All the evidence tends to the belief that the Yumas are guilty of that atrocity. If the Maricopas have recently become hostile it must be in consequence of very bad treatment by the Americans passing through, for they have hitherto been exceedingly hospitable and friendly.—[Ed. Herald.

Death of William H. Robinson.—The *Stockton Journal* announces the death of Mr. Wm. H. Robinson, of the firm of Wm. H. Robinson & Co, one of our most esteemed and prominent merchants. He departed this life last Tuesday, 14th inst., at Mariposa, in the 37th year of his age. The suddenness of the announcement has thrown a large circle of friends into the deepest mourning. Our whole population, says the *Journal*, deplore this sad stroke.

New River.—This river is new only in name, and has been known to the Indians from time immemorial. It is produced by the overflow of the Colorado, and extends eighty miles into the desert, taking its source thirty miles below the junction of the Gila and Colorado. The "breaking out" of this river last year was considered to be miraculous, and gave rise to many wise dissertations. Now, however, it is accounted for on perfectly natural principles.—*Los Angeles Star.*

Shower of Flesh at Benicia.

On Saturday, the 20th inst., a shower of meat fell at the army station near Benicia. It was first observed by Major Allen, who was struck by one of the falling pieces. The shower lasted two or three minutes. The pieces were from the size of a pigeon's egg up to that of an orange—the heaviest perhaps weighing three ounces. No birds were visible in the air at the time. Specimens of this meat, which is apparently beef, were preserved by Major Allen and the Surgeon of the Post. A piece that was examined three hours after it fell showed a portion of a small blood vessel, some of the sheath of a muscle and muscular fibre. It was slightly tainted. The ground on which the shower fell was about three hundred yards long and eighty wide, and the entire amount of meat between two and a half and five bushels in bulk. No pieces of bone were found. A strong wind from the west was blowing at the time and the skies were clear. This is the third occurrence of the kind on record in the last six years.

The theories heretofore in vogue as to the cause of such phenomena would seem to be negatived by the accounts given of this instance. We trust the Surgeon of the Post will publish his observations on the subject, both for the benefit of science and the satisfaction of public curiosity.

Late from the South.

By the steamer Goliah, Capt. Nason, we are in receipt of dates from San Diego to the 17th inst., and from Los Angeles to the 19th.

Gold has been discovered at San Tomas, three hundred miles from San Diego. Two men have worked there for a month.

A party of Mexicans from Sonora are driving into San Diego by the new route discovered by Captain Lyons, 6000 sheep. They had lost but four hundred on the way. This intelligence is received through Mr. J. A. Anderson, who left the junction of the Gila and Colorado on the 27th ult.

Another party, Americans, were at the old Indian ferry, when Mr. A. left, with about 4,000 sheep—from Durango, for a Mr. Jones and others of Los Angeles. They cost in Mexico but one dollar per head.

A note from Captain Marks, of the steamer Union, is published in the *Herald*. It gives nothing more than the statement of Dr. Hewit.

Gen. Bean's troops have been discharged.

It appears that the "great silver mine" at Mount Quirinal, is nothing but a great humbug. It is utterly valueless, and the company have confessed themselves the victims of a gross deception.

The *Star* says, "a quantity of pears have been sent to San Pedro for shipment to San Francisco. They come principally from the Mission San Gabriel, where in one orchard are 400 trees, in full bearing. The whole crop, estimated at upwards of 3000 bushels, has been purchased by Dr. Shaw of Los Angeles.

The Garriel Winter.—This beautiful new craft commences her regular trips to Nicolaus this morning, leaving at 9 o'clock. She has proved herself one of the very fastest boats on our waters, having made the voyage from San Francisco in 12 hours, and from Vernon to this city in less than two hours and a half. The boat was brought out by the Messrs. Vandyke from the Delaware river, and is commanded by Mr. E. G. Davis, late of the Kennebec, one of the most popular and successful captains in the trade.—*Sac. Trans.*

We have heard it stated by competent judges tha the Gabriel Winter is one of the best built steamers on the river, and the plan adopted in her construction admirably fits her for running on the upper waters. She has nothing to fear from snags or other obstacles of that nature, and her accommodations are of a very superior order. The Winter is a miniature Hudson river boat of the best model, and in speed, symmetry and safety she does great credit to her builders. She is intended to run between Sacramento and Marysville, but is to be running between the former city and Nicolaus.

Arrival of Steamer Gen. Warren.

The Steamer Gen. Warren, thirty-one days from Panama, arrived in port yesterday morning. She left San Diego Tuesday evening, July 15th. On Wednesday afternoon, July 16th, saw steamship Pacific, of Catilina Island.

The steamship Union, Capt. Marks, went ashore on the 4th of July, one hundred and eighty miles below San Diego. She was a total loss. Her passengers were all saved, also two hundred and seventy thousand dollars, the amount of treasure on board.

Loss of the Steamer Union.

Editor Herald :—We communicate the following particulars relating to the loss of the steamer "Union," as calculated to relieve the anxiety which naturally would be felt by those who had friends among the passengers.

The steamer sailed hence the morning of the 2d inst., and had a very fine run until the 6th, on the morning of which day at 5 30, A. M., the weather being very foggy, the vessel struck heavily upon a reef, distant one half mile from the shore near point Baja, about sixty miles to the southward of the Bay of St. Quentin, and after beating over a portion of the reef, became stationary on hard sand and distant 300 yards at high tide from the beach. Preparations were at once made to land the passengers, a task at once difficult and dangerous, owing to the heavy breakers. By 10 A. M., all the passengers were safely landed, and on the same day a supply of provisions and also the specie, amounting to $270,000 were brought on shore.

A somewhat mutinous spirit having been manifested by a few disaffected persons, prompt and effectual measures were at once taken by a few of the passengers to preserve order and discipline and sustain the authority of Capt. Marks, and a guard of thirty men were placed over the treasure. On the morning of the 7th, Dr. Hewitt, U. S. A., who had kindly and nobly volunteered his services, started for San Diego, distant about 400 miles over a mountainous and rugged road with intelligence of the disaster, and to secure the necessary relief. Upon arrival of that gentleman at San Diego, after an arduous ride of four days, without sleep or rest, finding it impossible to secure at that place the means of transportation, and the Tennessee fortunately making her appearance in the course of the week he at once embarked on board, hoping to meet some of the steamers of the 15th from here, and inducing them to touch in at San Quentin and take off the 230 passengers. Capt Totten, in the true spirit of a sailor and gentleman, promptly acceded to the wishes of Dr. H. in maintaining a vigilant look out for any vessel bound downward, and had a boat in constant readiness to place him on board of any of the steamers, neither of which was however seen.

It gives us great pleasure to state that upon a representation of the facts to Capt. E. Knight, the agent of the P. M. S. Co., that gentleman promptly, cheerfully and in great generosity of spirit, consented to despatch one of the company's vessels to take off the passengers and specie as soon as practicable. We avail ourselves of this opportunity in behalf of Capt. Marks and the owners of the Union, to express to Dr. Hewit the obligation incurred by his tender of services in conveying the intelligence of the disaster and his disregard of hardship, toil and danger in effecting the journey alone from the wreck to San Diego, as well as for the good judgment displayed in all the steps taken by him to furnish relief to the passengers and crew, all of whom were in good health and amply supplied with provisions. Dr. Hewit speaks in warm terms of the courage, skill and energy exhibited by Capt. Marks and Mr. Berry the first officer, from the first moment of the disaster and throughout the perilous landing of the passengers and treasure, and makes very favorable mention of the chief engineer, whose name has escaped his recollection, in compelling the firemen to return to their duty which they had neglected in a moment of panic. At the time Dr. Hewit left, the vessel had broken in two amid-ship and was fast becoming embedded in the sand. Respectfully, yours,
HAVEN & CO.

Sonora Intelligence.

The quartz miners of Sonora have held a meeting and formed a joint stock company for the purchase and erection of an extensive scale of suitable machinery for crushing the quartz rock.

We understand the vein at Sandias promises to be as rich as the Carson's creek vein.

The miners and citizens generally of Curtisville, Yorktown and the Chilian camp have paid up their poll and property taxes promptly.

There were repeated flashes of lightning in Sonora on Thursday evening.

Mr. Pursell, engaged in mining in Holden's Garden, was dangerously wounded in the leg a few days since, by the accidental discharge of a pistol.

Correspondence of the San Francisco Herald.

Sacramento City, July 19, 1851.

Ed. Herald—Having just returned from a tour through the mountain districts, I take pleasure in informing you of the universal opinion there regarding the action of the San Francisco Vigilance Committee, that opinion is one of unqualified respect and admiration. The subject is one of frequent comment in the tent and around the cradle, and in no instance has a feeling contrary to the above been expressed. The people of the entire community feel more secure now that scoundrels, after having perpetrated crimes throughout the State, can no longer flee for succor and protection to Sacramento and San Francisco, thence to issue again as opportunity serves upon new missions of villany. And in connection with the subject permit me to express the humble opinion, that while the committee pursue their past noble and energetic course, whatever opposition may be made by sickly sentimentalists, weak judges and lawyers, they may still rest secure in the united intelligence and patriotism of the mining and agricultural districts of California.

Throughout the entire length of the upper rivers extensive damming operations are in progress and will generally be completed by the 1st of August, when the thousands of laborers upon them for the past six to fifteen months will begin to be rewarded, and consequently business in all these sections will greatly revive, at present the traders are doing but little, and their supplies of merchandise are very limited ; notwithstanding all that has been said I do not think there is three weeks supply of goods in the mines. There are a great many traders, but excepting one in a hundred you might pack their stock in a cart. Employment is plenty at one hundred to one hundred and fifty dollars and board per month. The miners at work are all doing well. Living is but little inferior to that of the city, and ranges in price from eight to twelve dollars per week.

Farms are opening in all directions, and fresh butter, vegetables, milk, eggs, etc., are no longer merely things of imagination to the California traveler. Families, in whatever employments I have seen them, keeping hotels, boarding houses, washing, digging, or farming, are highly prosperous and the presence of respectable females has become an absolute necessity to the success of a road house.

Among the dry diggings extensive preparation are already being made for the winter, and should the rains be favorable the returns will show the greatest of California seasons thus far. B.

MARRIED.

At Oregon City, June 19th, by Rev. G. H. Atkinson, Thomas Flett, of the Orkney Islands, to Lizette Heiraut, of Red River settlement.

In Portland, Oregon, July 3d, by the Rev. J. H. Wilbur, Mr D. S. Southmayd to Miss Ailey Caples, daughter of Dr. Wm. Caples.

At Lafayette, Yam Hill county, Oregon, April 8th, by the Rev. A. R. Elder, Mr. Alexander P. Ankeney to Mrs. Charity Smith, all of Lafayette.

Near Coloma, July 3, by Rev. W. O'Connor, Mr. James Anderson to Miss Margaret Thompson, daughter of Elder Thompson of Monroe county, Mo.

In El Dorado county, July 2d, by Elder Thompson, Mr. S. W. Helms to Miss Sarah Rupp.

In El Dorado county, by Mr. Hicks, Mr. Poor to Miss Pachet.

At Honolulu, June 14th, by Rev. T. E. Taylor, Mr. William Morgan to Miss Lucy Gill.

In the Seamen's Chapel, Honolulu, June 16th, by Rev. T. E. Taylor, Mr. Louis Franconi to Miss Clementine Frick.

In this city, on the 19th July, by P. W. Shepheard Esq., Philippe R. Richardx to Louise E. Palluvune Lupary, both of this city.

In Stockton, 12th inst., by G. W. Wood, Esq., M. Jean Battiste Magendy to Mad'elle Adele Delaverreme.

In Stockton, July 17, by G. W. Wood, Esq., Mr. John D. Abels to Miss Sarah Ann Allen, both of San Joaquin county.

At Mormon Island, on the 14th inst, by S. B. B. Clark, Mr. J. W. Rubenan to Miss Agnese Stoltz, late of Salt Lake City.

DIED.

In this city, July 16th, Mr. Alfred Rundlet, of Portsmouth, N. H.

In this city, July 16th, in the 26th year of her age, Mrs. Mary Gernon, wife of George Gernon, late of New Orleans, La. New Orleans papers please copy.

At Rich Bar, Feather River, July 6, Edward Howard, of Indiana formerly from Groton, Thompson county, N. Y. He died among strangers, and was heard to say that he had a brother in California, from Ithaca, N. Y., and a family in Indiana. He received care and medical attention, and a Christian burial. New York and Indiana papers please copy.

At Sonoma, July 11th, of liver complaint, the Hon. H. A. Green, Judge of Sonoma co.

In this city, July 18th, of dysentery, Cicero T. Middleton, aged 7 years, youngest son of John M. and Mary G. Middleton. Philadelphia papers please copy.

The friends of the family are invited to attend his funeral this (Saturday) afternoon, at 2 o'clock, from the family's residence, Washington street, west of Powell.

In this city, July 17, George Clark, aged 45 years.

His friends are invited to attend his funeral this (Saturday) morning, at 10 o'clock, from his late residence in Vallejo street, near the Catholic Chapel.

At Marysville, July 15th, Mr. John Loud.

At Weaver Creek, July 7th, Wm. Chatfield, formerly of Vermont, 23 years.

At Ringgold, June 16th, John Flannegan, aged about 25 years.

At Ringgold, May 30th, Jeptha Smith, of New Hampshire, aged about 28 years.

At Sacramento City, July 8th, Samuel Chedzay, from Ohio, aged 25 years.

At Sacramento City, July 11th, Almon Wildeg, from Vermont, aged 37 years.

In U. S. Hospital, Honolulu, June 16th, of dysentery, Joseph Patch, of Wenham, Mass.

In Honolulu, June 15th, Samuel Johnson, infant son of Samuel and Margaret Johnson.

At Mariposa, on the 14th inst., Mr. Wm. H. Robinson, senior partner of the firm of Wm. H. Robinson & Co., of Stockton.

On the 7th inst., at Lewisville, Tuolumne county, Asa Wheeler, late of Texas, aged 51 years. He has left a family in Charleston, South Carolina. No. 64 Queen street. [Charleston papers please copy.

Drowned in the Tuolumne opposite Lewisville, on the 1st of June, Edward Farill, a native of Ireland, late of the State of New York, aged 17 years.

In this city, July 20, Capt. Robert Henderson, Jr., of Portsmouth N. H.

On board the steamer Tennessee, on the 6th inst., on her trip up from Panama to this port, Mr. Stephen Sneed, from Alabama, of inflammation of the bowels. He was buried at San Blas.

In Yuba City, July 5, Mrs. Sydney Linder, in the 31st year of her age.

In Sacramento City, 16th inst., Mr. James Hall, of New Church, Rosendale, England. He is supposed to have a brother in this city, who may find a letter in the Post-office for him.

In this city, on Monday, 21st inst., Dr. Joseph Cox, of Smith county, Tennessee. [Tennessee papers please copy

July 7th, after an illness of a few weeks, at Tijuna, near San Diego, the residence of her grandfather, Don Santiago Arguello, Maria Josefa Zamorano, daughter of the late Capt. Zamorano, of the Mexican army, aged 17 years.

On the North Fork of the Trinity river, July 5, John C. Bingham, aged 26, son of Calvin Bingham, of Marcellus, Odondago county, N. Y.

Syracuse papers please copy.

Foreign Markets.

HONG KONG, May 23, 1851.

TEAS. Canton. Business has been on the whole rather brisk, particularly for the American market; considerable purchases of Congous and Scented Teas have also been made for England since the arrival of the mail with better accounts than were anticipated. The settlements of the month have been as follows :

CONGOUS. .16 chops at Taels 12½ to 13 for low, and Taels 14 to 17 for better kinds. Only three chops now remain in the market.

SOUCHONGS. .8 chops at taels 13½ to 18; stock 25 chops.

FLOWERY PEKOES. .200 packages at taels 22—stock small.

PLUM ORANGE PEKOES. .500 packages for America at taels 13½ to 14; stock 500 to 600 packages.

SCENTED ORANGE PEKOES. .As many as 3000 hf chests and 4000 ten catty boxes at Taels 16½ to 25, and one parcel of fine at Taels 28½.

PLAIN CAPERS. .1500 ten catty boxes at Taels 12 to 13; stock 2000 ten catty boxes.

SCENTED CAPERS. .About 700 ten catty boxes at Taels 14½ to 16 for spurious kinds, and taels 18½ to 22 for common to fine.

NING-YONGS AND OOLONGS. .23,000 packages on American account at Taels 14 to 18, and Taels 18 to 20. Stock much reduced.

CANTON GREENS. .Gunpowders, 500 half chests, and 1200 ten catty boxes at taels 13 to 16 for spurious kinds, and taels 17 to 22 for common to good.

YOUNG HYSONS. .2000 pkgs at taels 16 to 23.

COUNTRY GREENS. .Shins. 2500 pkgs at taels 14 to 22; stock 3500 pkgs.

TWANKAYS—1000 packages at taels 17 to 20; stock 2500 packages.

HYSON. .4500 pkgs, a large portion for India and the Continent, at taels 24 to 28 for common to fair, and taels 30 to 45 for good to fine; stock 14,000 pkgs.

IMPERIALS AND GUNPOWDERS. .2500 packages at taels 23 to 30 for common to fair; taels 33 to 38 for good to fine, and taels 43 to 46 for the finest; stock 9000 packages.

The total quantity of tea shipped from Canton since 1st July 1850, is 39,815,120 lbs against 39,263,058 lbs for same period from 1849, and 34,455,533 lbs from 1848.

TEAS at Shanghae. .Only one vessel, the Fanny, American, was in loading. On her departure for New York the business of the season would be considered closed. The market was entirely cleared of Congou, and in green teas but very little had been done during the month

AMOY. .Not yet a tea in market.

CASSIA, Canton. .$16 50 to $17 ₱ pecul, duty paid. Buds $18 to 19.

EXCHANGE. Canton. .The bank opened on English at 4s 7¼d, but effected little; on Bombay at 226 and Calcutta at 227 they have drawn heavily. Clear credits six month's sight have sold at 4s 8d. Baring's and others 4s 8¼d. E. I. Co's accepted 225 to 227. Spec, 4 ₱ cent premium; gold, $22 80; Mexicans, 4 ₱ cent dis.

SHANGHAE. .Bar.ng's credits $4 08 to 4 08½; other credits $4 09½ to 4 10; bank post bills $4 07 to 4 07½; East India Company's accepted R's 221 to 223. Drafts on Canton at par.

FREIGHTS, Canton—For London, Bentick loaded at £2 10. For the Hindoo, a fast sailing Danish vessel £3 offered.

Relief of the Steamer Union.

ship Tennessee, Capt. [illegible], will [illegible] the re[illegible] of the [illegible] wreck [illegible] bring off the passeng[illegible] and [illegible]er of gentlemen will avail themselves o[illegible] opportunity to take a trip down the coast.

[Reported for the Herald.]

Meteorological Table.—San Francisco.

Observations by Thomas Tennent, Mathematical Instrument Maker, S. E. corner of Montgomery and Washington streets.

1851	9 A. M.		Merid'n.		3, P. M.		6, P. M.		Remarks.
July	Bar.	Air	Bar.	Air	Bar.	Air	Bar.	Air	
13	30.10	68	30.12	78	30.15	79	30.12	75	Clear
14	30.05	65	30.00	81	29.98	83	29.99	76	do
15	30

[illegible] Senor Guerrero.

[illegible] violent death [illegible] the [illegible] much at fault as to the [illegible] it was compassed, [illegible] sudden and mysterious decease [illegible] Francisco Guerrero of the Mission.

The cause of his death was a fracture of the skull apparently inflicted by [illegible] blunt weapon, but as to the agency by whom the blow was dealt, there is still an absolute uncertainty. A man named Francis Le Bras has been apprehended, charged with the crime; and the Coroner's Jury have rendered a verdict of wilful murder against him; but there are circumstances connected with the occurrence which would seem to be wholly incompatible with his guilt. Indeed the chief testimony against him is inferential. It is pronounced by the surgeon, Dr. Hitchcock, impossible the wounds of Guerrero could have been caused by a fall from his horse; and, the animal being gentle, it is presumed they could not have been dealt by his hoofs. Furthermore, it is said the principal fracture is caused by a blow from some small round instrument, and looks much like what might be inflicted by a slung-shot. These are the chief circumstances on which the belief is based that the deceased was murdered.

The evidence against Le Bras is that he was riding in company with deceased—that they had a scuffle of some sort—whether playful or hostile is not known—that he rode on when Guerrero fell without rendering assistance—that he acted suspiciously afterwards:—and furthermore, that blood was found on Guerrero's shoulders and on his coat, shewing that he received a wound before he fell—that the blood has been traced back several yards beyond where the body was found proving the same fact—that his fall could not have caused the severe fractures discovered—and likewise, as before stated, that his horse being gentle, was not likely to injure him so terribly.

The evidence on the other hand is that two persons who were riding along the road, declare the two men passed them immediately before Guerrero fell—that they appeared to [be] racing, and did not exhibit, one to the [other], any hostility—that Le Bras outstrip[ped his an]tagonist in the race, and turned [illegible] if in triumph—that at this time [they obse]rved Guerrero reel and fall—that if [there had] been an attack by one on the oth[er they could] not have failed to see it. [illegible] this the motive is entirely [illegible] [tho]ugh Le Bras is shewn to [illegible] there is no evidence of [illegible] criminal association.—[illegible] Guerrero met his death [illegible] all others to be chosen [illegible] of a murder, and least [illegible] two persons whom [illegible] [imm]ediately before. [illegible] [stri]kes us that the weight [illegible] [fav]or of the innocence of [illegible] he did perpetrate the [illegible] all probability insane. Is [illegible] some concealed assassin [illegible] behind a bush and so [illegible]? Or might not the [illegible] deceased by the stir[illegible] first fell, and in trying to [illegible] from the fallen man have [illegible] hoofs?

[illegible] Court.

[Has]tings; Associate Justice [Benn]ett.

[illegible] in the following cases:

[illegible] *Geary et al.*—Appeal from the [illegible] the Court below, a verdict for [the de]fendant Geary, Mayor of the [illegible] [plain]tiffs from a tenement erected by [illegible] and for pitching the house over[illegible] August. the Common Council [illegible] appropriating the lot to the pur[pose of a public] slip, in disregard of which, the plain[tiffs having al]ready taken possession, continued with [the erection] and erection of the building. At low [water] this lot was from two to two and a [half feet] [illegible] The principal questions presented were, [whether it was a pub]lic highway; was the erection made by [illegible] if so, had the defendants the right [illegible] [wh]ich are presented in the instructions of [illegible] [bel]ow to the jury.

[Judges] Hastings and Bennett delivered opinions in the [illegible] morning, each differing in their views of some [of the] questions presented, but agreeing that the case [should] be remanded for a new trial.

[Ju]dge Hastings holds that all that part of the bay be[low] low water mark at low tide being a public highway the plaintiffs had no more right to take possession of this [lo]t, to appropriate it to themselves exclusively, than of [on]e of the public streets. The house erected by them [w]as a public nuisance; and it was a right as well as the [d]uty of the city authorities to abate it, and to eject [p]laintiffs from a portion of the harbor which the Coun[ci]l had appropriated as a public slip, under authority [de]legated from the State Legislature, which has the ab[solu]te right to control, regulate and improve the naviga[ble] waters within its jurisdiction. His Honor thinks [tha]t the plaintiffs have no right to recover, but in order [th]at the case may be disposed, without being put over [fo]r a full bench, he agrees with his associate that a new [tr]ial be awarded.

Judge Bennett holds that neither plaintiffs nor the [ci]ty had a title to the lot; but that plaintiffs having [the] actual possession of it, the city authorities had no [right] to take it from them and appropriate it to the [illegible] public without paying any compensation; [illegible] the ordinance of August 7th, as far as it relates [illegible] [i]s of no effect. His Honor also thinks that [illegible] was no nuisance; nor was the amount of [illegible] excessive. But as the court below instructed [the ju]ry that the right to remove an obstruction to a [highw]ay belongs to those only who actually have occa[sion t]o use the highway or who are aggrieved by the [obstru]ction; and the jury might have been of the opin[ion] that the house was a common nuisance, and yet [may] have been misled by the charge into the impression that the defendants had no right to remove it; whereas the doctrine is, that any citizen of a community has the right to abate a common nuisance, the case is remanded for a new trial, on the ground of the misdirection of the Jury.

In the matter of *Holdforth* on a *habeas corpus*: Bennett, J.—Holdforth was arrested in a civil action at the suit of one Cumlong, upon an order from the District Court, founded on an affidavit, charging said Holdforth with re[ceiv]ing money in the capacity of agent of Cumlong, and [not] paying it over. The affidavit does not allege that [the d]efendant was guilty of any fraud, or that a demand [had be]en made upon him for the money, or that he had [illegible] to pay. Holdforth applies to be discharged on [the gro]und that if the affidavit was sufficient under sec[tion] [illegible] of the Practice Act of 1850, which provides for [arre]st in "an action for money received or property [embezz]led or fraudulently misapplied by any factor, [illegible] etc." If such were the construction of the sec[tion, it] would conflict with section 15 article 1, of the [Constitu]tion, which provides. "No person shall be im[prisoned for] debt in any civil action on *mesne* or final pro[cess, unless] in cases of fraud; and no person shall be [imprisoned] for a militia fine in time of peace." The de[fendant must] be discharged.

[illegible] OF "JEMMY FROM TOWN."—We have [illegible] by Mr. A. C. Morse of Sacra[mento, of] Freeman & Co.'s Express, that the ["]Jemmy from Town" was arrested at [illegible] on Wednesday last by the Vigilance [illegible] [a]nd brought down by them last night [illegible] New World.

[illegible] [Sacr]amento was also arrested by Mr. [illegible] on board the boat on her way [illegible] on foot to arrest Adams and [illegible] came down last [illegible] The [illegible] on them.

Passing Events.

It will be seen by a report in the city intelligence that Francois Le Bras, the Frenchman accused of the murder of Francisco Guerrero, has been voluntarily delivered into the custody of the Sheriff by the Vigilance Committee, who have detained him since Sunday last. The information of Mr. Guerrero's death had scarcely been received before the Committee had scouts all around the city and its vicinity in search of the supposed murderer. The man Le Bras was arrested, and on the authority of the Coroner's Jury, who rendered a verdict of wilful murder, he was detained and examined. The testimony has been carefully weighed, and the Committee have come to the conclusion that there is not sufficient to convict, and furthermore, that if the man be guilty, he is unquestionably insane. In either case he is undeserving of punishment, and therefore they have deemed it unnecessary to detain him longer in custody. They have voluntarily handed him over to the Sheriff, as the Courts may have some desire to satisfy themselves as to the man's guilt or innocence, and moreover because they have every disposition to aid the Sheriff in the discharge of his duty,—having the utmost confidence in that officer's efficiency and integrity.

We publish elsewhere the statement of the Committee in regard to Mr. John Goff. That gentleman, it appears, has been given timely warning to leave the country, as the character of his house was not such as to render his further stay at all desirable. He has sent in a memorial to the Committee representing that he is quite honest and respectable enough for San Francisco—having been pardoned by the Colonial Governor, Sir Charles Augustus Fitz Roy—on condition that he should never revisit Great Britain or Ireland. It appears that at the age of twenty-three years, he was transported for life on a charge of burglary, and a short time since was permitted to leave Van Diemen's Land provided he did not return to the scene of his former exploits in the way of house-breaking. He has done San Francisco the honor of choosing it as his place of residence, and has since his arrival, it appears, kept up an intimacy with such men as Windred and others of that description. His house has been ascertained to have been a rendezvous for people of this character, and according to his own statement several of the police board there, although it is to be presumed they do not know the sort of gentry who make it their resort.

It is to be hoped that all those dens will be broken up, and that the keepers will be permitted to seek homes elsewhere. It should be at once signified that the men who are deemed by the British Government too bad to reside in England are not to be tolerated in California. If Mr. Goff had been a political prisoner in Van Diemen's Land it would be different; but we are not aware that house-breaking comes within the catalogue of political offences. We would strongly advise Mr. Goff therefore to avail himself of the Committee's suggestion, and depart as soon as possible.

We also re-publish the statement of Mr. Hetherington, and that portion of the confession of Stuart which embraces the names and other particulars suppressed in the first publication. It will be found to be highly interesting, as constituting an important link in the chain of historical memoranda in relation to this city. It will doubtless afford an explanation of the reason why Mr. Belcher Kay entered the city on Tuesday evening in the garb of an old woman, and will furnish various other rich and rare developments of official purity in San Francisco.

The Monterey Robbery.

To the Public:

I have this day received a letter from W. T. Wallace, Esq. the District Attorney for the county of Monterey, calling my attention to the following statements found in the confession of Stuart who was recently executed in this city:—

"The fact is that Parburt, McDonald, (McDowell,) and Judge Merritt were counsel for prisoners, and Col. Weller, Botts, (Butts,) and Wallace, for the prosecution.—There was a great deal of false swearing and bribery: all the money was taken from the prisoners—the court charges, amounting to $1000 was first taken out and the balance, say $12,000, was equally divided between the prisoners' and the prosecuting counsel."

So far as I am concerned I did not deem any explanation necessary, as in the succeeding sentence he says—"*Randall got one-half, and the prisoners the other half of the $12,000.*" The facts are briefly these: The Custom-House at Monterey was burglariously entered on the 8th December last, and some $14,000 stolen. A search-warrant was issued on the application of Dr. Randall, and about the amount stolen taken from the defendants, Osmand, Ryan, Briggs and Morgan, although it was not pretended that this was the *identical* money taken from the Custom-House. In the month of January the counsel for the prisoner applied to the Judge for an order directing Ezra Richards, into whose hands the money had been placed to pay it over to the defendants. At this stage of the proceedings I was employed by Dr. Randall; and to prevent the money from passing out of the hands of the officer, I commenced a civil suit against them and obtained an injunction prohibiting the officer from paying over the money. Several orders and counter-orders were issued, but the money remained in the custody of Mr. Richards. Things stood in this situation when the court met at Monterey. As a recovery in the civil suit could not be expected unless a conviction was had in the criminal case, I engaged with Mr. Wallace in the prosecution—the Grand Jury refused to indict Ryan,—the defendants Seward and Osmand, against whom we had much the strongest proof were placed on trial. The trial lasted for several days and resulted in the Jury disagreeing—three it was said were for conviction and nine for acquittal.

I gave my opinion frankly to the District Attorney that we could never obtain a conviction upon the proof submitted, and another trial must result in the same way. In this I understand the District Judge concurred. One of the defendants, Briggs, failed to appear, and his recognizance was forfeited. This the District Attorney agreed to release, and enter a nolle prosequi against the defendants, if the costs of the prosecution were first fully paid. These costs amounted to $800, according to my recollections. The arrangement was finally made.

The civil suits, one brought by Randall against defendants, the other by prisoners against Richards, were then compromised—Randall receiving one half and the prisoners the other half. The amount received by Randall was I think some $5000. Upon the succeeding day, Dr. Randall paid me the fee agreed upon, to wit, $1200. My fees would have been precisely the same, if no compromise had been made. I am satisfied that Mr. Wallace acted from the best of motives and was fully justified from all the facts then known, in dismissing the prosecution. The defendants certainly never could have been convicted in that county, upon the proof submitted to the jury on the trial. The honesty or integrity of Mr. Wallace will not be questioned by any one to whom he is [personally] known. No one sustains a higher character in the community where he resides.

[illegible] city editors who have published the confession [illegible] enough to insert this statement.

JOHN B. WELLER.

[FROM] THE ISLANDS.—We have received Honolulu papers to the 21st of June. They contain nothing of interest.

The Courts and the People.

"Domiciliary visits" constituted the bugbear recently got up as an argument against the Vigilance Committee, and it was represented in proclamations and charges to Grand Juries as a tremendous stretch of power to search the crib of a confederate of thieves for property stolen from honest citizens—a power exercised in every State in the Union, and in every country in the world where there is a police,—and one which should be exercised by the police of this city if they properly discharged their duty. By the exercise of this power we remember that one police officer recovered after a fire about six months ago something like twenty thousand dollars worth of property secreted in houses on the outskirts of the city. It is a power which no honest man need dread, and which has never been exercised by the Committee except for the detection of crime or the recovery of stolen property. The stress laid on this thing by Mr. Campbell and Mr. Brenham is therefore very gratitous. They should not have permitted themselves to give expression to such platitudes.

But the present bugbear is "constituted authority." With the voice of a Cassandra and the tears of a Pecksniff, one of our cotemporaries lugubriously deplores the calamity that must follow a disregard of the sacrednes of the judicial character: to wit, a disregard of the sacredness of Parsons. The courts must not be interfered with—they must be permitted to conduct business in the old way or the consequences to the community will be ruin and disaster. The argument, in brief, is, the Committee must cease from the good work they have in hand or society will be thrown into chaos, and confusion and anarchy will reign supreme. The old regime of the slungshot and the bludgeon must be restored in San Francisco in order that officials may live. The city must be periodically fired, houses must be robbed, safes broken open, citizens murdered in the streets, bribery and false swearing must be encouraged in the courts of law, and villany of every caste and character must be permitted to run riot in San Francisco, else there is to be forsooth an upheaving of society, and a prostration of all the fabrics of civilization and morality. The citizens are called upon to show their respect for courts by sacrificing their lives to the assassin and what remains to them of their property to the incendiary and burglar.

We need not ask the Committee not to suffer themselves to be cajoled into breaking up their organization. They have no intention of so doing, and least of all in answer to such representations. The citizens do not wish to be again abandoned to the tender mercies of corrupt and treacherous officials, or to have the city again swarming with miscreants of every grade. If the authorities feel hurt that the citizens take the law into their own hands, let them resign. They know they are thoroughly and heartily contemned by the people. They whine about their power being trampled upon. We say again let them resign. Office in their hands has brought forth no fruits but impunity for crime. An organization of criminals in our midst has been nursed and fostered into growth and vigor by the guilty connivance of men in office. Ample space and verge enough has been afforded the thieves to carry on their extended and systematic schemes of villany. That is what law has done for us: do the authorities imagine the people will suffer the city to relapse into this condition?

TRINIDAD INDIANS.—We are informed by passengers on the Chesapeake, that arrived yesterday from Trinidad and Humboldt, that the Indians on the Klamath and in the neighborhood of Trinidad had committed no depredations since the attack of which we received notice by Express about a week ago. That Express had come down to obtain arms, ammunition, and if possible a military force, to suppress any movements and resist the hostile attacks of the Indians that the citizens were constantly expecting. We are glad to learn that the fears of a rupture have not been realized, and that security is beginning again to be felt by the miners and settlers. The Chesapeake brought down $60,000 in gold dust.

From Van Diemen's Land.

We have advices from Hobart Town to the 19th of March. The news is unimportant. The anti-transportation movement was prosecuted with unabated vigor, and the cause of the Irish State prisoners was sympathized with great warmth by the people.

The *Maitland Mercury* says of those gentlemen that "recently a public meeting was held, pursuant to advertisement, at the Plough Inn, West Maitland, for the purpose of adopting a petition to the Queen for the pardon of William Smith O'Brien, John Mitchell, Patrick O'Donohue, Thomas F. O'Meagher, John Martin, Kevin Izod O'Doherty and Terence Bellew McManus, now State prisoners in Van Diemen's Land. The following resolutions were unanimously adopted:

"1. That this meeting has heard with surprise and indignation that Sir William Thomas Denison, the Lieutenant-Governor of Van Diemen's Land, has inflicted upon the Irish State prisoners, Messrs. McManus, O'Donohue and O'Doherty, for a trifling breach of a mere rule of penal discipline, an extra judicial punishment, which to gentlemen of their habits and feelings may be regarded as worse than death.

"2. That this meeting expresses its heartfelt sympathy with those unfortunate and oppressed gentlemen, and in so doing, conveys its opinion that the disgrace their oppressor attempted to attach to them has recoiled upon himself, and indelibly stigmatized his name and character."

The third resolution was for the adoption of a petition to Her Majesty praying that a pardon may be granted to William Smith O'Brien, John Mitchell, Thomas F. Meagher, John Martin, Kevin Izod O'Doherty, Terence Bellew McManus and Patrick O'Donohue, the Irish State prisoners. An amendment was moved to the effect that a prayer should be embodied for the recall of Sir W. T. Denison, but after some argument was withdrawn. The various speeches were received with great enthusiasm, and several of them were of considerable length. The room was crowded, and numbers of persons had to be content with listening in the lobby and at the open window."

The Charge of Treason.

EDITOR HERALD—I have read with a great deal of interest the proclamation of the Mayor and the charge to the Grand Jury by Judge Campbell. Both are filled with truisms which no good citizens will deny; but "circumstances alter cases." and may there not exist times in which said truisms had better not be repeated? Commands from the Bible are imperative in all Christian communities, and the same Bible tells us there are cases in which it is our duty not to obey them, and illustrations given by Christ himself. Admitting the whole truth of all the Mayor and Judge have said, particularly the latter, by which at least three thousand persons must be hung, I would in all simplicity (for I am no lawyer) ask if their remarks would have not been equally applicable and as imperative of one George Washington, John Hancock, John Adams, James Otis and others, and if there is any other reason why they were not hung than that they were successful?

PACIFIC.

A Curious Pretension.

The *New Orleans Picayune* gives the subjoined notice of a story which is going the rounds of the European press. Literary idlers have recently made a faint effort to shew that Washington was an Englishman, and for several years past essays have been written to prove Marshal Ney a veritable American. The man in the Iron Mask has recently been made out by Dumas, in a very ingenious manner, to have been the brother of Louis the Fourteenth. Should the present story of Louis Phillippe being really the son of an Italian jailor, prove to be true, what a shock it will give to the feelings of the British Queen and Prince Albert after their condescension to the exiled family.

Pretenders to the inheritance of the elder branch of the French Bourbons have been not uncommon. Every body is familiar with the name of the so-called Duke of Normandy, who claimed so long to be the son of Louis XVI., saved in a miraculous manner from the death which history gave to him in 1792. There is now, or was recently, in the State of Wisconsin, a Methodist preacher, with the very unromantic name of Eleazer Williams, whom many people firmly believe to be the same French Prince, whom a faithful royalist saved in his infancy and brought for security into the wilderness of North America, and consequently the legitimate heir to the French throne, if there were a French throne to be inherited.

The Orleans family have pretenders to their honors also, only that the head of the family, the late Louis Phillippe, is accused of having been an intrusive impostor, possessing the rank and fortunes belonging rightfully to another. Lately, but not for the first time, an elaborate effort has been made to prove that the late king was no Bourbon at all. We have sometimes met, in foreign papers, with various statements to the effect that Louis Phillippe was an Italian infant, substituted into the family of the Duke of Orleans for weighty family reasons. The inquiry has been included among grave historical doubts, and recently the grounds of the doubt and the documents to sustain it, have been carefully collected and published in a volume in Paris. A summary of the case is made in a Richmond paper, from which we make up some of the leading facts and allegations.

The story, as told circumstantially, and with an air of perfect conviction of its truth, is, that Louis Phillippe was the son of a jailor at Modigliana, a small town in Italy, at which his reputed parents, the famous Egalite and his wife, were staying during the winter of 1772-3, under the name of the Count and Countess de Joinville. A male heir was wanted to secure in the Orleans family some immense estates, and the infant daughter, of which the wife of Egalite was delivered, was exchanged at its birth for the son of Chiappini, the jailor. The boy was brought up as the heir of Orleans—the daughter as the child of the jailor. She became remarkable for beauty, wit and accomplishments, and became the wife of Lord Newburg, an English nobleman, and, after his death, of a Russian nobleman, Baron Steuberg. It was after this second marriage that Chiappini disclosed to her the mystery of her birth. It had the effect of making her spend the remainder of her life in correspondence, intrigues, and struggles to get herself acknowledged as a true Princess of the House of Orleans, and Louis Phillippe, then Duke of Orleans, as an impostor. She had powerful protectors in Paris, who were able to secure her personal freedom, but never made any impression unfavorable to the security of Louis Phillippe's title, and probably never would, had her claim been twice as strong. Her story had many believers, and she was really reverenced by many Frenchmen as the true representative of one of the royal houses of France, a belief which was much strengthened by the remarkable fact, or extraordinary coincidence, that she had a strong likeness to the Orleans family, and Louis Phillippe a strong likeness to Chiappini. It is but a few years since she died, fully believing herself to be an Orleans Princess.

The array of documents in favor of her pretensions is long, and makes out a plausible case. It is a very curious story, and if it be, as it probably is, a case of accidental coincidences, it is nevertheless one of romantic interest, as there can be no doubt of the sincerity of the delusion under which the lady acted to the end of her life.

A Mormon Leader.

The following is the leading article in a late copy of the *Deseret News*, received from the place of publication by a recent arrival. An editor must lead a very quiet life who has nothing to engage his thoughts more important than the state of the butter market.

We feel thankful to our heavenly father that he is inspiring the hearts of the farmers more and more, to bring in their butter, eggs, cheese, &c., to strengthen the hands on the public works; who also feel thankful and praise God for the same, and pray for their brethren more abundantly. Formerly, at this season of the year, butter was being packed away to sell to emigrants; now it is brought forward to help build the temple. Formerly, some of the brethren buried their faith with their butter, and their hearts were cold enough, in the absence of ice, to preserve their butter until they could make sale at an enormous price, and would let the public works stand still, their brethren and sisters and little ones, who did not make of their own, eat bread and water, rather than sell them an ounce, at a reasonable price; and their hearts were so cold it did not seem to trouble them, and they did not appear to know but they had done right, and they knew not joy or happiness; now they sell freely to those who have none, at reasonable prices, and their hearts are so warm that butter will not keep on their farms; and they are so full of joy and happiness, they have to come and bring a pail of butter to the tithing office, and tell how they rejoice, and how much better they feel than they did last year and the year before; and God is blessing them in basket and in store, in flocks and in herds, in fields and in gardens, and they are getting rich a hundred fold faster than they were formerly, and they are not afraid to see a good brother from the city, lest he should ask them if they could sell him a pound of butter or cheese, and they should have to tell a lie to keep it for the emigrants. No! they have done with such foolish things. My Father, continue to bless them in the name of Jesus, amen.

AN ESCAPED PRISONER CAUGHT AT NEVADA.—A man named S. S. Putnam, alias John Scars, was arrested in Nevada on Friday, for stealing jewelry from the dwelling of Mrs. Emma Omen. The *Journal* says that when searched by the Sheriff to see whether he had any tools by which to make his escape, Putnam was found to have upon one of his legs an old shackle that he had evidently worn for some time. Upon being questioned relative to the anklet, he stated that he had made his escape some two weeks since from the prison brig at Sacramento, since which time he has been at work upon Bear River and Auburn Canal.

On being taken to the station house at Nevada, he told the Sheriff—who was preparing some irons—that if he left his limbs at liberty he would not attempt to escape, but that if he was chained, he would certainly get off! It was of no avail, however; he was securely ironed with an ox log chain, and at last accounts was still safe. He was perfectly cool throughout, and upon being told he deserved hanging, laughed and remarked, "Well, what of it? you can't hang me more than once, I suppose."

SPECIMENS FROM CARSON'S CREEK.—We have seen in the hands of T. R. Agnew, Esq., formerly of this city, some very beautiful specimens of quartz, procured from a portion of the Carson's Creek vein. We understand Mr. Agnew has a portion of his claim for sale. The vein from which the specimen comes is generally allowed to be the richest in the country. There is no doubt, if half what is said of the quartz rock be true, that vast fortunes are yet to be made by this description of mining.

SUPPLYING THE CITY WITH WATER.—Two plans, those of Messrs. Merrifield and Hotaling, for furnishing the city with water by private enterprise have been sanctioned by the authorities. In addition to this, the City Fathers, fully impressed with the importance of having, at an early day, the supply necessary to extinguish fires and of the short-sighted policy of their predecessors in neglecting a matter of such vital importance to the safety and permanence of the city, adopted an ordinance on Monday night last, instructing the Street Commissioner to deepen the springs at the head of Sacramento street, whence a fine stream of water now constantly flows, and to conduct the same through leaden pipes to the reservoir on the Plaza. Thence by branch tubes the overflowing water will be conveyed to the other reservoirs constructed in different parts of the city, by which means they will all be kept constantly full without further expense. This is decidedly an economical as well as most judicious move, for hitherto it has cost the city some $2000 every time the cisterns were filled. It enters into the plan of the projectors, to construct a small fountain on the Plaza, from which the waters will issue in jets, forming quite an ornament to that spot now so sterile and arid. This is the first real practical step towards making the square what it was intended to be, an ornament to the city—a green spot in its midst, where the dusty citizen may retire for a moment to enjoy the sight of green grass and plashing waters. The whole cost is limited to $5000. If the work can be accomplished for that sum, and it is the opinion of the Street Commissioner, who is a practical man, that it can, $5000 could not possibly be laid out to greater advantage.

The Case of John Goff.

As there has been a sympathy excited in the breast of some persons in this community, in consequence of the *notice to quit* which has been served by the Committee of Vigilance upon one John Goff, said Committee would lay before their fellow citizens the following evidence taken in his case:

Charles Marsh's statement.—Goff, in Happy Valley, was transported to New South Wales, and assigned to Judge Forbes; he had conducted himself so well that the Judge allowed him to keep a little grocery shop for his own account, he working also for the Judge; while he kept the shop there was a person there named Foss, a druggist and wholesale grocer; Goff and the porter at Foss's were connected together; Goff began to sell goods cheap, and did a large trade; he sold goods cheaper than Foss could; it was discovered that this man Goff obtained his goods through the porter; Goff was arrested, tried and transported again to Norfolk Island. I think before he had been there long, he, through interest, was brought back to work with prisoners on the new jail; he worked his seven years out and then went to Windsor; from there he came here; he is a bad character; keeps Panama Restaurant; his name is spelt properly Gough; my office in Sydney was Governor's house and land steward; I had 50 or 60 convicts under me and 5 or 6000 acres of land to take care of.

(Signed) CHARLES MARSH.

Formerly Steward for Sir Richard Bourke, at Sydney and Paramatta.

Subsequently, Marsh certifies that the John Goff brought before the Committee and in his presence, was the same person spoken of by him.

John Goff's statement.—I have resided in New South Wales; don't know Judge Forbes; think I know a man by the name of Foss; I kept a grocery store in a town called Windsor: I never bought any goods of Mr. Foss, but have taken goods from Mr. Foss's store to people in the country; I was born in a town called Huntington, in England; left England in 1822 or '3; was sent away from England for house-breaking, and was assigned to one Smith at Hunker's river; I was not transported to Norfolk Island; I never worked on the jail; I came from Sydney here; I never knew Judge Forbes; I was transported for life; I got a ticket of leave from the Government to work at any part of the Colonies or any other country except Great Britain; I think I was about 23 years of age when I left England.

(Signed) JOHN GOFF.

Re-examination of John Goff—I have been here about 16 months; came in the ship Victoria; we had about 200 passengers; I knew some few of them; there were some convicts among them. I have a wife and family; I also brought James Smith and Wright; (Wright died;) Wright's wife is here; James Smith is at the mines. I do not know where; do not correspond with him. Berdue, the man now being tried for murder at Marysville, also came in the ship; I never heard any harm of him at home; he was quiet on board the ship; he had a wife at Sydney; I have seen him several times since he has been here; he brought four or five pounds of gold dust, which he left at my house; I do not recollect the names of any others; I never saw Stevens (the prisoner) before; he is not Berdue; some slight likeness; Berdue is a shorter man; it was about ten months since Burdue deposited the gold dust with me; I never knew Jenkins; I never knew Byrnes; I keep the Panama House; have no other place; Berdue sent back for his wife; left his direction in my book; I cut it out; "Thomas Berdue, city of Auburn Dry Diggings; to be found at the German baker's there; write to the care of Mr. Gymas, store-keeper." I knew Windred; I lived near him at Windsor; I was on intimate terms with Berdue and Windred in this country; Windred has gone home; I received a letter from Windred's wife; some of the police have always boarded at my house; ever since the station house has been erected, the police have boarded with me; she (Mrs. Windred) writes to say that we must excuse her not calling on us; I will produce the letter; she sends an order to draw six or seven hundred dollars on lawyer McAllister. Signed, JOHN GOFF.

Goff subsequently acknowledges that he knew Marsh (whose testimony is given) in Sydney.

SAN FRANCISCO, May 6th, 1851.

Thomas Burdeue, To Mrs. Mary Windred.

Lent money to Mrs. Walton	$400
Lent money to witness	100
Board and washing	125
	$625

Mr. McAllester—Have the kindness to see that Mr. Benham pays the money due to me to Mr. Goff, and you will oblige your obedient servant,

MARY WINDRED.

SAN FRANCISCO, May 6.

Mr. Goff—Should poor Tom ever be permitted to return to San Francisco, tell him that I never got any of his money. Mr. McAllister and Benham still holds it—that I assure him is the case. Tell him that I paid Mr. Walton 400 dollars and other expenses I can scarcely recollect. However I trust he will soon be down and settle his own affairs. And by doing so you will obliged yours, M. WINDRED.

SAN FRANCISCO, May 6, 1851.

Mr. Goff—I hope you will not think it strange of me in not coming down to see you before I start; but I have only half an hour to get ready, so the time is short and you know how I am situated, so that you will not be angry. I shall see you in our own country I hope soon. I trust Mrs Goff will get over her trouble soon, and be sure to come back to our own welcome home. I would tell you more, only time is short. Should they never let poor Berdew come into this town—should they murder him for another man's crime. I enclose the following bill to be presented to Mr. McAllister, and you will oblige. M. WINDRED.

Should Tom come down to him, let him do as he likes, only I would like to see him rob his wife or me either; for Tom knows I borrow 500 dollars from to parties and they will look to be paid some day or other. The 500 was on Tom's accoun, so I am responsible for the sum and would like to pay it. M. W.

Goff has in his possession a CONDITIONAL pardon, given at Sydney on the 1st May, 1849, by Sir Charles Augustus Fitz Roy, Governor of New South Wales—in which document appears the following: "And whereas John Goff, whose description is hereunto annexed, having been indicted and convicted at Devon Assizes, on the 14th day of August, one thousand eight hundred and twenty-four of the crime of ———, was, in pursuance of said conviction, sentenced to transportation, and was accordingly transported to the said colony, (New South Wales,) for the period of his natural life. And whereas, in consideration of the good conduct of the said John Goff, since his arrival in the said colony, I, Sir Charles Augustus Fitz Roy, as such Governor of New South Wales, recommended the said John Goff to her Majesty for a pardon, to take effect in all parts of the world, EXCEPT THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND * * * * * * * * Now know ye, that I, &c., &c., &c., do hereby grant unto the said John Goff a pardon for this offence, * * which shall take effect in all parts of the world, except the United Kingdom of Great Britain and Ireland. *Provided always*, and it is hereby expressly declared to be a condition of this pardon, that, if the said John Goff at any time during the continuance of the term of his said sentence, go to, or be in any part of the United Kingdom of Great Britain and Ireland, then this pardon shall thenceforth become wholly void, as by her majesty's commands expressly limited and directed. And all her majesty's officers and ministers of justice, and all other, her majesty's subjects, are hereby required to take notice accordingly."

Published by order of the

COMMITTEE OF VIGILANCE.

THE RIOT ON THE COSUMNES.—The report of the lamentable affray on the Cosumnes on Saturday last, in which three men were killed and two wounded, represents the act as perpetrated in cold blood, and characterized by an atrocity which we trust further developments will shew to have been wanting. The planting a cannon to defend the disputed ground we regard as having been sheer madness, and we are not at all surprised that the piece was taken and spiked: but the accounts state that after the cannon was rendered hurtless and the man guarding it was taken into custody, a party of one hundred attacked another party of twelve and shot down five, killing three. If the first shot had been fired by Sheldon's party there would have been strong palliation for the act; but it is not at all likely twelve men would commence an attack on one hundred, and the fact of previous threats having been made by Mr. Sheldon, can not justify the other party in mercilessly shooting down a number of men who evidently had not strength to contend with them. It is to be hoped the trial, which must take place, will put a better color on the affair.

Public Opinion in Stockton.

The *Stockton Journal* of Wednesday has an able leader on the stirring topics now engaging the attention of the citizens everywhere—the judges and the people. It says:

The people had other business, and therefore government was formed to protect the aggregate; and the officials were paid with exorbitant stipends to shield the public and private weal from wrong and outrage. Events of a most stirring nature were daily transpiring, and men were so perplexed with business that they paid no heed to the records of the Courts or the judgments of the Bench. The course pursued by the authorities was recognised as right and just, and the sanction of the master was given to the award of the agents. Insolence followed, and crime arose in such appalling magnitude, endowed with such controlling wealth, that Judges, Juries, Lawyers, Sheriffs, Constables, *et id genus omne*, forsook the cause they were hired to defend, and compounded with rascality, letting loose through the loops of conscience and the flaws of the law, scoundrels and felons whose breath should have been cut as short as the time allowed to do it in would permit. Under such circumstances, the sovereigns of the State—the makers of legislatures, judges and officers—the source from which power is derived—have arisen in the land, proclaiming the fundamental law of mankind—that unwritten code of the human heart, springing directly from the God that made it, and enduring as justice—that they themselves would punish crime—that they would protect themselves from arson and roguery.

The Sheriffs throughout the country have been more true to the interests of the people, and more honest in the discharge of their duty than any other class of officials. We know of but two instances in the State in which the Sheriff has come under the ban of public censure. In respect to this office, San Francisco, Stockton and Sacramento are peculiarly fortunate.

Statistics of Crime in San Francisco.

The following is the classification of offences committed in San Francisco that have been decided upon by the Recorder, for the month ending July 16th. It will be borne in mind that before him, as an examining magistrate, all criminal cases are brought previous to being sent before a higher tribunal. The whole number of [cases] on the docket since the institution of the Recorder's Court, is 3507. The whole number for the month ending July 16th, is 250. The arrests were made for the following causes:

Drunk and disorderly	72	Peddling	8
Fast riding	15	Fighting	35
Violating city ordinances	24	Resisting an officer	5
Suspicion various crimes	17	Assault and battery	31
Stabbing	4	Counterfeiting	1
Petit and grand larceny	22	Discharging fire-arms	7
Murder	1	Arson	1
Nuisance	2	Desertion	1
Swindling	3	Threats against life	1
Total			250

This is an average of eight per day. Of the parties accused of these offences, eighty-nine were fined in sums ranging from $5 to $100; one hundred and forty were discharged (more than half); four were sentenced to confinement, for a greater or less time, in the county prison; seven were held to bail to stand their trial before the Court of Sessions, and one before the District Court. The eighty-nine fines that were imposed amounted to $1500, all of which, however, has not been paid in. It will be perceived that a very large proportion, viz.: 56 per cent. of the cases, were discharged. This arose from a variety of causes:—the offence was trivial—the party poor and contrite—the evidence insufficient, or extenuating circumstances existed. The three cases, drunk and disorderly, fighting, and assault and battery, alone included one hundred and thirty-eight cases, or 55 per cent. of the whole. So much for rum. It will be noticed as unusual that not a single case of burglary or robbery with force occurs. Out of these two hundred and fifty cases but eight were of sufficiently grave a character, or supported by the requisite evidence, to be sent up before a higher tribunal. Of these eight cases, one was for murder, one for passing counterfeit money, two for suspicion of larceny, and four for grand larceny.

Taking out of view the offences resulting from that curse of our race, ardent spirits, and it will be seen that there has been a manifest and gratifying diminution of crime within the past month. To whom is this improvement in the morals of our city to be ascribed? All anticipate us when we say that to the Vigilance Committee is in a great measure due the credit. They themselves have made a number of important arrests, and though they have not changed the vile heart or reformed the character of criminals, they have done the next best thing, driven offenders from [our city, or] filled them with such terror by their [illegible] tivity and stern determination that [illegible] pursue their former course of vil[lainy] [illegible].

We trust to be able to present [illegible] able report of the city's morals at [the end of the] current month. With the same influences [at work], there can be no question of it.

Quartz Mining.

Scarcely a day passes that we do not hear of some new discovery of rich quartz veins in the county of Nevada, already teeming with such boundless wealth—wealth that only needs the proper capital and requisite machinery in order to make it available for every necessary object. Indomitable enterprise has already sought out and located every vein of value west and south of Nevada city, excepting, perhaps, those which border the banks of Bear river, where it would require an immense outlay of capital and labor to bring machinery to the spot, on account of the tremendous hills which rise in every direction, almost impassable for wagons.

The richest quartz veins discovered west of Nevada are those of Grass Valley, first among which are those upon the celebrated Gold Hill, which have already realized handsome fortunes to their owners. The immense amount of the precious metal taken from this mountain has already given the character of a permanent settlement to the valley, which is increasing rapidly in population, while quartz crushing works of great magnitude, driven by steam, line the brook which runs through it for miles up and down its banks. Thus, first on the list in point of enterprise and capital in developing the riches of the northern mines, stands Centreville or Grass Valley—which even now emulates a rival with Nevada, and indulges in the hope that they will soon as far outstrip us in population as they even now do in steam machinery.

The impression seems to have gone abroad that there are very few quartz veins of any magnitude within the vicinity of Nevada. This is altogether a mistake. Grass Valley has been driven to quartz working by the scarcity of ravine and coyote diggings that would pay even *wages* in that section of the country, and to this may be attributed their great and extraordinary success in advancing their improvements to such perfection in so short a space of time.

Nevada on the contrary has abounded in ravine and coyote diggings of unparalleled richness, not only paying wages, but giving to those who work them a handsome income over and above all expenses. It is not at all surprising then, that the search after rich quartz veins should have been so long neglected in the immediate neighborhood of our city.

As water for earth washing became scarce, however, the restless spirit of enterprise in our persevering miners broke forth, and the search for quartz began and was pushed forward with unexampled success. Almost every hill traversing or circling our extensive city, was found to be a perfect net-work of rich quartz veins with innumerable branches and "feeders" extending to every point of the compass, thus establishing beyond the most skeptical doubt the permanency and richness of the mines of Nevada, and guaranteeing to our city a future of unbounded and brilliant prosperity.

The tunnels of our city (foremost among them the celebrated gold tunnel) have been described and commented upon at length by us in previous issues. There are none of the same description that can equal them in the world in point of magnitude or richness, yielding to the enterprising digger such a mine of wealth.

We paid a visit to the vein on Woods' ravine, a few days ago, and whilst there conversed with some gentlemen who have claims on Gold Hill, in Grass Valley, and their opinion is that this vein is equal if not superior to any in the valley. A subsequent conversation with one of the largest holders on Gold Hill confirms this belief, while the extent of the vein on Woods' ravine is more than twice that of Gold Hill. Very little digging has been done on this vein, but in no instance has a shaft been sunk that the ledge was not discovered within a very few feet of the surface, and in every hole sunk for a prospect, richly inlaid specimens of great beauty, varying in value from ten dollars to two thousand, have been found.

Several large companies have been formed, with ample capital for the prosecution of the work upon this lead. The Eureka Company have already entered into negotiations for the requisite machinery, which it is intended shall be of the heaviest and most approved description. Other quartz mills are in progress in every section, in and about the city, and in a few months more the old Sierras [will] give back in thundering echoes the clanking sounds of ponderous machinery, driven with tireless and leepless action by the unwearied "iron horse."—*Nevada Journal.*

LAW SUIT AT NEVADA.—A suit has been instituted by one of the Canal Companies at Nevada against some of the miners engaged in coyote digging for cutting the canal and letting the wa[ter] escape. It appears that what favors one descri[p]tion of mining the other, injures

THE SAN FRANCISCO HERALD.

New Party Issues in the United States.

It is worthy of remark that while political distinctions are being obliterated in most of the Atlantic States, the old party names being almost wholly excluded from the public gaze by the new and important issues that have sprung up within the last few years, the internal condition of our own State is gradually working out similar results. Party organization, to be successful, must be built upon some extraordinary public exigency or some great principle of public usefulness or policy of sufficient importance to gain the countenance and support of large masses of the people. The first division into parties took place in the United States on the refusal of General Washington to impart to Congress a copy of his instructions to Mr. Jay,—Mr. Madison and several others afterwards leaders of the Republican party going into opposition;—and from that time to the present the country has never been without two parties, but not by any means the same parties nor divided by the same issues. They have been fused and subdivided frequently since that period, and they will again be fused and subdivided according as new issues may arise. Strong supporters of General Jackson in his day are now staunch whigs, and many who voted for a bank of the United States and in opposition to the party, are now prominent democrats, and so it will be always—the circumstances of the country ever giving birth to new exigencies necessitating, one year, modifications of the policy of the last.

The most important change that has yet taken place in the position of the political parties in the United States, has been effected by the agitation of the Wilmot Proviso question, and subsequently of the broader and more general policy of Free Soil. The Proviso was introduced in June 1846, and since that time this agitation has gained strength each year, until within the past twelve months it became so formidable as to force the most eminent men of both parties to unite in a solemn pledge that henceforward they would support no man for the Presidency of the United States, Congress, or any State Legislature, who is not opposed to this suicidal agitation and in favor of those measures necessary to the maintenance of the Union. This pledge was signed by Mr. Clay, Mr. Foote, Howell Cobb, Sam Houston and many other eminent gentlemen of both parties. It was a virtual abandonment of old [party lines] for the purpose of building up a [national] organization for the noblest [purpose], and based on the grandest [principle] that has yet characterized the formation of any party in the United States.

It will not be denied that the next Presidential election will mainly turn on this question, and the recent accounts from the North and the South represent the contest as already commenced. In the North, Mr. Webster has cut loose from the political associations of years, where these interfered with the promulgation of his patriotic sentiments on the great questions of the day, and trampling under foot the petty intrigues of faction, he has within the last few months earned a fame more desirable and more enduring than any he has yet acquired by his statemanship and eloquence. In the South, Mr. Foote responding to the call of the people of Mississippi, has thrown himself into the canvass as a candidate for Governor, in opposition to General Quitman, who has permitted himself, unfortunately, to be led into the toils of the secessionists. Some idea of the herculean task Mr. Foote has undertaken, may be gathered from the fact that he had made engagements in the beginning of June to address the people in every county of the State, and for this purpose was to speak every day, Sundays excepted, until the election in November. It is well known that both the candidates are Democrats, and in behalf of each, numbers of the opposite party are earnestly and ardently enlisted. In South Carolina there is no such word at present as Whig or Democrat. In Georgia and Alabama the elections hinge on the question of union, and in Louisiana the people have rejected some of the most prominent men of both parties on account of their secession sentiments. In the Northern and Eastern States, it is hardly necessary to say, the masses are equally oblivious of the old party names.

While such is the case in the Atlantic States, it would be the extreme of folly here in California to regulate our choice for office by words and symbols which are forgotten where they originated. The most urgent necessity of the people of this State is the proper administration of justice and the enactment of wholesome laws. The names Whig and Democrat will be very impotent in the accomplishment of this object, and we hope to hear them enter as little as possible into the contest in September.

Correspondence of the San Francisco Herald.

PORT ORFORD, July 22, 1851.

EDITOR HERALD: We arrived at this place on Monday, the 14th, and succeeded in landing the same day, with all our stores and baggage. The next day was occupied in clearing the land and building a block house. The site selected for the town is immediately on the bay.—This harbor is, in the opinion of those who are acquainted with the coast between your city and the Columbia river, the best (with the exception of San Francisco) on the North Pacific. We have plenty of good open land, good water every few hundred yards, and an abundance of game within three miles. The country is open towards the north, and a good road can be made to the Shasta mines, the distance from which is but sixty miles. Gold has been found within a short distance of the coast. In my next communication, I will give you more information in regard to it. G. R. B.

The Sheriff of Monterey.

The following resolutions have been adopted by a meeting held at Monterey on the 24th inst., Mr. Josiah Merritt presiding:

Resolved. That we cannot in words picture our feelings of astonishment and indignation on the reading in the newspapers of San Francisco, a report purporting to be the confession of the felon Stuart, wherein it was stated that "William Roach, sheriff of Monterey county, received $700 and a gold watch for packing the jury and other services."

To us, the citizens of Monterey, to whom Wm. Roach has been long and intimately known in the various positions, both civil and military, which he has held since his arrival in this country, no such charge needs defence. But inasmuch as this confession of Stuart's has been by this time published throughout the State, in parts of which Mr. Roach may be unknown, and that credence may be given to charges therein contained: therefore, be it

Resolved. That this felon has added another and the darkest to his terrible catalogue of crimes, by this attempt to brand an innocent man with infamy.

Resolved. That we unhesitatingly express our unabated and unimpaired confidence in the probity, honesty, [illegible] and integrity of our fellow citizen, William

SACRAMENTO INTELLIGENCE.

Saturday, July 26.

A destructive fire occurred at Salmon Falls on Monday morning, burning down two stores filled with goods, owned by Henry & Co.: total loss $7000.

Mr. Anthony, of Johnson's Ranch, was robbed about a week since of $1000. The robber entered his house and took a safe in which the money was deposited.

The Whigs assembled at Coloma on the 21st inst. and made the following nominations:

State Senate—W. S. Stewart, Coloma; D. K. Newell, Grey Eagle City.
Assembly—Albert W. Bee, Placerville; Samuel B. Mills, Salmon Falls; Wm. R. Hopkins, Murderer's Bar; Dr. John Cotter, Cold Springs.
Sheriff—Milton R. Elstner, Placerville.
County Clerk—Josiah Gordon, Coloma.
District Attorney—Thomas H. Williams, Georgetown.
County Recorder—Dr. W. S. Thomas, Coloma.
Assessor—Samuel Whitney, Placerville.
County Surveyor—Dr. L. Bradley, Webberville.
Public Administrator—John Hume, Placerville.
Coroner—Leonard Young, Coloma.
Treasurer—M. W. Hutchinson, Coloma.

The following letter from Major Reading appears in the *Union*:

COTTON WOOD, July 21, 1851.

DR. JOHN F. MORSE:

My Dear Sir—It was my intention to have been in your city some time since. Gathering my harvest, which has been a very large one, caused the detention.

Yesterday I learned that the Indian Commissioner, Dr. Wozencraft, is on his way to this point and will probably be here in a few days, for the purpose of making treaties, adjusting difficulties, etc., with the various Indian tribes in this districts. It is important that I should be present for a short time at least after his arrival, believing that I can facilitate him in effecting the object of his visit. I have at this time a large number of Indians congregated at my place, all of whom are and have been friendly to the whites; but to the north of this place the mountain tribes will, I fear, give much trouble, being numerous, and most bitter in their hostilities against us, living too in one of the most rugged and inaccessible mountains that I have ever known. I cannot enumerate the many aggressions which have been committed by the Pitt River Indians against the whites,—more particularly have the residents of Shasta City suffered. Scarcely a night passes but some one is shot with an arrow, and stock driven off.

I will refer you to Col Freaner for a detail of important news from the upper country, he having just come in from the Shasta valley. An important fact has been determined by Lieut. Williams, of the Topographical Corps, that is, having fixed the parallel of latitude of 42 degrees north in the Shasta county or valley, which was supposed by many to be in Oregon.

Shasta is proving to be one of the richest mining regions yet discovered.

As soon as possible after the arrival of Dr. Wozencraft, I will leave for Sacramento City, and hope soon to have the pleasure of seeing you.

Yours truly, P. B READING.

Tuesday, July 29.

A fire broke out at one o'clock on Sunday morning, in a wooden tenement on the north side of K street, above Sixth. By the exertions of the fire companies it was confined to a small space.

The houses burned consisted of Mr. Brane's office, where the flames broke out, Mr. Hooker's auction room, a blacksmith shop, Goodhue & Taylor's auction store, Snyder's grocery—loss about $2500—the Buckeye Hotel on the corner of K and Sixth streets, and a blacksmith's shop adjoining on Sixth, the last two belonging to Mr. Jaynes, and valued at $3000, and one or two small tenements of little value.

Wednesday, July 30.

The managers of the Tehama Theatre in Sacramento are about to give the Fire Department a benefit.

Mr. Levi Taylor, an auctioneer at Marysville, and his bookkeeper, had an altercation, when after an interchange of blows, one drew a pistol on the other and shot him in the fleshy part of the arm.

We learn by Gregory's Express that a man named McKenzie, one of Stuart's gang, was arrested in Sacramento about three o'clock yesterday morning, by the aid of Mr. John Shultz.

Thursday, July 31.

We received last evening, by Freeman & Co.'s Express, the Sacramento papers of yesterday.

There has been some excitement at Coloma, relative to the Tunnel Company. The *Union* gives the following account of the affair:

On Monday morning Sheriff Rogers went down to the dam of the Tunnel company, for the purpose of removing it, as the ten days allowed them for lowering the water above had expired.

The members of the Tunnel company and their friends, to the number of 150, collected at the dam, and being fully armed, prepared to resist the Sheriff, who had but a small "posse" with him, and they were mostly unarmed. The Tunnel party threatening to shoot the first man who should dare to molest their dam, Col. Rogers informed them that he should be fully ready to enforce the law by 3 o'clock, P. M. He then returned to Coloma, and the upper company to the number of 120; volunteered their services to assist the Sheriff. The latter then went on to Cold Spring and Placerville, and at each of those places summoned citizens to assist him in the discharge of his duties,

In the mean time the Tunnel company got wind of what the Sheriff was about, and commenced tearing down their dam, and when Rogers and his party returned, the excitement had greatly subsided. The water is still six inches too high, and farther difficulty is apprehended, but the law will in the end be enforced to the letter, as the citizens are unanimous in their determination to support the Sheriff.

It appears by the same paper, that on Saturday, a party of the Colusi tribe of Indians made a wanton and unprovoked attack upon the Hock Indians in the vicinity of Capt. Sutter's. Two or three of the squaws of the latter were killed, and a number of the men badly wounded. They instantly went to the Captain for counsel, and he advised them, that as the assault of the Colusi Indians was entirely without provocation, they ought to resent it. They accordingly organized a strong force and left on Monday in pursuit of their enemy, whom they will overpower and thoroughly punish for their unjustifiable and heartless cruelty.

Major Sweetser, just down from the Sierra Nevada, gives glowing accounts of the success of his quartz company. He says that the veins which that company are working increase in richness daily, and that they are proving far more extensive than at first supposed. There has been also a new vein opened on the other side of the Nevada range, about half a mile from the old claims. The Major thinks this vein a continuation of the one which is now being worked, inasmuch as it lies directly opposite to it about the same distance below the summit of the mountain.

REMEDY FOR SHORT SIGHT.—Dr. Turnbull has discovered a remedy for short sight, which he has communicated to the Medical publications. The learned doctor thus describes the process: "In the first instance I applied the extract of ginger, which was rubbed for five or ten minutes over the whole forehead, with the view of acting upon the fifth pair of nerves. Afterwards I substituted a concentrated tincture of ginger, of the strength of one part of ginger to two parts of spirits of wine, decolorised by animal charcoal. The success of this operation was remarkable. In many cases it had the effect of doubling the length of vision. In some cases I found the iris was not much dilated but very torpid. In these cases I applied the concentrated tincture of pepper made of the same strength, and in the same manner as the tincture of ginger. This used until I observed that the iris had obtained a great power of contraction and dilation, after which I had again recourse to the tincture of ginger. This plan of treatment has been attended with the most signal success, and persons who were extremely short sighted have very soon been enabled to permanently lay aside their concave glasses."

LAW INTELLIGENCE—July 30.

District Court—L. Parsons, Judge.

This court was occupied all day in the trial of the poisoning case.

Superior Court.

Chief Justice Murray, Associate Justices Smith and Norton.

Before Judge Smith:

J. S. Polack v. *L. L. Bleed et al.*—On motion of defendants' counsel, and, after argument from plaintiff's, the Court vacated an order previously made, overruling a demurrer in this case, by reason of defendants not appearing, on condition that plaintiff might file, without cost, an amended complaint, and issue thereon a new summons.

A. J. Willson v. *J. Trueboby*.—Plaintiff claiming to be the owner and having the possession of a lot of ground on Washington street, cited defendant, who claims an adverse interest, to answer his complaint, praying that "if he fails to show such estate or interest therein, that judgment be pronounced against him, that he has no such estate or interest therein." Defendant demurred to the complaint, on the ground that it does not disclose by what title, legal or equitable, plaintiff claims the estate; and because he seeks to put defendant in the attitude of a plaintiff in ejectment, by showing a title against the world, &c. Demurrer overruled.

Plaintiff in *propria persona*; Shattuck & Baine for defendant.

C. C. Hyde v. *E. V. Joyce*.—A motion to set aside a judgment by default—the question being whether the term of ten days, allowed to defendant to answer, had expired or not—was argued by Gov. Smith for plaintiff, and Chetwood for defendant, and taken under advisement.

The following petition, addressed to the Judges of the Superior Court, was filed by J. W. Geary, President of the Board of Commissioners of Funded Debt:

The undersigned, one of the Commissioners of the "Funded Debt of the City of San Francisco," learning that a number of judgments have been obtained in your Honorable Court against the city of San Francisco, upon scrip issued by said city, upon inquiry find that the scrip is not deposited in the clerk's office, and that it is still floating in the hands of individuals. The undersigned fearing the same might find its way into the office of the Commissioners of the Funded Debt, and be exchanged for bonds of city stock, respectfully asks that an order may issue from your honorable court, requiring the said scrip to be deposited forthwith in the clerk's office

The Court ordered accordingly.

Court of Sessions.

A. Campbell, Judge; H. S. Brown and E. McGowan Associate Justices.

The People v. *Charles Duane*, convicted of assault with intent to kill.—The motion for a new trial in this case, on the ground that the verdict is contrary to law and the evidence, in this that the evidence did not show any intent to kill, was taken up to-day. Judge McHenry made the opening argument, in support of the motion, occupying the court for four hours in review of the testimony and citing numerous authorities. H. H. Byrne, for the people, replied, and the argument was closed by Calhoun Benham for the defence, each speaking for about an hour and a half. The court reserves its decision until to-morrow morning.

The People v. *Henry Howard*, convicted of grand larceny.—The defendant being arraigned for sentence, a similar motion was made in his case, argued and taken under advisement.

Recorder's Court—R. H. Waller, presiding.

There was nothing of interest before his honor to-day. One gentleman brought up on the charge of representing himself as a police officer, suffered a penalty of $25, for his greatness.

The Position of the British Ministry.

The following remarks are from the London *Times* of the 8th May:

"All the vicissitudes of human affairs are comprehended in the present career of the Ministry. One day man is prosperous, the next day he has a reverse, and the third he settles into a terror which, if not absolutely disagreeable, makes him very urgent to escape from it. On Thursday Ministers had a majority of 25 in a House of 379 members; on Friday they were beaten by a majority of 14 in a House of 474 members, and last night, in a House of 318 members, they were neither in a majority nor a minority, the votes being exactly equal. We do not mean to say the majority on the Jews' Bill was the height of prosperity, or that an equal division of votes is a state of things that promises permanence; but there ups and downs, and this not less portentious equipoise naturally remind us of the proverbial fickleness of fortune and the fluctuations incident to all men.

With these small majorities and small minorities, and neither majority nor minority, it is evident that the Parliamentary scale must be very finely adjusted. There is a weighing machine at the exhibition in which a man goes down with a bump if he takes the smallest trifle in his hand. In like manner it is impossible to say how small a consideration will throw Ministers from an anxious balance to a decided minority.

Now, this is not what the nation expects.—Whatever the machine of government is made for, there is one thing expected from it—at all events it ought to go. This is a *sine qua non* in governments as in horses and watches, and when they have ceased "to go," whatever their beauties of form or construction, they are good for nothing.—So it is evident that if the ministers do not get up the steam one way or another, secure an efficient majority, and pass their measures, they will soon be superseded by a more serviceable article.

But what is to be done? On the whole, it is difficult to say whence any fresh accession of strength is to be expected, or how the existing forces of the government are to be kept together. That existing support is not to be trusted. There are men who have voted with Government on all the three occasions we have referred to, but who are not the least distressed to see Government in difficulties. With so much actual indifference and prospective enmity, and without force enough to be sure of carrying the very best measures, Lord John Russell's only chance is to win a little more popularity from one section or another. We shall be told that it is easy to offer this counsel in the abstract, but not so easy to show it is to be done.

But is it necessary to tell Lord John Russell how he is to win favor from the powerful classes? Nobody has shown himself so prompt or so able to seize the favorable moment for regaining public confidence. The man who can bid for power can also bid for another lease of power when he finds it expiring. Let not his Lordship trust to the division or the folly of adverse parties, or to their inability to form an administration; for if affairs are thrown into confusion, who shall say how we shall emerge out of it? It is evident that many members of his own party are cooled, disgusted, and alienated, and in one way or another—Lord John Russell best knows how—it is to be reconciled or recruited from other quarters."

CULTIVATION OF THE TEA PLANT IN INDIA.—It is stated in the last advices received from China, that Mr. Robert Fortune, who has been engaged by the East India Company to procure and transmit to India a selection of the tea plant, for cultivation in the north western provinces, has succeeded in obtaining from the green tea districts a large number of the finest plants, with which he was leaving for Calcutta. He had also secured the services of eight Chinese, from the district of Wei-chow, who have agreed to serve him for three years. Six of them are regular tea manufacturers, and the other two are pewterers, whose sole business is that of preparing lead castings to the tea chests. Mr. Fortune had penetrated into the interior of China about 300 miles; and during the whole of his lengthened absence from consular ports, had never been molested nor in any way insulted. He expects to have completed his labors in arranging the plantations for the East India Company before September next.

Interments in San Francisco.

Reported for the Herald by N. GRAY, City Sexton, Sacramento street near Dupont.

July 14..John Summerville, 37 years, England.
15..Ellen O'Hare, 34, Ireland.
15..Infant child of Arthur Burns, 2 months.
16..Alfred Rundlett, 42 years, New Hampshire.
16..Louis Bouillet, 38, Canada.
17..Mary Green, 26, Ireland.
17..Cicero T. Middleton, 7, Norfolk, Va.
19..Joseph D. Walton, 24, St. Louis.
19..Geo. Clair, Ireland.
20..Robert Henderson.
20..Malyorne, 32, France.
21..Dr. Joseph D. Cox, 45, Tennessee.
21..Wm. Hauprh, 26, Germany.
21..Henry Beardley, 30, New York.
22..Ann Fawkes, 25, Ireland.
22..M. G. Rowen, 20, Ireland.
23..H. Harrison, 27, South Carolina.
23..Frederick Gettler, 32, Philadelphia.
25..John W. Taylor, 50, Indiana.
26..Julius Roberts, 26, France.
26..——— Newell, 50.
26..Larr Ollerson, 28, Norway.
28..Joseph Page, 35, Quincy, Ill.
28..Charlotte G. Pagin, 50.
28..Thos. Benders, 40, New Bedford.
28..John Spires, 28, England.
28..Wm. McIvoy, 18, New York.
29..Ellen Bradbury, Sydney.
29..James Smith, 28, Boston.
29..Alex'r Baine, 34, England.

REVIEW OF THE MARKET.

HERALD OFFICE,
Per "Oregon." THURSDAY, July 31, 1851.

After the departure of the last mail a decided improvement was noticeable, greater competition was displayed at the Auctions and a rather active business was transacted by Private Sale, but chiefly in moderate quantities; this continued during several days but was succeeded by a greater dullness than we have seen before; at the close of the last week, however, a slightly improved feeling was manifested and the accounts from Sacramento City, Marysville and Stockton warrant an expectation of the improvement being maintained. By a statement recently published in one of the morning journals, it appears that between the 1st of March and the 2d of June, 33 vessels cleared from the various Atlantic ports for San Francisco and 1 for San Diego; of this number 17 cleared in the month of March, 9 in April and 7 in May, showing a very material falling off for April and a further one for May. Two only have arrived, so that there are still 32 or about 24,000 tons register of shipping positively sailed from Atlantic ports still at sea. These are formidable figures but in the face of the certainty of the shipments being greatly reduced for a considerable time to come, there is nothing to alarm holders or to cause so great a stagnation in trade as has existed for many months.

We continue to receive brilliant accounts from the Mining Regions, and both ordinary and quartz miners are doing remarkably well. In many localities they are again engaged in damming the rivers, notwithstanding the numerous failures last season; it is, however, to be expected that more caution will be exercised and greater prudence displayed after the experience of the past, and we look for a continuance of favorable advices from all parts of the country.

The harvesting progresses satisfactorily and the yield is likely to prove as abundant as was expected.

FLOUR...The transactions have not been on by any means a large scale, and we have only heard of one important sale consisting of 3 @ 4000 bags of Chili at a very low figure deliverable in Sacramento. The accounts from Chili previously alluded to have not as yet had any favorable effect on the trade. Gallego meets a steady demand at $11 ℔ bbl.

PORK...Continues to sell only in retail quantities at our quotations.

SUGAR...There is a slightly improved feeling in this article, but the sales are only confined to small parcels at the auction houses.

TEAS...Have improved both in demand and price and we raise our quotations accordingly. The chief part of the stock on hand is held for China account and the holders refuse to sell at the ruling rates.

COFFEE...Is an exceedingly slow sale and the value has declined 1c ℔ lb.

BARLEY...A few days since a sale was effected of 5000 bags at 4¢ ℔ lb., since which several minor sales have been made at the same price; holders now ask 5c, but it is impossible to obtain over 4¾ @ 4¾ ℔ lb for the best qualities.

OATS...The supply continues short and a good article command 4¾ @ 5c ℔ lb.

BRANDY &c...A good business was doing in most descriptions of Spirits until last week, when the demand fell off considerably and lower prices had to be submitted to and the trade is still in an unsatisfactory condition.

WINES...Claret is the only kind in request and its value is improved. The quantity of good on hand is limited and holders are firm in their demands. A large sale, to arrive, was made at $3¾ ℔ doz. All other Wines are slow of sale and only to be forced off at auction, unless the quality be very superior.

ALE AND PORTER...The stock in first hands is almost entirely exhausted, and Byass' and approved brands would bring $3¾. English Ale in casks is selling at $40 @ 45 ℔ hhd.

DRY GOODS, &c...Some descriptions are in greater demand and the stock is considerably reduced. We raise our quotations for Brown Sheetings, Cotton Duck and Brown Drills, all which are saleable at the reduced rates. China Fancy Goods have been sold freely at auction lately, at good prices.

HARDWARE...There has been a greater dullness observable than for sometime previous, and the prices of most articles are reduced in value. Cast Steel is wanted and as high as 65 @ 70c ℔ lb, would be paid for a good quality.

POTATOES...The demand is good and there are few Hobart Town in the Market. Sandwich Island sell at 3½c by the cargo and 4c in smaller quantities. The last cargo of H. T., was sold at 4¾. Onions—San Blas in quantity, are worth 10c. No Hobart Town on hand

BRICKS...The stock of Foreign is small, and good meet a ready sale. In some parts of the country they are making a superior article, and it is not likely that we shall long require any Foreign supplies.

LUMBER...A retail trade only is going on, and it is impossible to sell an entire cargo. Holders succeed in obtaining some considerable advance upon small sales.

COALS...Are improving in value, and some kinds are scarce. Of Welsh there are none offering. We raise our quotations for all. The arrivals for the month are about 3800 tons, showing a considerable falling off.

GUNPOWDER...A small quantity of Blasting has arrived which sells freely at $32 @ $35 ℔ keg. Fine is in fair demand at $1.80 @ 2,00 ℔ lb.

Money Market.

Operations have been active in State and City securities, and the fortnight closes with a healthy appearance.

State Bonds have commanded attention, and 120 has been paid, but holders are not anxious to sell at that rate.

Warrants after the departure of the steamer suddenly sprung into favor, and from the then ruling rate of 42, with no enquiry, they gradually improved in value under continued enquires, until they reached their present quotation of 47, at which price there are none now offering.

A fair business has been doing both in City Bonds and Scrip; the former are worth 42½ @ 43, but this week a considerable quantity has been thrown upon the market and it has altogether checked its buoyancy. Scrip varies from 40 @ 47, according to date of issue.

There are ample means in the hands of Bankers for all legitimate purposes, and the rate of Interest upon undoubted securities, varies from 3½ @ 4¼ ℔ cent per month. In Exchanges there is a great amount of business doing for this steamer.

Domestic Markets.

STOCKTON, July 22, 1851.

We are pleased to notice a favorable change in trade since our last report. The week opened with an unusual activity, and goods have changed hands in large quantities.

Barley is firm at 6 cents, and there is no probability of a decline at present. A lot of 30,000 lbs was sold on the Levee yesterday at 5¾c. Importers generally have anticipated a heavy home crop of Barley, (in which we are inclined to believe they have miscalculated,) and therefore have not brought into market as great a quantity as is supposed. There is a constantly increasing demand for Barley, and if we are correct in our account of the importations during the past three months, the quantity on hand is not sufficient to prevent a rise.—Flour remains steady with no tendency to a further advance. Hay is plenty. A cargo from the lower country was sold a few days since at $35. There is a fair demand for good Liquors in small packages and in cases. There is a slight advance in new crop Sandwich Islands Potatoes from 5¼@6c. Hobart Town a good quality are selling at 6¾@7c.

July 23.—We are surprised at the quantities of goods constantly arriving in Stockton. The steamers arriving daily do not, it appears, bring sufficient for demands.—We say we are surprised, when we need not be if we reflect on the resources of Stockton. The whole southern mining district do their business through or in Stockton, and occasions the large arrivals and departures we speak of. The southern mines at this moment are as productive as ever, and trade is in nowise diminished as was expected from the warm weather. There is an increasing demand for barley, potatoes and onions; flour remains without change; also liquors; corn meal sells for $5 ℔ 100 lbs; soap 12½c; candles 35 to 45c; vinegar 20 to 30c. There is an improvement in tea, and we quote Young Hyson 50@55 cents ℔ lb; good butter sells readily for 55c; cheese 15 to 25 cents; no change in cigars or coffee.—*Republican.*

Foreign Markets.

MANILA, April 20, 1851.

SUGAR—Purchases have been made at $3 15-16@3 87½ ℔ picul for current quality—principally at the former price. Pampanga, sun dried, $3 50; Zebu $2 62½ @2 11-16; Tael $2 37½ ℔ picul. Purchases for California, first white at $5 75 and second white at $4 87½ ℔ picul. Export to California this year to date 27,004 piculs.

RICE continues high—export prohibited.

COFFEE is worth $11 75@12 ℔ picul—scarce.

CIGARS—The stock in government stores is sufficient to supply the demand at established prices; No 1 $14 ℔ M, No 2 $8, and No 3 $6 75. No difference in price is made between whole and half boxes, but in quarter box 50c extra ℔ M is charged.

EXCHANGE—Six months' bills on London 5s. Bank bills, 3 days sight, in limited amounts, have been sold at 4s 9d. On Canton 4s. and on Amoy 6 ℔ ct prem.

EXCHANGE to England £2 for sugar and £3 for hemp ℔ ton of 20 cwt. To the United States, the Massachusetts, the last ship engaged, taken sugar at $6 ℔ ton of 20 cwt, and hemp at $6 ℔ ton of 40 feet. To California very little offering; for small shipments $20 is paid. To Australia £1 10. The Kinnear (British bark) loads tobacco stems for Bremen at £3 10 ℔ ton of 50 feet, and saffron wood at £2 ℔ ton of 20 cwt.

HONOLULU, June 21, 1851.

During the past two weeks transactions have been limited and few sales made other than forced ones at auction at very low rates. Although shipments to some extent have been made to San Francisco, their aggregate amount is too small to influence prices. Some little advance in prices was anticipated in consequence of the great destruction of merchandise by the late conflagrations in San Francisco, but later advices put an end to such opinions.

Sales dark brown sugar, 6c..loaf sugar, 11@12..molasses light and but little in market..sales brandy 2 50 ℔ gallon...Am prints, inferior styles, 9@10c...drapery and fancy goods at much less than cost...good clothing still commands fair prices..linseed oil 1 62@$2 ℔ gall..white lead 10c.

Some few articles, such as blue cottons and styles of prints suitable for native trade, very scarce and much wanted. Potatoes going forward in large quantities, onions do. Shipments of syrup and molasses limited. Money scarce and worth 2@3c. ℔ month.

MARRIED.

At Tualitin Plains, on the 2d inst., Mr. CARLOS D. WILCOX to Miss S. A. E. SKOGGINGS.

In this city, on the 28th inst., by the Rev. A. Williams, Mr. EDWARD P. COLGAN to Miss ELIZABETH STEIB, both late of the city of New York.

In the city of Nevada, on the 9th inst., by Elder Robt. Dunlap, Dr. W. M. D. WARFIELD, formerly of Guernsey county, Ohio, to Miss M. A. SWEANY, formerly of Dallas county, Mo.

On the 18th June, at the residence of Col. M. T. Simmons, near Olympia, Lewis Co., T., by H. A. Goldsborough, Mr. JOHN L. BUTLER, formerly of Boston, Mass., to ARTIMESA BOWMAN, granddaughter of David Kindred, Esq.

At Portland, O. T., June 26, by Rev. H. Lyman, Mr. SAMUEL LISHUN to MINERVA J. RHUDD, both of Portland.

DIED.

In Marysville, July 19th, JAMES P. CROCKETT, aged 29 years.

At Indian Bar, Tuolumne river, about the 18th inst., of dysentery, Mr. JOHN EANES, of Amelia county, Va., aged 24 years.

In Oregon, at Judge Rowland's, Yam Hill county after an illness of several months, MRS. CALEB ASH.

At sea, on board French bark Maria, from Cette, France, in lat. 3 N, long. 129 48 W, Miss MARY GAUCHER, of St. Etienne, France.

On board of bark Canton, on the passage from Acapulco to San Francisco, of the Panama fever, CARLOS PERSEY, of Newport, N. H.

At Portland, O. T., July 16, Dr. GEORGE W. SALISBURY formerly of Valparaiso, Indiana.

In Marysville, on Friday, 25th inst., after a lingering illness, Mr. HORACE I. GAZE, of Vergennes, Vt., aged 38 years.

It will be a source of consolation to his family and friends to knew, that though he died in a distant land, yet he breathed his last among friends. Mr. Thomas J. Hill paid every attention to the wants and comforts of the deceased during his last illness.

J. T. J.

Vermont papers please copy.

[Reported for the Herald.]

Meteorological Table.—San Francisco.

Observations by Thomas Tennent, Mathematical Instrument Maker, S. E. corner of Montgomery and Washington streets.

1851	9 A. M.		Merid'n.		3, P. M.		6, P. M.		Remarks.
July	Bar.	Air	Bar.	Air	Bar.	Air	Bar.	Air	
20	30.05	68	30.02	78	30.00	82	29.98	68	Variable
21	29.90	64	29.95	72	29.96	74	29.98	70	Clear
22	29.92	62	29.94	70	29.96	74	29.96	68	do
23	29.95	61	29.98	68	29.98	72	29.97	67	do
24	29.87	60	29.85	70	29.90	74	29.93	68	Variable
25	29.94	64	29.96	68	29.97	74	29.96	66	do
26	29.90	64	29.90	70	29.91	72	29.90	65	Cloudy

PORT OF SAN FRANCISCO:

From July 23d to July 30th, inclusive.

ARRIVED.

July 24—Ship Ino, Little, 130 days from N York; mdz to master; 1 passenger.
Bark Louisiana, Jackson, 3 days fm Oregon; lumber and live stock to Korn & Smiley; 13 pass.
Bark Keoka, Goodwin, 3 days fm Oregon; lumber, &c to Korn & Smiley; 3 pass.
July 25—Mex brig Dos Amigos, Danson, 36 ds fm Mazatlan; mdz. to master.
Brig Baltimore, Hasty, 30 days from Honolulu, via Kahului; produce, to F A Newell.
July 26—Bark Maria, (Fr) Gott, 189 days fm Cette; 18 pass; 1 lady; to F Donett.
Brig Paquette de Copiapo, (Chil) Schroeder, 75 days fm Valparaiso; to Orrego Bros.
July 27th—Brig Gee Emery, Fowler, 8 ds fm Puget's Sound; 183 piles, to Plummer; 3 pass.
Dutch galliot Adrianus, Van Gaant, 199 days from Rotterdam, via Valparaiso, 93 days; mdz. to C Van Hall & co.
Haw schr Ayrshire Lass, Morrison, 28 days fm Maui; produce, to Hugh McIntyre.
July 27—Steamer Ohio, Haley, 7 days fm San Diego, via intermediate ports; mdz. to Bullitt & Patrick; 175 pass.
Bark Canton, Hall, 50 days from Acapulco; ballast, to master; 20 passengers.
Schr Mary, Tibby, 9 hours fm Bodega; lumber, &c, to Ford & co; 9 passengers.
July 28th—Steamship Fremont, McLane, 172 days fm N York via Panama 27 days, via Acapulco 17 days, via San Diego 4 days; to P M S Co; 75 pass.
Schr Fayaway, Leeds, 2 days fm Trinidad; in ballast, to Neeles & Tichenor; 30 pass.
Steamer Le Roy, 3½ days fm Astoria, O; to E Knight; 30 passengers.
Steamer Sea Gull, Tichenor, 4 days from Oregon via Port Orford and Trinidad; to W Backus.
Bark Ann Wood, Wady, 189 days fm N York via Valparaiso, 67 days; mdz, to Brown, Henry & co; 3 pass.
July 30—Steamer Chesapeake, Ballard, 4 days from Trinidad via Humboldt, 3 ds; to master; 26 pass.
Ship Architect, Caspar, 129 days from New York via Talcahuana, 50 ds; mds to master; 3 pass.
Schr Francisco, Maaran, 50 days from Tahiti; oranges and hogs to master.
A Brig anchored under Fort Point.

CLEARED.

July 24—Br bark Timandra, Hudson, Port Adelaide, Godeffroy, Sillem & co
Br schr Minerva, Reid, Adelaide, Godeffroy, Sillem & co
Amer brig Prince de Joinville, Abel, Humboldt, Claney & co
Amer ship Seth Sprague, Wadsworth, Calcutta, master
Amer sloop Hudson, J P Trapton, Stockton, master
July 24—French bark Antoinette, Herve, Callao, T M Pommary & co
July 26—Ship Nebraska, Toone, Shanghae; Beck & Elam
Bark Elizabeth Thompson, (Br) Betts, Launceston; Eddie & Brown
Brig Magdalena, (Sardin) Paris, San Blas; W Schleiden
Schr Matilda, McLane, Stockton; C A Gillingham
Sch; Eagle, Richmond, Honolulu; master
Sloop J A Burr, Flowers, Sacramento City; master
Br brig Fanny, Swainson, San Blas; Bolton, Barron & co
July 28—Amer bark H T Bartlett, Marshall, Whampoa; C Griswold
July 29th—Bark Palladin, Murphy, Hong Kong; DeWitt & Harrison
Brig Eagle, Swasy, Mazatlan.
Ship Icenium, Calcutta, Eddie & Brown
July 30th—Am sch Sovereign, Burrows, Sacramento City; master.
Am sloop Ranger, Robertson, Stockton; master.
Schr Laura Virginia, Eldridge, San Blas master.
Br ship Xylon, Dunigan, Launceston; McKenzie, Thompson & Co.
Steamer Independence, E Wakeman, Panama; 200 pass; T. S. Smith.

SAILED.

Steamer Tennessee, Totten, for wreck of the propeller Union

MEMORANDA.

The Keoka left brig Grecian, bark Ocean Bird and schr Josephine loading for this port. Bark Golden Age, fm Boston, and a ship, name unknown, on the bar bound in.

The brig Dos Amigos reports brig Ferdinand having sailed fm Mazatlan 4 days before for this port.

The brig Baltimore reports the Fr brig Jean Lucie having sailed from Honolulu on the 23d June for this port.

The schr Ayrshire Lass reports the Haw schr Nepal having sailed 5 days before. Left schr Ina L. Day to sail in three days; schr Falmouth, hence arrived June 27th.

The brig Geo Emery reports having left schr Damriscove and a brig loading.

The steamer Ohio passed on the 26th steamship Tennessee, bound down. Left at San Diego ship Montauk, fm N York, with government stores; ships Stephen Lurman, with government stores; bark Whiton, from Valparaiso, before reported, had put back leaking. At San Luis Obispo, ship Fanny, fm Panama 73 days—put in in distress. The Ohio brings up about 100 of her passengers; 75 steerage passengers not in the list.

The steamer Fremont sailed fm Panama July 2d: sailed fm Acapulco on the 13th. At Acapulco, July 12th, steamer Panama for Panama; 13th, Isthmus, for do. At San Diego, July 25th, for San Francisco, steamer Sea Bird, ships Montauk and Stephen Lurman and bark Whiton: 28th, Tennessee.

The Fremont reports the steamer Sea Bird having struck upon a reef to the south of San Diego, which made a hole in her bottom and caused her to leak very bad.

The schr Fayaway left at Trinidad schr Alex Terry, 18 days hence; steamer Chesapeake sailed day before for Humboldt and this port.

The Sea Gull when coming up the harbor last evening, ran foul of the steamer Columbia, carrying away the bowsprit of the C. and her own maintopmast. The tide was running very strong at the time—the Sea Gull steering badly. The steamer Chesapeake sailed 4 hrs before the Sea Gull.

The Ann Wood reports the bark Archer as having sailed 7 days before fm Valparaiso; ship Adelaide hence, arrived in 54 days; a Br brig full of passengers sailed 7 days previous; bark Gillespie and bark Boston from Havre, with passengers, left Valparaiso to sail in a few days.

The steamship Columbia sailed fm this port on the 22d inst, and arrived at Astoria on Friday—77 hours. Sailed fm Astoria on Sa

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Bancroft Library

THE HERALD.

Monday Morning, August 18, 1851.

Extinction of Fires in Mines.

A great success has been achieved in England by Mr. Goldsworthy Gurney, in the extinction of a burning colliery about seven miles from Sterling. The fire has been raging for about thirty years over an area of twenty-six acres. This accident occurs frequently in the coal mines, and is of course immensely destructive to property. In the present instance, a value of nearly one million of dollars was endangered, and two years since, $7,000 was lost by a fire breaking out in a coal pit in Ayrshire, which has not yet been subdued, and extends over fourteen acres, burning and destroying the wood on the surface. It is now undergoing extinction by Mr. Gurney's process.

In the present case, a sum of $30,000 was spent in surrounding the fire with a puddle wall, to prevent its extending to other works. This took five years in building, and was completed nineteen years ago. The proprietor, the Earl of Mansfield, has expended about $200 a year in keeping it up and supporting over-lookers. Men, learned in the matter, have agreed in the utter impossibility of extinguishing the fire, until Mr. Gurney broached the theory of pouring in "choke damp." It was apparently so impracticable that the idea only commended itself to the most scientific.

Mr. Gurney, at the invitation of the Earl of Mansfield, went down and inspected the mine. The difficulty to be apprehended in the treatment was that the vast magazine of heat would continue and cause the re-kindling of the mine upon the introduction of fresh air. But towards the end of March, Mr Gurney commenced, with two assistants. The machinery for conducting the experiment consisted of a high-pressure steam boiler, about sixty feet of inch gas pipe, and a small cone for the high-pressure steam jet at the end of it, which jet was placed at the proper striking distance from a cylinder of sheet iron one foot in diameter and about nine feet long. The cylinder was the passage between a coke furnace and the downcast shaft, through which the air was driven by the force of the steam jet, and by a simple contrivance they were able to blow in either the air passed through the furnace, or fresh, at pleasure.

There were some obstacles in the shaft, and Mr. Gurney's assistants descended, Mr. Gurney blowing them in fresh air from above, and there they cleared away two old iron doors into the waste, and knocked a hole through an old puddle-wall, and then, hearing a good deal of rumbling and rushing, as if the roof were falling, they thought it more prudent to retreat, as they had effected their object of opening a passage for the gases into the burning waste.

The obstacles having been cleared away and a free passage obtained, the shaft was covered with iron plates and clayed over, so as to render it air-tight, and the chokedamp was turned on. That extinguishing gas was made by passing the atmospheric air through an intense coke fire in a brick furnace, which deprived it of all its oxygen, or rather the oxygen combined with the carbon of the coke, and formed carbonic acid, which gas, in mixture with the nitrogen left, was forced through the furnace along the iron cylinder down the shaft and into the burning waste; the quantity of coke consumed being a sufficiently accurate measure of the quantity of air passed.

After blowing in about 8,000,000 of cubic feet of chokedamp (at the rate of about 7,000 cubic feet per minute,) which was calculated to be about the contents of the waste (allowance having been made for the falls of the roof,) they found the upcast or high level shaft or drift was full of it to the mouth, flowed over, and ran along the ground, extinguishing lights if held near the surface of the earth at some distance from the spot. They found when they ceased blowing in gas that after a time the chokedamp receded in the upcast, and that whenever they blew it into the downcast it poured out of the upcast in volumes, being thus a perfect measure of the quantity of chodedamp in the mine, and giving them a proof that it had passed completely through it.

After three weeks of this treatment, they blew in chokedamp at a lower temperature, and by this process gradually succeeded in cooling the atmosphere of the mine, so that after a month's operations the temperature was discovered to be 98.

The expense of the operation is not estimated in the letter in the *Times* which has furnished us with the facts. But it is a very great scientific triumph.—*N. Y. paper.*

PACIFIC MARKET.—This well known market, now being r built, extending from Central Wharf to Clay street, will be ready for occupancy on MONDAY, 20th instant. Situated in the immediate vicinity of the shipping, and in the most central part of the city, it presents advantages possessed by no other market in the city.

Persons desirous of securing stalls can receive every information by applying to

WM. P. LORING, Superintendent.

At J. L. Riddle & Co.'s, corner Clay and Montgomery streets. jy17

RATES OF POSTAGE—From and after the 1st of July, 1851.—Collated from the Act of 3d March, 1851, by J. B. Moore, P. M. of San Francisco.

Letter Postage.—On any letter, not exceeding half an ounce in weight: From any point in California or Oregon to any other point in said State or Territory, 3 cents, pre-paid; 5 cents, unpaid.

From California or Oregon, to any point in the Atlantic States, 6 cents, pre-paid; 10 cents, unpaid.

From California or Oregon to San Blas, Mazatlan, Acapulco, or other Mexican port on the Pacific, 10 cents, pre-paid.

From California or Oregon to Panama, 20 cents, pre-paid.

From California or Oregon to points in Ecuador Peru, Bolivia and Chili, 50 cents single, in all cases to be pre-paid. [This includes the entire American and South American postage.]

From California or Oregon to any point in Canada, 15 cents single paid or unpaid at the option of the writer.

☞ Letters weighing over half an ounce, and not exceeding an ounce, double those rates; and for every additional half-ounce, or fraction of a half-ounce, an additional rate.

Drop Letters, or letters placed in the office for delivery, 1 cent.

Ship Letters, or letters brought on vessels other than mail steamers, 6 cents.

Newspaper Postage.—On newspapers not exceeding three ounces in weight, sent from the office of publication to actual and *bona fide* subscribers," per quarter:

Distance.	Whly.	Semi-Whly.	Tri-Whly.	Daily.
50 miles and under,	5 cts.	10 cts.	15 cts	25 c.
Over 50, not over 300,	10	20	30	50
Over 300, " 1000,	15	30	45	75
Over 1000, " 2000,	20	40	60	100
Over 2000, " 4000,	25	50	75	125
Over 4000 miles,	30	60	90	150

Weekly newspapers circulated in the county where published, free. Those published monthly, or not containing over 300 square inches, and sent to bona fide subscribers, at one-fourth the above rates; if published semi-monthly, one-half those rates.

On newspapers sent to New Grenada, Ecuador, Peru, Bolivia or Chili, eight cents; in all cases to be pre-paid.

On newspapers sent to Canada, the American postage must in all cases be prepaid.

The postage on all serial publications, on all transient newspapers, and on every description of printed matter, other than periodicals and newspapers, sent from the office of publication to actual and bona fide subscribers, must be pre-paid at the office where mailed, at the rates following, or the same will be chargeable with double postage at the office of delivery.

Postage on Transient Newspapers, Periodicals, Pamphlets, Circulars, Books, &c.

Any distance not exceeding 500 miles 1c. ea oz or fract'n
Over 500, and not exceeding 1500 " 2 cts " " "
Over 1500, and not exceeding 2500 " 3 cts " " "
Over 2500, and not exceeding 3600 " 4 cts " " "
Over 3500 miles, 5 cts " " "

Subscribers to periodicals, by paying the postage quarterly in advance, are entitled to receive such publications at half the foregoing rates of postage.

Bound books, not exceeding thirty-two ounces in weight, may be sent in the mails.

Examined and found correct: S. R. HOBBIE.

☞ In respect to the forwarding of letters through the mails, from San Francisco and other large offices to the Post-offices at the mines; the best mode of furnishing the necessary authority or direction, is the certificate of the interior postmaster, that the parties request their letters to be so forwarded. The names in the certificate or under it should be written alphabetically, and opposite each, the State or country from which the person comes. Observe:—this paper should not be the order of the postmaster, but his certificate, officially given, witnessing the fact that the party orders or requests the forwarding of his letters When the names are thus sent in to the large offices, the letters can be duly forwarded in the mails, where post routes are in operation, or are now being established, at a saving of from nineteen-twentieths of the cost, which is incurred where the letter is conveyed by express.

An increased force in the large offices will have to be applied to the forwarding branch of the service. It is recommended to them to publish the list of letters on hand on the first of each month, so as to show all letters undelivered that are brought by the two steamship arrivals of the preceding month, and to send a printed copy of the list to each of the post-offices at the mines.

REAL ESTATE, &c.

FOR SALE OR TO LEASE.—A very desirable Family Residence, well adapted for a private boarding house, or for two families, in a central part of the city. The fine two story House and Lot, situated on Belden street, near the corner of Pine street; lot twenty feet front by sixty feet deep; house contains ten rooms, well papered, brick chimneys throughout; also, double plazzas around the building; the whole being entirely new. Will be sold or leased to a good tenant upon moderate terms. Apply to

O. T. HUNTINGTON,

aul7 tf Sansome st. between Pacific and Broadway.

TO RENT.—A store, 25x30, in our building corner of Clay and Leidesdorff sts.

BECK & PALMER,
cor. Clay and Leidesdorff

TO RENT.—Commodious offices to rent over Burr & Mattoon's, Front, near Pacific street. Apply on the premises, or to

GRAY & EASTERBY

Also—For sale, mahogany planks for bar or counter tops. au6 1m

A RARE CHANCE....Restaurant for Sale.—A Restaurant, situated on Pine street near Sansome, with a good run of custom, will be sold on advantageous terms The proprietor wishes to sell on account of ill-health. For particulars inquire of

T. CROWTHER, on the premises.
au14 6t

FOR RENT—The fire-proof Brick Building corner of Kearny and Commercial streets, suitable for a splendid Hotel. The whole having been built of the best possible materials, and in such a mode as to render it perfectly fire-proof. Having a fire-proof vault, a good well of water, in fact everything that would be necessary for a hotel. Apply to

F. ARGENTI & CO., or to
F. BARRETT, on the premises.
jy29 12t

TO LET—Furnished or Unfurnished.—A commodious dwelling HOUSE. For particulars apply to

WAINWRIGHT, BYRNE & CO., Auct'rs,
jy24 Montgomery street.

FURNISHED OR UNFURNISHED HOUSE.—TO LET—In a very desirable location, a very superior dwelling, fit for a large family. The house will be rented either elegantly furnished or unfurnished. For particulars apply to J. D. Carr, Esq., at the office of W. Hart, auctioneer and notary public. Plaza, next door to the California Exchange. jy1

STONE BUILDINGS.—The undersigned begs leave to tender his thanks to the Editor of the Herald, for the kindness after the great fire of the 4th of May, in bringing forward his plan for making houses fire-proof, without the enormous expense that buildings have cost hitherto to be made externally proof against fire. Likewise to Messrs. Cross & Co., for being the first to give him an order for a building. To both of you, gentlemen, I believe the city of San Francisco will be indebted for commencing the building of our city with the stone of our own hills. I believe that before twelve months are past, the fearful cry of fire will not strike us with such a horror as it does at present, for every one who is not able to build a regular fire proof house will put up at a small expense a stone wall to the windward side of his house.

W. H. GEORGE, Commercial st.

To those parties about to build, W. H. George will undertake to make houses which shall be proof against fire inside and out, and three times the strength of brick, at one half the expense.

N B. The Alta California, in their notice of Messrs. Cross & Co.'s new building, were in error in stating the walls were of limestone; I use no stone but what I have proved will stand the blast of a furnace. jy8 tf

TO LET OR FOR SALE.—A three story building on Sacramento street wharf, between Battery and Front streets. Can be divided in two houses, measuring 35 feet front. Also, a well built house on Stockton street, near Broadway. Apply to

GILDEMEESTER DE FREMERY & CO.,
Montgomery street.
jy24

FOR RENT.—A ROOM, thirty by seventy feet, in the second story of a fire-proof building on Montgomery street. Inquire of

JOSEPH GENELLA,
au11 Montgomery st, next to J. B. Bidleman's.

LOW RENTS....Safety from Fire.—Nine handsome STORES on the subscriber's block are now ready. They will be sold and the payments taken monthly for twelve months. The monthly payments amount to little more than ordinary rents, viz: From $425 to $525 per month for twelve months, after which the stores will be the property of the tenant. Leases are for ten years and the ground rents almost nominal.

The arrangements against fire are such as the subscriber thinks will make the block secure.

Apply for particulars to

GEORGE GORDON, Iron Block, Front st,
au12 7t between Central wharf and Washington st.

FOR SALE.—The ORLEANS HOUSE, on Pacific street, between Kearny and Dupont, with the interest of the lease for three years. The house is twenty by forty, two stories high, and capable of accommodating forty boarders. The proprietor wishing to retire from business will dispose of the above, with stock and fixtures, on moderate terms. Apply on the premises. au9 2w

MERCANTILE HOTEL AND RESTAURANT, Front street, one door from Pacific.—This establishment will be opened THIS DAY, for the reception of permanent and transient boarders

Offices to let, also a number of fine airy bed-rooms.

GEORGE BROWN, Supt.
jy1

ORLEANS HOTEL—Second st., between J and K streets, Sacramento.—We respectfully inform our friends and the public generally, that every exertion is being made to maintain the wide spread reputation of our hotel, both in the eating and lodging departments. No expense is spared in obtaining all the luxuries and delicacies of the season. We return our sincere thanks for the patronage so liberally bestowed and solicit a continuance.

JOSEPH CURTIS, Manager.
jy8

CALIFORNIA EXCHANGE LUNCH.—The proprietors, Messrs. GOURLEY & JENKINS, having taken this plendid bar, which they intend entirely to remodel, beg leave to announce to their friends and the public that about noon every day, the most abundant Lunch will be served up, containing every variety the season will afford. jy16 1m

THE IRVING—Messrs. DUMARTHERAY & CO. late at the head of Delmonico's, have the honor to inform their former patrons and friends and the public generally, that they are now open at their New Restaurant, located in Montgomery near Washington st, and directly opposite their old house. They pledge themselves that no efforts shall be wanting on their part to maintain the standing which they flatter themselves they have established in California, and they trust by strict attention to their guests to receive a share of public patronage.

T. DUMARTHERAY.
LOUIS CHAPUI.
ARMAND HIVERT.
H. G. GIANNINI.
au1 tf

THE UNDERSIGNED having formed a connection for the purpose, offer their services in the examination and prosecution of cases involving questions of Spanish or Mexican law, especially those relating to lands held or claimed under Spanish or Mexican titles, and may be brought before the Commissioners appointed under the recent law of Congress, "to ascertain and settle the private land claims in the State of California." M. H. & H. McALLISTER,
ROBERT GREENHOW.
Argenti's Building, Montgomery st.
San Francisco, May 13, 1851.

WANTED.—A vessel of 400 or 500 tons, suitable for a store ship. Apply at this office. jy7

DRILLS, SHEETINGS AND OSNABURGS. Bleached Shirtings and Furniture Prints, for sale by

CHARLES L. CASE,
New brick stores, Sansome street
au8 next Macondray & Co's

BILLIARD TABLES.—Four superior new and splendid rosewood BILLIARD TABLES for sale, with all the appointments. Apply at the

COMMERCIAL ROOMS,
au7 corner Washington and Sansome sts. up stairs.

TO SEGAR DEALERS.—Genuine Havana of approved brands, in lots to suit purchasers, for sale low by

E. MICKLE & CO, Clay st.
aul3 4t

5000 LBS. FRESH CHILI PEACHES. 5000 feet Safety Fuse;
60 cases French sperm candles; 50 bxs adamantine do;
100 do Lemon Syrup; 20 do assorted sirops;
25 boxes brandy fruits; 20 cases fresh oysters;
10 do fresh lobsters: 12 do tomato sauce in tins;
100 bags English Walnuts; 50 do soft shell almonds;
50 do Filberts; 25 sacks grain Pepper;
30 sacks Pimento 25 lbs each; 10 cases Eng. mustard;
50 cases ground coffee in tins; 100 tins do do 1 lb pkgs.
In store and for sale by

WM. T. COLEMAN & CO.,
aul3 3t Sansome st. near Broadway

JACKS & BLAKE, (LATE WOODRUFF'S) have removed to their new fire-proof store, where they offer a splendid assortment of fine London Duplex, Lever and Anchor WATCHES, of the finest quality, with California gold cases. Also, Diamond work, Silver Ware and the richest and rarest specimen work ever manufactured in California.

Watches Repaired and warranted, Chronometers rated by transit. Everything left in their charge insured against theft or loss by fire. 274 Montgomery st.,
jy24 1m Bolton, Barron & Co's Building.

PROCLAMATION.—Whereas it has been represented that a great proportion of the men who were induced to desert from the Army of the United States, have expressed a desire to return to the service, it is therefore announced to all such deserters from the Army in California and Oregon, that a full pardon is extended to them on condition they will deliver themselves up at some military post, on or before the 15th of September next, forfeit all pay and allowances that may have been due them from the United States at the date of their desertion and make good the time lost.

By order of
J. HOOKER, Ass't. Adj't. Gen'l.

Head-Quarters Pacific Division,
Benicia, July 9, 1851. jy12tsep15

LARCO & CO. have removed to their brick building in Jackson street below Montgomery. They offer for sale the entire cargo of the Rosalie from Valparaiso, consisting of

4000 bags Barley;
129 do Walnuts;
300 half sacks Chili Flour;

Besides Claret in wood and boxes, and a general assortment of Provisions. au7 5t

CARGOES.

EX CAMBRIDGE....Riding Hats, etc. Just received, a fashionable assortment of gentle men's and youth's fine Hats and Caps, ladies' Beaver Bonnets and Riding Hats, children's fancy Hats, and galvanized steel headed canes, new and original designs.

SMITH BROTHERS & CO.,
aul1 7t corner Montgomery and Bush sts.

POTATOES.—The cargo of schooner "Penelope," just received from Sandwich Islands, in fine order For sale by

MERRILL, GOSS & CO.,
jy17 Sansome st, bet. Clay and Washington.

FRENCH PLATE MIRROR AND SILVER SALVER—The above mentioned article are in possession of the Committee of Vigilance, and can be obtained by the owner on proving property and paying charges The mirror was taken at the May fire, and the silver salver at the fire in July. jy2tf

FOR SALE—By the undersigned, the entire cargo of American bark "Southerner," from Valparaiso consisting of—

7076 bags fresh Chili flour, 100 lbs each;
507 bags Chili barley, 74,702½ lbs;
15 casks cognac, 823 galls;
19 crates crockery;
2 boxes smoking tobacco;
50 M choice segars;
35 sacks dried pears, 4,700 lbs;
15 bbls American beef;
35 do do pork;
4 bbls ginger; 45 cases champagne;
3 cases corks; 30 tins American crackers;
6 cerroons 752 lbs yerbi matti;
1 box containing 4 doz mattis and bombillos;
1 case preserved meats, 324 lbs;
6 cases bottled fruits, 12 doz.

J. B. WYNN
je27 California st. below Montgomery.

PORK, BUTTER, AND SOAP—Landing from ship Matilda, for sale by

TORREY & BLANCHARD,
je13tf Montgomery street, above Pine.

CHAMPAGNE—"Sillery Mousseux," "Verzenay," "Double Grape," and "Duc de Montobello" brands for sale by

GILDEMEESTER, DE FREMERY & CO.
m29 Warehouse Howison's wharf foot Sacramento st.

PER FRENCH BARK MARIA—40 small kegs Muscat Wine; 40 do Sherry Wine; 100 bbls Madeira Wine; 2000 lbs Almonds; for sale by

A. EXPERT & S. P. HAZARD,
Sacramento street,
au4 2w* third door above Montgomery.

EX ARCHITECT, INO, GAZELLE and OTHER LATE ARRIVALS—

Colgate's Pale Soap; English dairy cheese in tins;
Anderson's Solace tobacco; N Y city cured hams;
Sperm and adamantine candles; Lard in wood and tin;
Stewart's crushed sugar; do golden syrup;
Extra Dutchess county clear pork in half bbls;
Manufactured Tobacco, Segars; for sale by

CHARLES L. CASE,
New brick stores, Sansome street,
au8 next Macondray & Co's.

COPARTNERSHIPS.

DISSOLUTION.—The copartnership heretofore existing under the firm and style of SHEARER, YOUNG & CO., is by mutual consent this day dissolved. H. R. SHEARER is alone charged with the settlement of the business of the said firm.

H. R. SHEARER,
C. P. YOUNG,
R. H. KNOTT.

San Francisco, July 26th, 1851.

Having sold our interest in the late firm of SHEARER, YOUNG & CO., in the Auction and Commission business in this city, to H. R. SHEARER, we take pleasure in recommending him to the business community of San Francisco, and ask for him a continuance of their patronage so liberally bestowed on the late firm of Shearer Young & Co

C. P. YOUNG,
R. F. KNOTT.

San Francisco, July 26th, 1851. jy29

LEGAL NOTICES.

DISTRICT COURT—Of the Fourth Judicial District of California—The People of the State of California to JUAN GALAN and DESIDERIO SANHUESA of the Republic of Chili.—You are hereby required to appear and answer the complaint of Caledonio Ramirez, filed in the above Court in the office of the Clerk thereof, on the first day of November, A. D., 1851, or judgment by default will be taken against you for the sum of seven thousand dollars, being for damages for the breach of a contract made between you and one Caledonio Ramirez, for the conveyance of certain land by you, the defendants above named. And also judgment for the said sum of seven thousand dollars for so much money had and received by you, the said defendants, for the use of the plaintiff. JNO. E. ADDISON, Clerk

R. V GROAT, Att'y. jy29 1aw3m

STATE OF CALIFORNIA, County of San Francisco.—In the Fourth Judicial District Court of said State.—Thomas G. Wells, Lucien Skinner, Lafayette Maynard, Charles J. Brenham, and Frederick Billings, plaintiffs, vs. D. H. Lownsdale, A. P. Denison, S. Coffin, W. W. Chapman, T. A. Hall, A. P. Anthony, Anthony L. Davis, and James L. Loring, defendants.

The people of the State of California send greeting to D. H. Lownsdale, S. Coffin, W. W. Chapman, A. P. Anthony, James L. Loring, and Anthony L. Davis; You are hereby summoned to appear in said District Court on or before the first day of December, A. D. 1851, and answer to the complaint of said Wells et al., plaintiffs, against you, impleaded with said Hall and Denison, filed in the clerk's office of said court on the 19th of March, 1851, whereby they claim from said above named defendants, the sum of $14,222 22-100, by reason of a certain note, dated at Portland, Oregon, December 9th, 1850, for said sum, payable ninety-five days after date to the order of Lafayette Maynard, in San Francisco, and by said Maynard endorsed—

"Pay to order of Frederick Billings, one-eighth part of such sum as may be collected on within note; to order of Charles Brenham, the same; to order of L. Maynard, three-eighths part of same; and to order of Wells & Co., three-eights of same. L. MAYNARD."

Together with interest on said sum from 17th March, 1851, until paid.—Under which complaint, on affidavit and bond filed, a writ of attachment was issued and levied on the steamer "Gold Hunter," which was released on bond being given in pursuance of law.

Attest, JNO. E. ADDISON, Clerk.
Clerk's Office, May 22, 1851.
Halleck, Peachy & Billings, Attorneys for Plaintiffs.
may22 1am6m.

STATE OF CALIFORNIA—In the Superior Court of the city of San Francisco—George F. Sweeny *v.* John K. Duer.

The People of the State of California to Jno. K. Duer, greeting:—You are hereby summoned to appear in the said Superior Court of the city of San Francisco, on or before the 19th day of October, 1851, and answer the complaint of George F. Sweeny, filed with the clerk of this court on the 25th day of February, 1851, whereby the plaintiff prays judgment against the said defendant, that he be compelled to bring into court a certain lease, bearing date the first day of July, 1850, between the said John K. Duer, of the first part, and George F. Sweeny, of the second part, and referring to certain land and premises described as follows: on the 100-vara lot as No. 19, and part of No. 20, being eighty feet deep and about thirty feet front on Callender street, and on which the Telegraph Station is now erected. The said defendant alledging in his said bill of complaint, that his signature was obtained to said lease by fraud and malpractice by the said John K. Duer, and that the same be canceled and rendered utterly null and void.

Witness the Honorable Hugh C. Murray, Chief Justice in the city of San Francisco, this nineteenth day of April, 1851

ap21 2am0m GEORGE J. WALLACE, Clerk.
Michael T. O'Connor, attorney for plaintiff, office cor. Kearny and Pacific sts.

ESTATE OF JACOB HARMON—Notice is hereby given, to the creditors of Jacob Harmon, late of San Francisco county deceased, to exhibit their claims with the necessary vouchers, to the undersigned, executors of the last will and testament of said deceased at the office of Wm Corbett, at the Mission Dolores, in said county, within ten months after the date of this notice, or their claims will be barred.

Those indebted to said estate are called upon to make immediate payment.

WM. CORBETT,
THOS. HAYES, } Executors
Jan. 23. 1851.—tf

ASSIGNEE NOTICE.—All persons having claims against the Estate of Mr. FINLAY McKINLAY are requested to present them to me at their earliest convenience.

JOHN F. SPENCER,
Assignee of FINLAY McKINLAY,
jy24 1m Leidesdorff corner California st.

WINES, WINES.—50 1-8 casks sweet Malaga;
100 10-gallon kegs pure juice port;
40 10-gallon kegs muscat de frontignan;
500 cases claret. Just received, and for sale low, by

PICKETT & CO.,
jy16 foot Jackson street wharf.

POTATOES.—A cargo of Sandwich Island potatoes in fine order, new crop, just received.

Also, Hobart Town potatoes and onions.

For sale in lots to suit, by

MERRILL, WHITE & CO.,
je11 Sansome st. bet Washington and Clay.

GOSHEN BUTTER—in brine, and Hams packed in salt. For sale by JOHN McCARTY
je28 1w Sansome st. cor. Washington

FOR SALE... By DICKSON, DE WOLF & CO—A well assorted invoice of HARDWARE, long and short handled shovels; round, flat, square, sheet, best Staffordshire refined iron; spring steel, assorted nails. Fine Butter, in 30 and 70 lb pkgs; Sydney and Liverpool coal; small anchors and chains; a few crates earthenware; paints and oils; Manilla and Liverpool cordage; prime Havana segars; some splendid port and sherry wine. Sansome street, au16 1m

BRITISH CONSULATE.—NOTICE.—Information is wanted of the following persons—

Mr. Theyre Weigall, of London;
" James Barton, of London;
" John Horton, of London;
" William Tucker, late of H. M. S. Dædalu

je12

WANTED.—A COOK, WAITER and CHAMBER MAID. Inquire at this office. au13

MESS BEEF. MESS BEEF.—Mess Beef in bbls and tierces, Watson & Wright's brand, for sale by

McKENZIE, THOMPSON & CO,
Clark's building, Front st, between Broadway
au12 and Cunningham's wharf.

PUBLIC SALES.

SHERIFF'S SALE.—By virtue of an execution issued out of the District Court of the Fourth Judicial District, State of California, duly attested, and dated the 16th day of May, 1851, and to me directed in the cause of Thadeus M. Leavenworth against William C. Parker, I have seized and taken in execution all the following described property, or as much thereof as will satisfy the judgment and interest, costs and accruing costs—whereas, a judgment final was rendered in the said court on the 30th day of April, 1851, for the sum of four thousand and thirty-nine dollars, with five per cent. per month interest from the 29th of March, 1851, until paid, and for thirty-five dollars and fifty one hundredths costs and accruing costs, and for foreclosure of mortgage and redemption, and for the sale of the following described property, to wit:

All those certain lots, pieces, or parcels of land situate in the city of San Francisco, in said State, bounded and described as follows, to wit: a part of the fifty vara lot No. 161, beginning at a point on the division line between lots Nos 161 and 170, one hundred and twenty-two and a half feet from Pacific street, thence running at a right angle easterly thirty-seven and a half feet along an alley or street thirty feet wide, thence at a right angle northerly sixty-two and a half feet, thence at a right angle westerly thirty-seven and a half feet, and thence at a right angle southerly sixty-two and a half feet to the point of beginning—with the buildings thereon and the furniture and other personal property therein contained

Also, all those eleven pieces or parcels of land in the city aforesaid and described as follows: being parts of the fifty vara lots numbered 448, 449, 450, 475 and 477, as described on the diagram of the sub-division of said lots, made by the public surveyor of said city, to wit: plots numbered eight and nine on Mason street, nineteen and fifty-one on Valparaiso street, forty eight and fifty-two on Greenwich street, sixty-one, sixty-four, sixty-five and sixty-six on Taylor street, and embraced in block bounded by Taylor, Greenwich, Mason and Filbert sts.

The above described property was sold on the 27th day of June to William Judson, who having failed to comply with the terms of sale, the same will be resold on his account on FRIDAY, September 5th, 1851, at eleven o'clock, at the court house door to the highest bidder for cash; ten per cent. of the purchase money to be paid at the time of sale.

JOHN C. HAYS, Sheriff.
San Francisco, August 16th, 1851. au16 2aw3w

SHERIFF'S SALE.—By virtue of a writ of execution issued out of the District Court, Fourth Judicial District, State of California, duly attested, and dated the twenty-ninth day of July, 1851, and to me directed, whereas, a judgment was rendered in said court on the twenth-eighth day of July, 1851, against William Hart and in favor of William Clen, James A. Smith, Henry Constable and Robert P. Wood, comprising the firm of Ulen & Co., for the sum of three thousand one hundred and forty-one dollars with interest at ten per cent. per annum thereon until paid and for one hundred and sixty dollars and twelve one-hundredths costs of suit and the accruing costs; I have seized and taken in execution all the right, title, interest and demand at law and in equity, of the defendant in and to the following described property, to wit: being a sub-division of fifty varas lot number one hundred and forty-eight, commencing at a point sixty-eight feet nine inches from the southwest corner of California and Stockton streets, running west one hundred and seventeen feet six inches parallel with California street, thence north sixty-eight feet nine inches parallel with Stockton street, thence west along the line of California street twenty feet, thence south parallel with Stockton street one hundred and thirty-seven feet six inches, thence east parallel with California street one hundred and thirty-seven feet six inches, thence north along the line of Stockton street sixty-eight feet nine inches to the place of beginning. I now give notice according to law, that on WEDNESDAY, August 20th, 1851, at the court house door, at 11 o'clock, A. M., I will sell said property to the highest bidder for cash. [aul 2aw3w] J. C. HAYS, Sheriff.

SHERIFF'S SALE.—By virtue of an order to sell, issued out of the District Court, Fourth Judicial District, State of California, duly attested and dated the first day of August, 1851, and to me directed, wherein a judgment was rendered on the 30th day of July, 1851, in favor of George H. Ensign, against Eben Niles, for the sum of eight hundred and one dollars and thirty-one one-hundredths, and one hundred and twen-ty-four dollars and thirty-six one-hundredths costs of suit and accruing costs, I am commanded to sell all the right, title and interest of said Niles in and to the following described property, to wit:

A certain piece or parcel of land lying and being in the city of San Francisco, fronting thirty feet on Merchant street, by seventy feet or thereabouts deep towards Clay street, together with the building thereon.

I now give notice according to law, that on THURSDAY, August 28th, 1851, at 11 o'clock, A. M., in front of the court-house door, I will sell the above described property to the highest bidder for cash; ten per cent. of the purchase money to be paid at the time of sale.

J. C. HAYS, Sheriff.
San Francisco, August 7, 1851. au7 2aw3w

SHERIFF'S SALE.—By virtue of an execution issued out of the District Court of the Fourth Judicial District, State of California, duly attested, and dated the 14th day of August, 1851, and to me directed, wherein a judgment was recovered on the 1st day of July, 1851, in favor of George L. Johnson, against Charles E. Chapin and Elijah White, for the sum of twenty-six hundred and twenty dollars and twenty-five one-hundredths, and one hundred and sixty dollars costs of suit and accruing costs, I have seized and taken in execution all the right, title and interest of Elijah White, the defendant of, in and to that certain tract, piece or parcel of land, situated, lying and being in the county of San Francisco, in the vicinity of the Lagoon, described as follows: commencing at a rock in the bay of water, thence running south on the west side of the lagoon one-half mile to the sand-hill and ridge and oak tree for the corner, thence easterly one-half mile to a stake in the town-line, thence down the town-line north to the bay, thence down the bay to the place of beginning; containing one hundred and sixty acres of land; all of which will more particularly appear by a reference to a declaration of intention by Amariah Wilson, admitted to record September 11th, 1840; being the same tract of land and premises conveyed to said defendant Elijah White, by Lansing Tooker, by deed acknowledged March 3d, 1851, and recorded August 13th, 1851, in county recorder's office, county of San Francisco.

I now give notice according to law, that on FRIDAY, the 5th day of September, 1851, at eleven o'clock, A. M., in front of the court house door, I will sell the above described property, to the highest bidder for cash.

JOHN C. HAYS, Sheriff.
San Francisco, August 15, 1851. au15 2aw3w

SHERIFF'S SALE.—By virtue of an order to sell issued out of the District Court of the Fourth Judicial District, State of California, duly attested and dated the 12th day of August, 1851, in the case of Henry Hams against James Winne, for the sum of eight hundred and seventy-one dollars and twenty-five one-hundredths, with interest thereon at the rate of three per cent. per month, and accruing costs, I am commanded to sell the following described property, to wit: a certain lot of land, lying and being in the city of San Francisco, and bounded and described as follows: commencing at the southwest corner of Jackson and Dupont streets, thence running twenty-three feet southerly on Dupont street, thence one hundred feet westerly parallel with Jackson street, thence twenty-three feet northerly to Jackson street, thence one hundred feet fronting on Jackson street back to the corner of Jackson and Dupont streets.

I now give notice according to law, that on FRIDAY, the 5th day of September, 1851, at eleven o'clock, A. M., I will sell the above described property, in front of the court house door, to the highest bidder for cash.

JOHN C. HAYS, Sheriff
San Francisco, August 15th, 1851. au15 2aw3w

CROCKERY, GLASS LAMPS, CHANDELIERS. Cutlery, Plated Ware, etc.—The undersigned would inform his friends and customers that he is now opening at his new store on Montgomery street, next door to J. B. Bidleman's, a full and complete assortment of the above goods, which will be sold wholesale and retail, at prices lower than ever before offered in this market. JOSEPH GENELLA.
au11 Montgomery st. next to J. B. Bidleman's.

JUST RECEIVED AND FOR SALE BY JANNAN, LORD & CO, Battery street, near Pine:

Brandy in quarter casks;
Gin in kegs;
Whiskey in kegs;
Syrup in half barrels;
Cheese, superior English Dairy, in tins;
Dried apples;
Rice;
Raisins;
Tobacco, Thomas's Grape, in small packages;
Tobacco, Thomas's Ambrosia;
Boots, Spices, Ground Coffee
Whiskey, superior Scotch in cases;
Segars, best Havana Regalias, &c.
Paper Hangings, &c. au5 1m

FRUIT TREES.—An assortment of Fruit Trees for sale by

McKENZIE, THOMPSON & CO,
Clark's buildings, Front st,
au12 5t betw'n Cunningham's wharf and Broadway.

SIXTY SHARES Broadway Wharf Company's Stock, for sale by

E. W. LEONARD,
au7. corner Kearny and Merchant sts

BUTTER—BUTTER.—5 tons choice Butter now landing and for sale by

H. A. CHEEVER & CO.,
jy23.tf Battery near California street.

POTATOES AND ONIONS.—Just received in prime condition, ex Frances, from Hobart Town and for sale by

STARKEY BROTHERS & CO.
aul3 3t

CANTON CRAPE SHAWLS.—An invoice of white and colored embroidered crape Shawls of superior quality and workmanship, just received and for sale by

WOODWORTH & MORRIS,
aul3 2t Clay st, bet'n Sansome and Montgomery.

STREET COMMISSIONER'S OFFICE, May 20th, 1851.—I call the attention of those interested, to the following ordinance.

WM. DIVIER,
Street Commissioner.

[No. 52.]

The people of the city of San Francisco do ordain as follows:

That any person or persons laying a SIDE-WALK in any street on the land or over the water, shall do so under the direction of the Street Commissioner, who shall see that they are constructed or laid in a uniform, safe and substantial manner; also of the proper width and grade of the street. Approved Aug. 24th, 1851 may20

SHIP CHANDLERY STORES.—GROCERIES, wines in cases and casks, ale do, spirits do, paints, oils, sperm, polar, linseed, boiled and unboiled, with an assortment of Manila and hemp cordage, at wholesale and retail, by HEARNE, FULLER & CO.,
je2 Pacific Wharf, between Battery and Front sts.

Funding the State Debt.

AN ACT to Fund the Debt of the State.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SEC. 1. With a view to fund the present debt and thereafter to collect the revenue of the State in gold and silver only, the Treasurer of the State of California shall cause to be prepared bonds to the amount of seven hundred thousand dollars, in sums of five hundred dollars, bearing interest at the rate of seven per cent. per annum from the date of their issue. Three hundred and fifty thousand dollars of said bonds shall be payable in the city of New York on the first day of March one thousand eight hundred and sixty one. The interest accruing on the said bonds shall be due and payable on the first day of January next, after which time the interest shall be due and payable on the first day of July and January of each year. The interest may be made payable either in the city of New York or at the office of the Treasurer of the State. Said bonds shall be signed by the Governor and countersigned by the Comptroller and endorsed by the Treasurer of the State and have the seal of the State affixed thereto.

SEC. 2 Coupons for the interest shall be attached to each bond, so that the coupon may be removed without injury or mutilation to the bond; said coupons shall be signed by the Secretary and Treasurer of State, and it shall be his duty to advertise in one or more newspapers published in New York and San Francisco where the interest on said bonds are made payable at least twenty days immediately preceding the day on which the same shall be due, stating at what office or banking house the said interest will be paid.

SEC. 3. It shall be the duty of the Treasurer and Comptroller of the State, each to keep a separate record of all such bonds as may be issued, showing the number, date and amount of each bond, to whom the same was issued.

SEC. 4. The Treasurer shall pay out of any moneys in the Treasury not otherwise appropriated, any and all expense that he may incur in having said bonds prepared, the sum so paid out not to exceed two thousand dollars.

SEC. 5. From and after the passage of this act, all persons having any indebtedness of this State, either in the form of bonds issued under the act of the Legislature of this State, entitled "An act creating a temporary State loan," approved February 1st, 1850, or of State warrants drawn by the Comptroller of this State upon the Treasurer shall upon the presentation of the same

To the People of California :

The following confessions and testimony taken in the cases of McKenzie, Whittaker and Mary Ann Hogan are respectfully submitted to the public, in order that any other evidence that may exist may be presented to the Committee, and that all the People of California may be placed on their guard as to those named in the confession, and if possible, that the offenders not in custody, may be apprehended and brought to a just punishment.

The confession of McKenzie, previous to the last, was but a tissue of prevarications, shewing great obstinacy, refusing to answer, and declaring himself guiltless of any crime. (See the commencement of his examination.)

Shortly after Whittaker was arrested, he commenced in like manner.

Mrs. Hogan having been previously examined, gave the Committee some clue, and having proved the identity of McKenzie by several witnesses, they proceeded with the examination of Whittaker—having informed him as to what facts they were in possession of. He then gave his confession. This confession being had McKenzie was again brought up, and finding that the facts touching himself were brought to light, he then made his confession, corroborative of Whittaker's statement.

Mrs. Hogan having had the confession of Whittaker read to her, stated the same to be true.

There can be no doubt that the prisoners have suppressed much, but there can be but one opinion as to their guilt. Their confessions corrobated each other, without a knowledge of each others admissions. The testimony corroborated the whole. The testimony of Whiting, a respectable witness, establishes a portion. With these remarks, the whole matter is submitted :

Confession of Robert McKenzie or Kinney.

Robert McKenzie—My right name is Robert McKinney; I am twenty-six years of age. I was born in Cumberland, England. I left England twelve or thirteen years ago. I was about eighteen years old when I left England. I left Liverpool, England, with my parents on the ship Verandah for New Orleans. I lived in New Orleans until about March, 1849, when I left for California via Panama, and arrived in the steamer California, Capt. Budd, at San Francisco. I then engaged in boating at Clark's Point; I followed boating the whole time; but about two months during that time I lived at Mr. Bruner's, Clark's Point; also Mrs. Brewer's and Mrs. Kettell's; I was one week at Bruner's, five days at Mrs. Brewer's, balance of time at Mrs. Kettell's. Mrs. Brewer lived at the head of Pacific street, Mrs. Kettell lived in Kearny street, near Bush. About six months and a half ago I went to Trinidad in the steamer Kudora. I boated and done a business as lighterman of Trinidad Bay. I had a partner by the name of Jerry Long. I bought a sloop and went to the mouth of the Klamath, then back to Trinidad, and took a load of provisions on board the sloop, then went back to the Klamath and there lost the sloop; it was about three months ago. I then went to the mines at Shasta Valley; I worked at the mines about three weeks; made a living there. The only man that I worked with me was Johnson. We then volunteered to Col. Williams to go to Foal River and Pitt River to fight the Indians and to look for a new trail; we were 17 days, for which we got five dollars per day. I was then discharged at Reading's House.

I then agreed with a wagoner to drive his wagon down to Sacramento. I stopped in Sacramento three days, at the lower end. I and Harry Kiegg put up a tent, at which place I was arrested. I do not know T. B. Kay, Billy Carr knows me. I know Ben Kay, the Captain of the Police. Have seen Professor Campbell. I never lost five hundred dollars; I have heard of Professor Campbell losing five hundred dollars. I have seen Kelly. I read in the papers that Kelly lost the money; about seven or eight months ago I heard it; was in San Francisco at the time. I was on the road from the Mission Dolores to the city at the time that Kelly had the prize fight; was in company at the Mission with Kelly and Campbell. At the time Kelly and us went into the house, when Kelly came out he said he had lost the five hundred dollars.

Being confronted with Whittaker, the prisoners declared that they did not know each other. Hays was brought in, and they declared that they did not know each other.

John Erbet Wilmington, called in—Says he cannot identify the prisoner; remembers the schooner Wm B. Allen at Trinidad, and helped to unload her; does not know [illegible].

Examination resumed—Prisoner being obstinate, was remanded.

[illegible]—Prisoner brought up, and examined. Sam Whittaker; I be[illegible] with [illegible] the prize fight between [illegible]Gee; after the fight was over we came to a [illegible] the Mission Dolores, where Kelly [illegible] Whittaker or Hughes asked me if I was ac[illegible] with the "Bear Hunter"? I said I was acquainted with him; they said there was some money to be got, and if I would take the Bear Hunter into another room [illegible] and get it; I took him to see Kelly; [illegible] and myself talked with Kelly a few minutes; [illegible] were sorry he had lost the fight; then the Bear Hunter found the money was gone, and made a search for it; the Bear Hunter went home with Kelly; I went home with others. In a cart; that night I went to the Bear Hunter's and asked him if he had found the money; he said he had not; I then went to a house called the "Bird-in-Hand," kept by King, alias the Barber, corner of Montgomery street and Broadway; I stopped there a moment; (I had been there previously, about a week before this time;) King told me to walk into the back room; I went and saw Whittaker, King and his partner, McCormick, Morris Morgan and Osman; they told me that part of the money was gone; the balance was divided among us, about $35 each; I then went to a gambling house by myself; when I got to the gambling house I saw all of this party there, Jack Smith also; I was invited to drink along with all of them, and staid till about 11 o'clock; Whittaker was dressed as a gentlemen, and asked me to go and sleep with him that night at Mrs. Ryan's; I did so; next morning Jack Smith and T. B. Kay came there; Whittaker told them they had got the Bear Hunter's money; T. B. Kay said it was a pity to take the money from the fighters; this was the first time I had seen Kay; after this I went to King's one day; I saw all these parties there; I went from there with King to the Port Phillip House, which was kept by McCormack and Whittaker; I was introduced there, and then went there from time to time; I was introduced into the back sitting place, and saw T. B. Kay there and all the rest of them, and Stuart, alias English Jim; T. B. Kay said they had got a thing, and was fixing on a party who should go; it was C. Minturn's; we were all sitting together; T. B. Kay had been several times at C. Minturn's office to examine and inquire; it was agreed that McCormick, Whittaker, English Jim, Edwards, Adams, Jack Lowe, myself, and T. B. Kay should do the deed; T. B. Kay went down to the office; when the office was closed, he came to the end of the wharf to meet the party; Edwards and some of the party had gone for a boat; the boat came; all of the party got into the boat except T. B. Kay and myself; we remained outside as lookouts; the party had got into the building; just as we had got it all arranged, the clerk or wharfinger came back for a book or something; the man went into the store; T. B. Kay and myself run off, and the others got off as they could; we went back to the Port Philip House; in about an hour the whole party came in; Jack Lowe was going to hit me; he said it was my fault that they did not succeed.

After this affair, I went to Sacramento; saw Kelly there. I told Kelly all I knew about his robbery; I came down in the steamboat the same night; Kelly followed me down to San Francisco, and went to McCormick, told McCormick that he had stole his money; and while I was at Trinidad, I heard that Kelly had got his money by selling McCormick out.

I went to take a ride to the Mission with a man by the name of John Hughes; went to the Mission and saw Kelly and McGee; we got drunk at the Mission, and, as we were coming home, we met some eight or ten Chinamen; one of them was behind all the others; I was behind in the valley or hollow, about 400 yards; Hughes was in advance on the top of the hill, the Chinaman's hat fell off; his horse ran away about 3 or 400 yards. back of a house; Hughes galloped after the horse and got it; Hughes was very drunk; Hughes asked the Chinaman five dollars for catching the horse; the Chinaman said he had no five dollars; the Chinaman took his purse out; Hughes clicked it out of his hand and galloped off. I met Hughes in town just as we were putting away the horses, when the policemen came; they took us prisoners to the station house, searched Hughes found the money and two specimens; we were taken before the Recorder, Tilford; I was discharged; Hughes was put back till next court; Hughes got seven years; I do not know whether he is in prison or not.

About a fortnight before the Minturn affair, Edwards brought English Jim into the Port Philip House; Jim had on a cloak and a hat drawn down over his eyes; they said he was the man who had broke out of the prison brig at Sacramento. When I went to Trinidad, English Jim came down there; he was gambling in a house at night with a policeman named Joseph Wall, whom I knew in New Orleans; while they were playing, I recognised him; I asked him what sent him down there; he said you don't know me, sir; I talked to him; after which we came outside the house; he asked me what I was doing; I told him I was boating; he said he was only going to stop another day; that he would not stay in such a place; he came back to San Francisco, I believe, in the schooner Allen.

These men said that the police received bribes.

I heard T. B. Kay speak of Macondray's, about robbing it.

Mrs. Ryan was the woman whom Whittaker was said to sleep with; the husband was jealous of him; husband and wife parted; the woman was sent back to Sydney.

His
ROBERT ⋈ McKENZIE on KENNY.
Mark.

Whittaker's Confession.

Samuel Whittaker examined—My name is Samuel Whittaker; I was born in Manchester, England; I am thirty-three years of age next October. I left the port of London in May, 1836, on board the Lady Kennaway; I do not recollect the captain's name; she was bound to Sydney, and was a convict ship; I was transported for life in that ship for house breaking; was assigned to Mr. Smith, about fifty miles from Sydney. I left the Colonies about two years since by the ship Louisa, Captain Maloe; I arrived in San Francisco in August, 1848; I got my freedom in 1840 from Gov. Fitzroy; have lost the pardon; it was a conditional pardon. The first business I commenced in San Francisco was as steward in a public house, kept by Grockston, in Broadway; I was in his employ about three months. After leaving that employ I bought a horse and cart and boat; employed men to work the team and boat about two months. I then went to butchering in Happy Valley, and carried it on about one year; I then gave up butchering, and went to keeping public house in Jackson street, near Sansome, with a man by the name of McCormick, about two months. I then gave up keeping public house.

[Sam Whittaker states that Samuel Whittaker is an assumed name; it was the name under which he was transported, and desires to suppress his real name for family considerations, and as an act of humanity.] I began my career of crime in San Francisco at the time I formed my connection with McCormick, in keeping the Port Phillip House, (before this while butchering;) I used to ride my horse two or three times a week to the Mission Dolores to purchase cattle; Sanches offered me a splendid mare at $150; refused to buy on account of price; James Currey came to me and said the mare was his; I finally bought the mare, saddle and bridle for $100 and Currey came in with me; I paid him, taking a receipt for the same, then rode the mare around; while doing so, a man stopped me and said the mare belonged to Dutch Charley, was stolen and had been advertised; finding it so, I gave up the mare and looked for Currey; found him altered in dress and about to leave; took him to Elleard's, there charged him with stealing the mare, and demanded my money; got back $60; then took him to Dutch Charley; Charley knocked him down and took him to the Station House; the $60 were taken by the police from me, to be handed back to me after the trial; I was summoned; attended court; the trial did not come off; Jack Hays put me on a jury to try a man charged with stealing a pistol; we found him guilty, and he was sentenced to two year's imprisonment for this trifling offence; court adjourned, and was again summoned to attend court; I did so; Currey had been let off, his case was never tried; I demanded my money; the officials asked me how long it had been; I told them about sixty days; they laughed at it, and said that it was lost after thirty days. I mention this case to show how justice is administered here, and it seemed to me that a thief had a better chance than an honest man. This took place in Levi Parson's Court, who was the Judge.

The first crime of which I was guilty, was that of robbing a bear hunter by the name of Vise, the other side of the Mission. In that matter, McCormick, McKenzie, Osman, Morris Morgan and two Kings were engaged; I knew the bear hunter and McKenzie also knew him; McKenzie took the bear hunter into another room; Morgan took the money, $900 or thereabout; when the bear hunter came out he found he had been robbed; we proceeded to know nothing about it; coming into town one of the party stole six hundred of the $900; the money was divided at King's house, corner of Broadway and Montgomery streets; we got only $30 each; the money taken from Vise belonged to Kelly the fighting man, shortly after McKenzie went to Sacramento City, and told Kelly who it was that robbed him; on this information Kelly came down from Sacramento; I was then at Monterey; Kelly had McCormick arrested and put in him in jail; they threatened to lynch McCormick, and got from him some instrument by which they sold out the Port Phillip House to reimburse the loss.

After this I went down to Monterey with Briggs and Osman; while I was there T. Belcher Kay came down; Osman, Kay and myself came up to San Jose. Kay had the delirium tremens at San Jose; Osman came down to San Francisco; while there McCarty and McIntyre told Osman to bring up from Monterey Jim Briggs and Morgan; that they had a house to do that would yield $40,000; they came up; I came up also in the Goliah; Osman and Briggs were informed by these officers as to what house, and went to look at it; I did so, but finding that Jimmy-from-town (Burns) was engaged, I refused to have any thing to do with it, and they were refused; I think it was Schloss Brothers; it was nearly opposite the old Custom House; about this time T. Belcher Kay was interested in arranging the robbery of the jewelry establishment and other places.

After this we arranged the robbery of Jansen's establishment; Jansen lived next door to me. Many persons from the Colonies frequented my house, and on leaving the country generally wanted silver pieces, Jansen told me that he usually sold them, and would be glad to sell them, and would be obliged to me to take them. Morgan went with me into Jansen's to buy some sovereigns; this first gave rise to the supposed amount of money Jansen had; Jansen was about to remove; English Jim, Edwards and McCormick planned it thus: the cart was loaded with the trunk containing the money; Jansen's clerk sat on the trunk with a candle in his hand; one of the party had slipped the linchpin out of the axle of the cart, expecting that by so doing the wheel would come off, and on falling they would seize the trunk. However, the wheel did not come off, and they were disappointed. Some time after this, English Jim, Briggs, McCormick, Edwards, T. B. Kay, myself, Hughes and Morgan planned the robbery of Jansen again; the whole of us were walking past Jansen's, when our attention was arrested by a dim light at the bottom of the store; Morgan went and would have seized the money without being discovered; English Jim was standing at the window, and said "If I do not go in there will be no money got." He went in. Jim had on a cassimere cloak which rustled; he carried a piece of a stick on the head of which there was a lump of lead as large as a man's fist. He struck Jansen; knocked him down. Jansen screamed, but it was only for an instant. T. B. Kay, Hughes, Edwards, McCormick, were on the same side with Jansen's store; Briggs and myself were on the opposite side. Morgan and English Jim were inside; they brought out the money; it was taken to Edwards's house and there divided; there I fell to our share respectively, one hundred and ninety-six dollars each; the odd money was spent in the house. They also took Jansen's watch; Edwards' brother got that and threw it into the Bay.

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Catharina Navarro y

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Sra. D. Juana Ramirez

Estanislao 6 de Mz 18[illegible]

Querª mª Juana de mi mayor aprecio, creia haber tenido con los arrieros q. te dije Cason razon de mi llegada y estos dias me debian decir nada, Mabebé mi hijo llegado y ya separadote de mi y lo demas que puede importarte. pi Jose pues pª Muquelamos pª estos a guardando. Volvieron los arrieros y ver que savia de VV. vinieron y nada turbe de noticia. Se que VV. estan pª Muquelamos, di es cierto espero me lo avisen pª asi pª ver que hago, dirlas á aguardar aqui mas de aqui pª. no me he movido de aqui de lo que me depate enfermo duro Arredia y ahora ya estoy aliviado dime como esta Victoria pª su gobierno pª. mi entorse

Asta la pasa vien entonces de la china y tengas felicidad siempre como le deseo pª de vdte. amiga

Catarino Navarro

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Bancroft Library

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Bancroft Library

Sra D. Juana Ramirez

Stanislaus 6 de August of 1849

Dearest Juana of my best appreciation

I thought to have had word from the teamsters who took you away notice of your arrival, but they have told me nothing. I knew that you had arrived and had separated yourself from me, and all the rest that concerns you. But I did not go to Muquelamos on account of waiting until the teamsters returned and see what he knew of you; they came and ~~nothing~~ I had no news.

I know that you are going to Muquelamos, if it is true I hope that you will advise, in order that I may see what to do, either go to await them (you?) there, ar go away from here -----I have not moved from here, ~~from which~~ since you left -----I have been sick for three days and now I am better. Tell me how ~~that Santo~~ Stockton was -------go, for my government, which interests me.

I desire that you may be prosperous in the ------- from China and that you may always be happy, just as I desire -----to see you --------

Catarino Navarroz.

County of } ss March

March 14–1850

being duly sworn deposes and says, that on the fourteenth day of March 1850. Peter J Sherrebach deeded to Isdac Bluxome Jr the following described property, situated in the City and County of San Francisco, bounded as follows – to wit

"All that certain piece or parcel of land, situated, lying, and being in the District of San-Francisco, beginning at a stake bearing S 80° 26' west 5004.12 ft from west end of Mission Rock and running thence S 72° 30' west 60 chains (3960 ft) thence N 20° 53' W 32.74 chains (2161 ft) to a point 9 chains from Mission Road in line with next mentioned course) – thence N 73° 31' E 35.45 chains (2208 ft) thence South 84° 42' being directly toward said end of Mission Rock) 40° 25 chains (2056 ft) thence S 9° 55' west 18.76 chains (1238 ft) and thence south 72° 30' West 2.00 chains (132 ft) to place of beginning, according to map of said premises, Survey and made by J H Durlett C E Surveyor and dated March 14. 1850,

And deponent further says that he, this deponent was the subscribing witness to said deed and that the same was signed sealed by the said Peter J Sherrebach and delivered to said Bluxome.

And further deponent says not

Sworn before me

this

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Juan Harvey

Ala Señorita Sepulveda

Enero 4 de 1851.

Dispense V. la molestia
que hago precisado el mandarle estas Cuatro letras
Por lo bien que quedé V. con migo, Sabiendo que me
hallaba demandado por 2 pesos reales que debia, y
todavia le estoy debiendo por que no e podido conse-
guir que me paguen nada, hasta la fecha presente.
Señorita Josefita firmara V. de entre
garle à la portadora de esta la cantidad de
de $2.5-4 por V. y por Carlos que tambien me debia
2 hapale $5-7. que V. mismo presenpreció, que cuando
V. diga que me mandaria el dinero Sallez me man-
daria, tambien lo de carlos, no deje V. de mandarmelo
el dinero, por que estoy bastante en penado y me estoy
ì pasando muchos, y el dia de la salubridad hasta que
V. me la mande de ygual, no deje de mandarmelo
con la Señora que lleba la carta,
V. S. S. M. Juan Harvey

y Doy poder y Suficiente para que pueda
cobrar la portadora de esta la cantidad de $31-3

Juan Harvey

A la dulce

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H. H. Bancroft Collection
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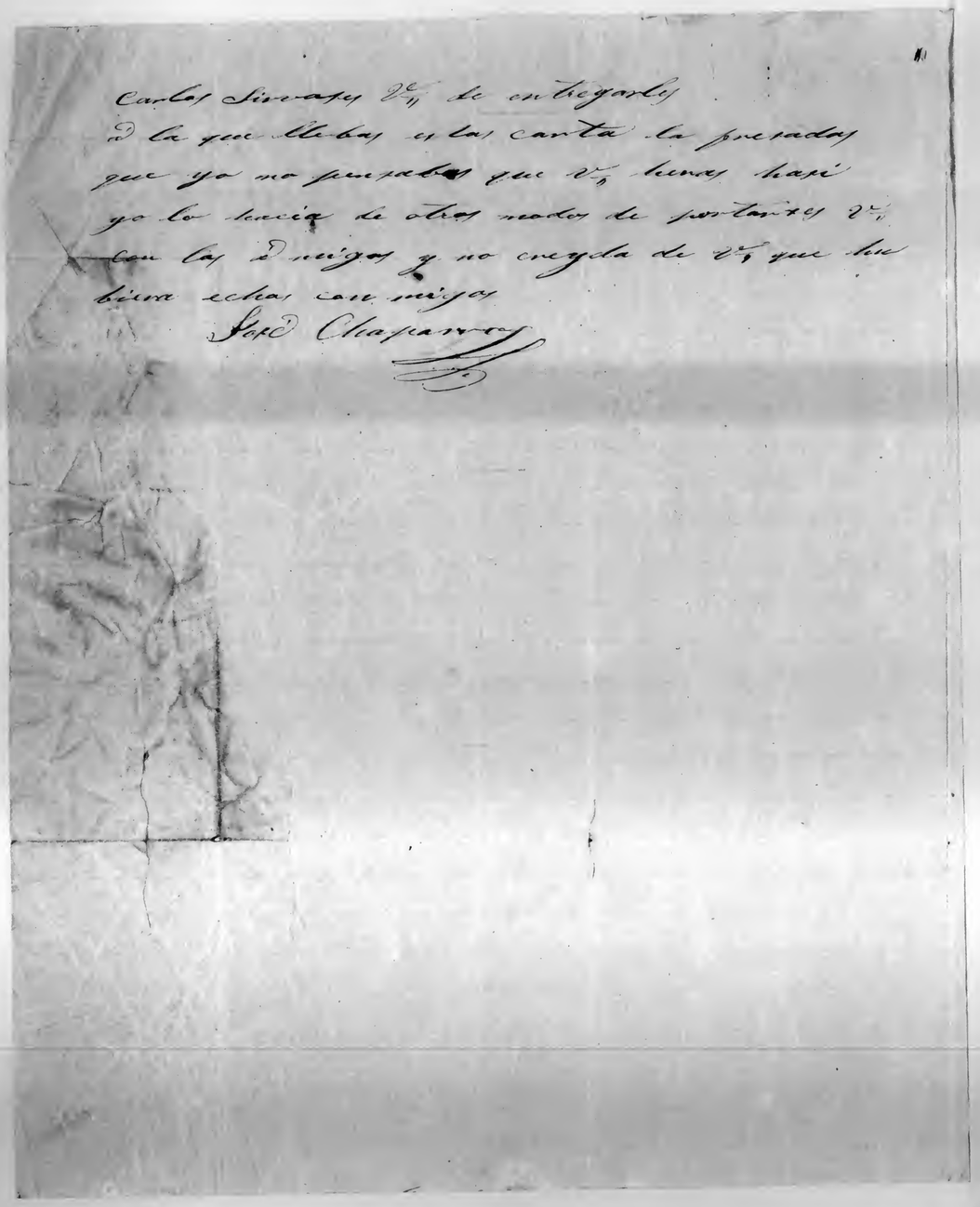

To Señorita Jesusita,

January 4, 1851.

Excuse me for troubling you, but it is necessary for meto send you these few lines knowing how good you were to me; you knew that I had been asked for a few reals which I owed and am still owing, for I have not been able to get anything payed to me up to date.

Señorita Jesusita, be so good as to hand to the bearer of this letter the sum of $2,5.- on your account and that of Carlos, who has also owed me $57 for a long time, for you yourself ---------- that when you said to me that you would send me the money if they sent me the money and also that of Carlos. Do not fail to send me the money, as I have many obligations and ~~they are~~ many people are pressing me to pay my debts, and I have promised that you would send me some. Do not fail to send me some by the lady who carries the letter.

I kiss your hands,

Juan haveo

I give power and faculty to the bearer to collect the sum of #31-3

Juan Hareo

Over

Carlos, please give the blanket to her who carries the letter. I did not think you would do such a thing; I would have behaved otherwise and did not think that you would havedone so with me.

José Chaparros

May 19–1857

Lunes 19 de Mayo de 1857

Querido Guillermo he recibido el Sabado por la tarde con mucho gusto una carta tuya en que me dices que tienes una vida muy desagradable allí pero mas el de la mia porque no como no veo me tienen por otro pequeño Dios tu desde el tiempo que estas allí ya haran dos o tres semanas a mi me parece que fueran años Segun la pasion que tengo asi por mi Querer no saldria de allí por estar a tu lado pero tu has visto bien las verguenzas que he pasado por verte hacer a ti no estrañes que no te haya contestado la carta ayer tarde que recibi tu carta del mismo gusto me hizo tomar una borrachera general todo el dia hasta mañana tan mala del cuerpo que no puede hacer diligencia de escribirte la carta para ti puedes pensar bien casi todo de gusto palabras que me causa al escribir esta que son las mismas palabras ardientes y amorosas que demanan de un corazon amante y tierno aca te he mandado de salir lo mas pronto posible entonces ve al Consulado capitan para salir lo mas pronto porque son muchos mis deseos de que te salgas libre porque no me cabe un momento un to no creas que son mentiras sino verdad

B. B. Bancroft Collection
Bancroft Library

lo mismo que si te hablace Dios
y hasi te hablo que si no fuera
por ti y lo mucho que te quiero no
estaria un momento mas en esta
casa por que hagora dias y todos los
dias tengo disgusto con paulina
por causa tuya por que pone habla
r de ti sin saber nada y esa es la
rabia que me da a mi, agora dias se pas-
sa a desia aqui delante de cuatro o ses.
personas de que tu eres un cabesquero
y que yo, no debia de sacar la cara por ti
por que me habias de corresponder muy
mal pero como yo no creo eso ni
nada de lo que me digan en contra tuya
mientras tanto mientras tanto
mis ojos no veran ojos que no ven
corazon que no siente y hasi quier
do mio asta aqui no mas alcanza el
tiempo que ó sono te escribiré mas
y asi despensa que haya escrito
en tu idioma tu sabes bien que
pocos se encuentran entre los espa-
ñoles que escriban el ingles

Recibe el corazon de tu querida

Carmen Salsedo

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Bancroft Library

Carmen Salsedo

Charles Seetrere

Sanfrancisco

May 19- 1851

Lunes 19de Mayo de 1851

Querdo Guillermo he recibido el Sabado por la tarde con mucho gusto una carta tuya en que me dises que tienes una vida muy deses perada alli pero mas es la mia por que no como ni vivo ni duermo por estar pensando ~~lu si~~ en ti desde el tiempo que estas alli que haran dos o tres semonas a my me parese que fueron Años Segun la facion que te tengo si por mi fuera no saldria de alli por estar a tu lado pero tu has visto bien las berguenzas que he pasado por irte ha ver ati no estrañes que no te haiga contestado la carta ayer por que esa tarde que recibe tu carta el.

El Mismo gusto me hozo tomar una borache a que al otro dia hamanesé tan malo del cuerpo que no puede haser delegencia de escribirte la carta pero tu pueses pensar bien cual sera el gusto que me causa al escriber estas palabras que son las misma palabras cariñosas y amorosas que demanan de un corazon amante y tierno acia ti ve modo de salir lo mos pronto posible enteresate al Consul o al capitan para salir lo mas pronto por que son ~~nur~~ muchos mis deseos de que tu salgas ulec. por que no me allo un momento sen ti no creas que son mentiras sino verdad lo mismo que si te hablace Dios y hasi te hablo que si no fuero por ti y lo mucho que te quero no estaria un momento mas en asta casa por que hagora dias y todos los dias tengo disgusto con paulina por causa tuya por que pone habla r de te sin saber nada y esa

es la rabia que me da ami agora dias se puso a decir aqui delante de cuatro o seis personas de que tu eres un cualesquiera que yo no debia de sacar la cara porte por que me habias de corresponder mmuy mal pero como yo creo eso ni nada de lo que me digan en contra tuya mientras tanto mientras tanto mis ojos no vean ojos que no ven corazon que no siente y hasi querido mio asta aqui no mas alcanza el tiempo qui o'sino te escriberia mas y asi dispensare que vaya escrito en tu idioma tu sabes bien que pocos se encuentran entre los españoles que escriba el ingles

Recibe el corazon de tu querida

Carmen Salsedo

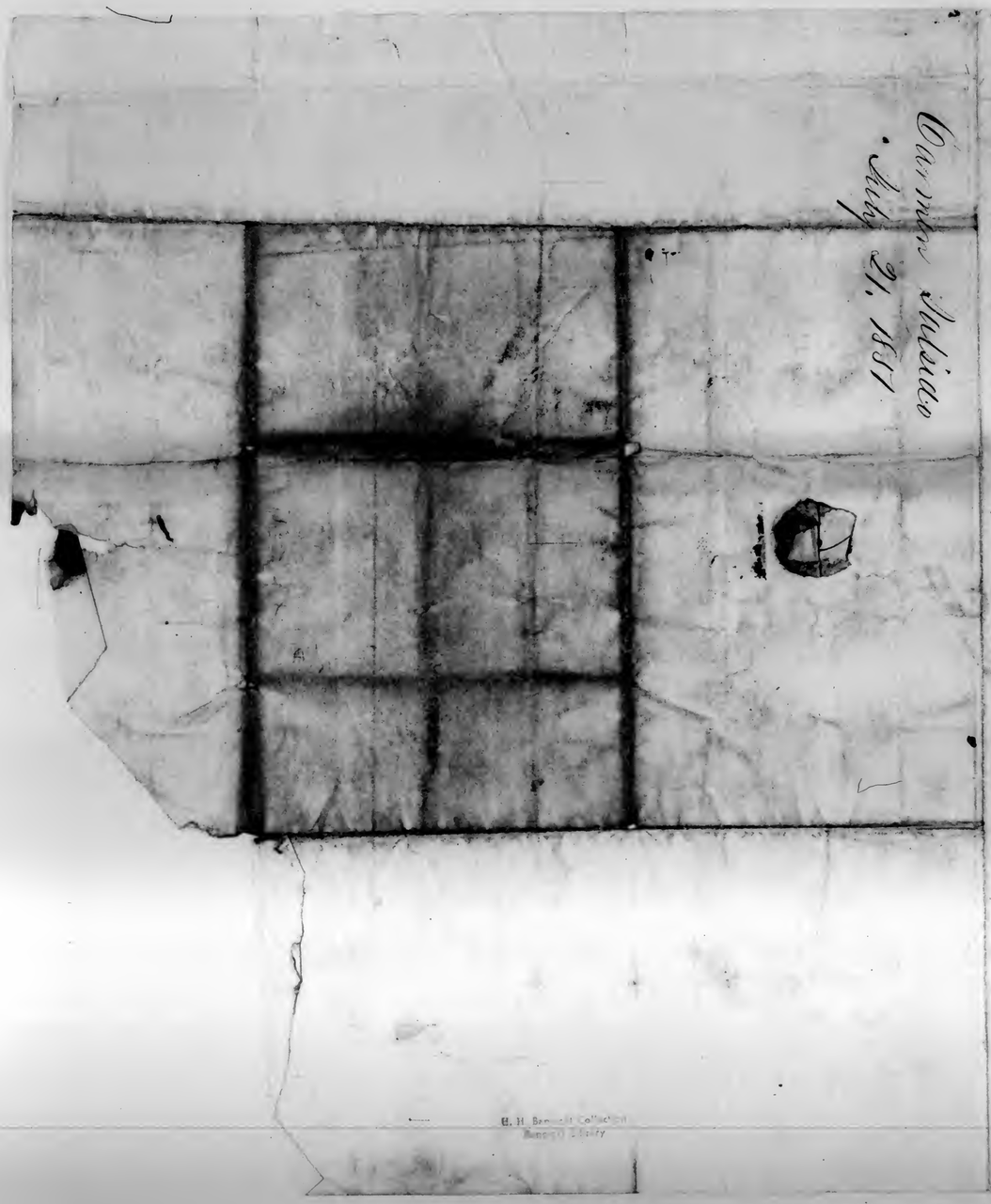
Monday, May 19, 1851.

Dear Guillermo: Saturday afternoon I received with much pleasure a letter from you in which you say that you are living a very unhappy life there, but mine is worse, for I neither eat live nor sleep for thinking of you since the time when you were there which must be two or three weeks, which seem years to me on account of the passion which I have for you if it were within my power I would not have gone away from there, so that I might have been at your side, but have well seen the embarrassments which I have ebdured that I might go to see you. Do not think it strange that I did not answer your letter yesterday, for, that afternoon when I received yours, the very joy of it made me go on such a spree that I woke next morning too sick to make the effort to write. But you may well believe what pleasure it caused me when I write these words, which are the affectionate and loving words which come from a heart loving and tender toward you. In order that you may get away as quickly as possible, interest the consul or the captain so as to get away more quickly, for my desires are great that you should get away free, for I do not forget you for an instant. Do not think that this is a lie but the truth the same as if God were talking to you, and so I say to you that if it were not for you and the greatness of my love for you I would not stay another moment in this house, for these days and every day I quarrel with Paulina on account of you, for she gets to talking about you without knowing anything, which makes me frenzied. Some days ago she began to say here before four or six persons that you were a nobody and that I should pay no attention to you for you had not treated me well; but as I do not believe this nor anything that they say against you while my eyes are not eyes that do not see, and heart that does not feel. And so, my beloved, ~~this much and no more, the time has~~ I have no more time to

write or I would write more, and so excuse that I have [not] written in your language; you well know that there are few among the Spaniards who write English.

Receive the heart of your mistress,

Carmen Salsedo.



Cuernavaca Julio 21. 851

S. D. Guillermo V. Swenbon

S.n Fran.co Julio 21. de 851.

Apreciado Guillermo: Con fecha de ayer e reabido una Carta tuya en la q.e me dues pedas bueno; pues yo quedo un poco mejor.

En la tuya me pones que te mande decir q.l cual es el motivo por q.l no te hay escrito, si no lo he hecho ha sido por q.l no sabia paradero y por q.l hay estado enferma, me acusas tambien q.e sabre ya olbidado no lo creas por q.l no pasa un dia sobre me q.l no te tenga en la memoria y nunca te olbidare aunque se pase años sin berte. Siento mucho no poder ir abertte por un poco tiempo; p.r no lo hago motivo ci q.l no tengo como pagar pasaje en el Vapor, si yo tubiese dinero lo haria con mucho gusto.

Lambor esta muy buena y te manda muchas memorias

H. H. Bancroft Collection
Bancroft Library

No te escribo mas largo por no tener mas tiempo y así recibes Corazon de esta tu segura servidora q. desea verte.

Carmen Salsedo

No te desavindes con los policias no salgas mucho ala calle, por q. hay mucha prebencion contra ti, no me esperes alla, por q. por ahora no pienso ir, y si es q. voy será hasta q. esté enteramente buena

H. H. Bancroft Collection
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Dr. D. Guillermo V. Swenboul,

Sn Franco, July 21, 1851.

Dear Guillermo:

Yesterday I received a letter from you, in which you say you are well; I am a little better.

In your letter you inquire why I have not written. It was because I did not know your whereabouts, and because I have been ill. You also accuse me of having forgotten you. Do not believe it, for not a day passes without my recalling you; I should never forget you even though years should pass without my seeing you. I am very sorry I cannot go to see you for a little while. I do not do so because I have no money to pay my fare on the steamer. If I had the money, I would do it with much pleasure

Lambor is very well, and sends you many regards.

I do not write more as I have no more time, and so receive the heart of this your faithful servant who desires to see you.

Carmen Salsedo

Do not get into trouble with the police. Do not go out much upon the street, for you are wanted. Do not wait for me there, as I do not think at present of going, and if I do go, it will not be until I am entirely well.

R. H. Bancroft Collection
Bancroft Library

Gen Mason Esqr
Alta
San Francisco.
Ca

New York 23 June 1852

Wm. Gen Ward
San Francisco.

Dr Sir

I beg leave to introduce you my friends
Mssrs Guillemot & Fauvel, on a
business visit to Nevr Helvorada.
Do for them all you can and you
will oblige me
Yours Truly
Gen Lugenel

R. H. Bancroft Collection
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RAMSDELL & Co.

Wholesale & Retail Coal Dealers.

FOOT OF JACKSON ST. WHARF.

SAN FRANCISCO, CAL.

Lackawana. Schuylkill. Lehigh. Newcastle, (Steam) Liverpool, (Orrel.) Cumberland. Cardiff. Scotch.

And other descriptions of Coal constantly on hand.

A.G. RAMSDELL. E.H.THARP.

City of San Francisco

San Francisco March 12 1855

Bought of Ramsdell & Co.

2 Tons Hard Coal	@ $53.	106	
2 " Soft "	@ $53.	106	$212

B. H. Bancroft Collection
Bancroft Library

BILL, NO.

In Board of ALDERMEN,
1854.

Referred to
Committee

Clerk.

The Committee report in favor of paying the within bill at
out of the
Fund
Com on

In Board of ALDERMEN,
1854.

Report accepted and bill so ordered paid.

Clerk.

BILL, NO.

City of San Francisco, - - Dr.
To

Dated [illegible] 1854, at $

In Board of ASSISTANT ALDERMEN,
1854.

Referred to
Committee

Clerk.

Report against

The Committee [illegible] paying the within bill at $
out of the
Fund
Com. on

In Board of ASSISTANT ALDERMEN,
1854.

Report accepted and bill so ordered paid.

Clerk.

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Box 8: Official seal of the Committee

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Archives

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C-A 77: Minutes of Executive Committee, 1851-1852

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C-A 77: Minutes of Executive Committee, 1851-1852

C-A
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Proceedings of Executive Committee San Francisco Sept 1st 1856

Report of Select Committee of five.

The Committee to whom was reffered the subject of Selecting the names of fifty or a less number of Gentlemen to constitute an Executive Committee who shall hold their offices for a period of six months, and to suggest such other measures as in their judgment may be of interest to the association and the community beg leave respectfully to report

That they have selected the following names of Gentlemen in number forty four as candidates for election by the association. That they recommend upon the election of the Committee that the association adjourn "sine die" and the present acting Executive Committee turn over to the newly selected committee all papers, books, and documents emanating in the operations of the Committee since its formation.

That twenty two members of this Committee shall hold their office for a period of one year from the date of election and twenty two for a period of six months the short and long term to be determined by drawing.

That they shall choose their own officers, and shall have power to fill any vacancies that may arise by resignation or otherwise.

That fifteen days before the expiration of the six months for which they are elected they shall call the association together and submit a report in writing of their proceedings during the period of six months, and the association shall then elect twenty two members to fill the vacancies of those whose term of six months have expired.

That said Executive Committee shall take no action for the arrest of criminals or in any manner interpose with the due course of law but should any immergency arise which in their judgment requires again the action of the association they shall call them together by such signals as may be agreed upon.

That this committee be instructed to watch with vigelance the actions of our courts having criminal jurisdiction and also all men in official stations and especially observe the operation of the laws now in force and should they deem it expedient to have such laws altered or amended thereby

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greater facilities may be had to convict and punish Criminals they may be authorized to petition the Legis-tature upon the subject and use their exertions to have such amendments carried.

The Association believing the Community rely mainly upon them to shield them from the evils arising from the mal administration of the law, the association ~~believing~~ will hold this executive Committee to a strict accountability in the performance of this duty.

The following are the special committee
Capt I F Sutton, Sam'l Dewey, F Argenti, E Delessert, Charles V Case.

The following is a list of Gentlemen proposed for the Ex--ecutive Committee.

W D M Howard	I Prall Stephens
Sam'l Brannan	G M Garwood
W F Coleman	G W Ryckman
Jas C Ward	F J A Smiley
Capt E Gorham	J W Cartwright
B C Saunders	Wm W Thompson
S C Woodworth	V D Kinney
James King of Wm	A Kirchner
James Dowes	W A White
A F Teschemacher	Capt John Raynes
Dr A B Stout	" D Jan
F Bassadt	Jas M Swift
J J Parrott	Geo R Ward
R M Jessup	A M Naglee
J B Aicie	W Burling
Joseph Post	J Delmg
Charles Griswold	W C Annan
Col White	Curt F Maynard
Stephen Payran	W A Darling
Dr Beers	
H A Cobb	

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The above list of names were approved by the Genral Committee and they were declared duly elected.

It bing stated by one of the Genral Committee that Col White was about leaving the city for a time a vacancy was declared and the Chairman was called

upon to appoint a Gentleman to fill said vacancy.
The Chairman appointed Capt I F Sutton, and was appro--ved of by the General Committee.

On motion of —

The names of the special committee appointed to select the names of fifty Gentlemen to serve as an Executive Com--mittee shall be added to the forty names, carried and the following names were added Samuel Dewey, Felix Argenti, Eugene Delessert, and Charles V Case.

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Minutes of Executive Committee September 17. 1851

Number of Executive Committee of 44, present 27.
Capt I F Hutton was called to the Chair.

Upon balloting for President Mr Stephen Payran was elected.
Mr Isaac Bluxome Jr was elected a member of the Executive Committee in place of I Prall Stephens who did not accept
Mr Bluxome was also elected secretary.
Mr F Woodworth was elected a member of Executive Committee in place of Dr Burs, who is not a member of Vigilance Committee
The following gent were elected as the Finance Committee
George R Ward, E Maynard, & C Delasant.

The following motion was made by Capt I F Hutton
That Mr Bluxome be authorized to collect the amount of dues & fines now due this Committee and receive 10% on amount collected, and also that he be allowed to employ one of the Collectors of the Committee.

On Motion of Capt Hutton
Resolved That a Committee of three be appointed by the President to draw up by laws for the Government of the Executive Committee and also to report the number necessary to form a Quorum. The following gent were appointed
Mr S Payran, G W Ryckman, & Maynard

On Motion of James C Ward
Resolved That a committee of three be appointed to elect a proper room for the Executive Committee, and that said Committee remove the furniture to it.
Committee, Mr S Payran, C Gorham & A A Cobb

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On Motion Geo R Ward.
Resolved That the Secretary be ordered to notify the members of the Vigilance Committee through the public press to hand over the moneys they have collected for the Jail fund to the treasurer.

On Motion of Capt Hutton
That the Committee now adjourn to meet again on Wednesday evening the 24 inst at ½ past 7 o'clock.
"accepted" Isaac Bluxome Jr
Secretary.

Minutes of Executive Committee San Francisco September 24 1851

Mr Stephen Payran in the Chair

Minutes of former meeting read and approved.

Thirty five members present

On motion of Mr Cartwright
Resolved That a Committee of three be appointed by the Chair to obtain counsel for Mr F A Atkinson in the case of Metcalf vs Argenti Atkinson and als — The Committee are Messrs Jas B Stuie F A Woodworth, & I N Cartwright.

The resignation of Capt C Gorham was read and accepted to take effect on the first of the following month

On motion of G W Ryckman
George I Oakes was elected to fill the vacancy occasioned by the resignation of Capt C Gorham - to take his seat on the first of October.

On motion of Capt I F Hutton
Resolved That a Committee of three be appointed by the Chairman to nominate members for the Executive when vacancies occur — The Committee are Messrs G M Garwood, Chas A Case, & G W Ryckman.

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On Motion of Col Stuie
Resolved That Mr Oakley be employed to attend to the rooms of the Committee at 100.$ pr month, and that George the porter

be paid for his services to this time and discharged.
"Carried"

On Motion of Mr W J Coleman
Resolved That the Keeper of the rooms have charge of and Keep them open day and nights - and admit no member un-
-les his dues and fines are paid. "Carried"

On Motion of Mr J A Woodworth
Resolved That Messrs Ralph S Dorr, George A Shaw and Chas Schofield be admitted as members of the Vigilance Committee - Capt J F Hutton voted in the nega-
-tive and desired that his vote be recorded, All others in the affirmative. "They were declared elected"

On Motion of Mr G W Ryckman
Resolved That a Committee of four be appointed by the Chair to wait upon the French Consul and Mr King the Collector of the port and obtain from them all all the information possible about a Vessel bound to this port from France, said to have on board about five hundred desperadoes. The Committee appointed were Messrs J Woodworth, J Argenti, G W Ryckman, & Geo R Ward.

The Committee on by laws report that for want of time they have not been able to draw them up.
Mr Charles V Case made a motion that the Committee have further time. "Carried"

On Motion Mr Blymire
Mr Geo R Ward was appointed to fill the vacancy in Committee on by laws, occasioned by the absence of Asst Maynard. "Carried"

The Committee on removal report that the Lumber in former Committee Rooms was sold by Messrs Blackburn & Thompson for the benefit of this Committee. "report accepted"

The Committee on furniture report - that all extra furniture was sent to Messrs Cobb Howes to be sold by them at Public Auction, and desire further time to complete Sales. report accepted & further time granted.

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Committee on rooms report, that they selected those over Messrs Middleton Smiley - being central and less in price than any other, and had them arranged as con-
-venient as possible for the members - and desired to be discharged, "report accepted, and Committee discharged"

The Treasurer of the Committee, Mr Delessert offered to loan the Committee One thousand dollars for sixty days without interest, in order to pay the outstanding bills which was accepted with the thanks of the Committee and all bills ordered paid except those of the Council of Mr Atkinson in the suit of Metcalf vs Argenti Atkinson Vals

On Motion Mr Saml Dewey
That the Committee adjourn to meet again on Saturday Evening the 27 inst at ½ past 7 o'clock

Isaac Blymire Jr
Secretary

The following Gentlemen were elected to serve on the Execu-
-tive Committee for 12 months

C Delessert	W D M Howard	Jas M Swift
I Delong	Vinst L Maynard	B C Saunders
George R Ward	Samuel Brannan	H A Cobb
Jas C Ward	Wm H Thompson	Jas Dowes
Gilt Garrood	J Woodworth	Dr Stout
J J L Smiley	Jos Post	W C Annan
R D Kinnay	W A Darling	I I Parrott
I Kirchner.		

The following were elected for six months.

A M Stagler	I C Woodworth	J Argenti
Jas King of Wm	W J Coleman	Chas V Case
Jas Cartwright	R M Jessup	I Blymire Jr
W Burling	D Janvier	W A White
I Payran	G W Ryckman	A J Fischnacher
Saml Dewey	Jas P Stuit	I F Hutton
C Gorham	I Raynes	Chas Griswold
J Bassault.		

"Approved"

Isaac Blymire Jr
Secretary

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V 52-559

C-A 77: Minutes of Executive Committee, 1851-1852

C-A
77.1

Proceedings of Executive Committee San Francisco Sept 17-18

Report of Select Committee of five.

The Committee to whom was reffered the subject of Selecting the names of fifty or a less number of Gentlemen to constitute an Executive Committee who shall hold their offices for a period of six months, and to suggest such other measures as in their judgment may be of interest to the association and the community beg leave respectfully to report

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That fifteen days before the expiration of the six months for which they are elected they shall call the association together and submit a report in writing of their proceedings during the period of six months, and the association shall then elect twenty two members to fill the vacancies of those whose term of six months have expired.

That said Executive Committee shall take no action for the arrest of criminals or in any manner interpose with the due course of law but should any emmergency arise which in their judgment requires aguin the action of the association they shall call them together by such signals as may be agreed upon.

That this committee be instructed to watch with vigelance the actions of our courts having criminal jurisdiction and also all men in official stations and especially observe the operation of the laws now in force and should they deem it expedient to have such laws altered or amended thereby

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greater facilities may be had to convict and punish Criminals they may be authorized to petition the legis-tature upon the subject and use their exertions to have such amendments carried.

The Association believing the Community rely mainly upon them to shield them from the evils arising from the mal administration of the law, the association believing they will hold this executive Committee to a strict accountability in the performance of this duty.

The following are the special committee
Capt I F Hutton, Saml Dewey, F Argenti, E Delessert, Charles V Case.

The following is a list of Gentlemen proposed for the Ex--ecutive Committee.

W D M Howard	I Prall Stephens
Saml Brannan	G M Garwood
W F Coleman	G W Ryckman
Jas C Ward	F J & Smiley
Capt E Gorham	I W Cartwright
B C Saunders	Wm W Thompson
S C Woodworth	V D Kinney
James King of Wm	A Kirchner
James Dowes	W A White
A F Teschemacher	Capt John Raynes
Dr A B Stout	D Jan
F Bassett	Jas M Swift
I S Parrott	Geo R Ward
R M Jessup	A M Naglee
I B Hill	W Burling
Joseph Post	I De Long
Charles Griswold	W C Annan
Col White	Levi L Maynard
Stephen Payran	W A Darling
Dr Beers	
H A Cobb	

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The above list of names were approved by the General Committee and they were declared duly elected.

It being stated by one of the General Committee that Col White was about leaving the city for a time a vacancy was declared and the Chairman was called

upon to appoint a Gentleman to fill said vacancy.
The Chairman appointed Capt I F Hutton, and was approv--ed of by the General Committee.

On motion of —
The names of the special committee appointed to select the names of fifty gentlemen to serve as an Executive Com--mittee shall be added to the forty names, carried and the following names were added Samuel Dewey, Felix Argenti, Eugene Delessert, and Charles V Case.

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Minutes of Executive Committee September 17. 1851

Members of Executive Committee of 44, present 27.
Capt I F Hutton was called to the Chair.

Upon balloting for President Mr Stephen Payran was elected.
Mr Isaac Bluxome Jr was elected a member of the Executive Committee in place of I Prall Stephens who did not accept
Mr Bluxome was also elected secretary.
Mr F Woodworth was elected a member of Executive Committee in place of Dr Bass, who is not a member of Vigilance Committee
The following gent were elected as the Finance Committee
George R Ward, E Maynard, & C Delasant.

The following motion was made by Capt I F Hutton
That Mr Bluxome be authorized to collect the amount of dues & fines now due this Committee and receive 10% on amount collected, and also that he be allowed to employ one of the collectors of the Committee.

On Motion of Capt Hutton
Resolved That a Committee of three be appointed by the President to draw up by laws for the Government of the Executive Committee and also to report the number necessary to form a Quorum. The following gent were appointed
Mr S Payran, G W Ryckman, E Maynard

On Motion of James C Ward
Resolved That a committee of three be appointed to select a proper room for the Executive Committee, and that said Committee remove the furniture to it.
Committee, Mr S Payran, C Gorham & A A Cobb

On Motion Geo R Ward.
Resolved That the Secretary be ordered to notify the members of the Vigilance Committee through the public press to hand over the moneys they have collected for the said fund to the treasurer.

On Motion of Capt Hutton
That the Committee now adjourn to meet again on Wednesday evening the 24 inst at ½ past 7 o'clock.
"Accepted" Isaac Bluxome Jr
Secretary.

Minutes of Executive Committee San Francisco September 24 1851

Mr Stephen Payran in the Chair

Minutes of former meeting read and approved.

Thirty five members present

On motion of Mr Cartwright
Resolved That a Committee of three be appointed by the Chair to obtain counsel for Mr F A Atkinson in the case of Metcalf vs Argentine Atkinson and als — The Committee are Messrs Jas B Stuie F A Woodworth, & I W Cartwright.

The resignation of Capt C Gorham was read and accepted to take effect on the first of the following month

On motion of G W Ryckman
George Oakley was elected to fill the vacancy occasioned by the resignation of Capt C Gorham — to take his seat on the first of October.

On Motion of Capt I F Hutton
Resolved That a Committee of three be appointed by the Chairman to nominate members for the Executive when vacancies occur — The Committee are Messrs C M Garwood, Chas E Case, & G W Ryckman.

On Motion of Col Stuie
Resolved That Mr Oakley be employed to attend to the rooms of the Committee at 100.$ pr month, and that George the porter

be paid for his services to this time and discharged.
"carried"

On Motion of Mr W J Coleman
Resolved That the Kuper of the rooms have charge of and Resp them open day and night - and admit no member un-
-ls his dues and fines are paid. "carried"

On Motion of Mr J A Woodworth
Resolved That Messrs Ralph S Dorr, George A Shaw and Chas Scholefield be admitted as members of the Vigilance Committee - Capt J F Hutton voted in the nega-
-tive and desired that his vote be recorded, All others in the affirmative. "They were declared elected"

On Motion of Mr G W Ryckman
Resolved That a Committee of four be appointed by the Chair to wait upon the French Consul and Mr King the Collector of the port and obtain from them all the information possible about a brig bound to this port from France, said to have on board about five hundred desperadoes. The Committee appointed were Messrs J Woodworth, J Argenti, G W Ryckman, & Geo R Ward.

The Committee on by laws report that for want of time they have not been able to draw them up.
Mr Charles J Case made a motion that the Committee have further time. "carried"

On Motion Mr Blunome
Mr Geo R Ward was appointed to fill the vacancy in Committee on by laws, occasioned by the absence of Mr Maynard. "carried"

The Committee on removal report that the lumber in former Committee Rooms was sold by Messrs Blackburn & Thompson for the benefit of this Committee. "report accepted"

The Committee on furniture report - that all extra furniture was sent to Messrs Cobb Davis to be sold by them at Public Auction, and desire further time to complete Sales. report accepted & further time granted.

Committee on rooms report, that they selected those over Messrs Middleton & Smiley - being central and safe in price than any other, and had them arranged as con-
-venient as possible for the members - and desired to be discharged. "report accepted, and Committee discharged"

The Treasurer of the Committee, Mr Delessert offered to loan the Committee One thousand dollars for sixty days without interest, in order to pay the outstanding bills which was accepted with the thanks of the Committee and all bills ordered paid except those of the Council of Mr Atkinson in the suit of Metcalf vs Argenti & Atkinson & Ralls

On Motion Mr Saml Dewey
That the Committee adjourn to meet again on Saturday Evening the 27 inst at ½ past 7 o'clock

Isaac Blunome Jr
Secretary

The following Gentlemen were elected to serve on the Execu-
-tive Committee for 12 months

E Delessert	W D M Howard	Jas M Swift
I Delong	Vicat E Maynard	B C Saunders
George R Ward	Samuel Brannan	H A Cobb
Jas C Ward	Wm H Thompson	Jas Dowes
Gil Garrood	J Woodworth	Dr Stout
T J C Smiley	Jos Post	W C Annan
R D Kinnay	W A Durling	I J Parrott
I Kirchner.		

The following were elected for six months.

A M Nagler	I E Woodworth	J Argenti
Jas King of Wm	W J Coleman	Chas J Case
Jas Curtwright	R M Jessup	I Blunome Jr
W Burling	D Janvier	W H White
I Payran	G W Ryckman	H J Ackerman Jun
Saml Dewey	Jas P Hunt	I F Hutton
E Gorham	I Raynes	Chas Griswold
J Bassault.		

"Approved"

Isaac Blunome Jr
Secretary

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Minutes of Executive Committee San Francisco Sept 27. 1851

Mr Stephen Payran in the Chair.

Eighteen members present.

Minutes of former meeting read and approved.

The Committee on Bye Laws reported the following which were approved.

Bye Laws of Executive Committee

First The officers shall consist of a President, First and Second Vice Presidents, Secretary, Treasurer, and Sergeant at Arms who shall all be elected for the period of Six Months.

Second It shall be the duty of the President, to preside at all meetings, to issue all orders emanating from the Committee, and to call special meetings when he shall deem the same necessary.
It shall be the duty of the Vice Presidents to officiate in the absence of the President.
It shall be the duty of the Secretary to Keep a Journal of the proceedings of each regular meeting of the Executive Committee which shall be read before proceeding to business and amend or approve as may be deemed expedient. It shall also be his duty to collect the dues and fines to pay the same to the Treasurer and to report the ~~same to him~~ sum collected at each stated meeting.
It shall be the duty of the Treasurer to receive all moneys belonging to the Committee of Vigilance and to disburse the same by order of the Executive Committee, and to render his accounts at the expiration of each month or oftener if required by a vote of the Committee.
It shall be the duty of the Sargeant at Arms to take charge of the rooms and property of the Committee, to Keep the same in order, to take charge of all prisoners, to serve notices, and to do and perform such other services as shall be required by the Committee.

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It shall be the duty of the Sergeant at Arms to take charge of the rooms and property of the Committee, to Keep the same in good order, to take charge of all prisoners, to serve notices and to do and perform such other services as shall be required by the Committee.

Third That, there shall be a Finance Committee of five elected for Six months to whom all accounts shall be refered, as well as other "Fiscal matters," and their report thereon shall be made to the Executive Committee for final action.

Fourth That, there shall be a Qualification Committee of five, elected for six months, whose duty it shall be to receive applications for membership to the Committee of Vigilance and to recommend the same to the Executive Committee for ~~the~~ election, and also to recommend Candidates to fill vacancies that may occur in the Executive Committee.

Fifth That, the Executive Committee shall hold a stated meeting on Wednesday of each week.

Sixth That a Quorum for the transaction of business shall consist of nine members.

Seventh That it shall be the duty of the President to call a special meeting upon the written request of any five members.

Eighth The seat of any member of the Executive Committee shall be declared vacant, who shall absent himself from three consecutive stated meetings unless the Committee shall have been previously informed of his intended absence from the City, or other inability to attend, unless a reasonable excuse be given.

Ninth All Members coming in after roll call shall report themselves to the Secretary, or be deemed to have been absent.

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Tenth All reports of Committees and resolutions offered shall be in writing.

Eleventh No Member shall be allowed to speak more than twice, or

longer than five minutes, upon any question, except by permission.

Twelfth — No change shall be made in the bye laws, unless by a vote of two thirds of the members present of the Executive Com-mittee, and by one week previous notice having been given in writing.

In section second, on the duty of Sergeant at arms, and on the third line, the words "to take charge of all prisoners" Capt I F Hutton voted against, and desired that his vote should be recorded

Committee on Bye-laws J Payran, G W Pyckman, Geo R Ward

The following is the report of a Committee who waited upon Mr Atkinsons lawyers in the suit of Metcalf vs Argenti Atkinson Vals

Your Committee appointed to engage legal coun-sel in behalf of Mr Atkinson, called on Mr E G Austin who stated that he intended to defend Mr Atkinson until his case should be disposed of finally waiving all question of compensation at present and leaving all pecuniary con-siderations in the discretion of the Committee.
He also expressed a wish to conduct the case alone deem-ing additional Counsel superlative in the present stage of the trial.
Committee J W Cartwright & F A Woodworth—
Report & services of Counsel accepted.

The Committee appointed by your honorable body to confer with the Collector of the Port & the Consul of France in regard to the apprended introduction into this State of foreign Convicts under the Sanction and patronage of the French Govern-ment beg leave respectfully to,

Report — that in fullfilment of the duties devolved upon them by your instructions they waited upon the Hon^le J Butler King, made known to him the wishes of your body, and desired to be placed in possession of whatever information he possessed in regard to the subject in question.

Your Committee take great pleasure in stating that their wishes were at once cheerfully complied with as will be seen by the communications appended to this report.

They would also state that the Collector expressed to them his sincere and ardent approval of the measures and the actions of the Committee of vigilance and assured them that he would be most happy at all times to co-operate with them and to render them every aid and assistance in his power.

Your Committee also waited upon Mons Dillon the Consul of France and submitted to him the communication received from the Collector, and respectfully requesting him at the same time to make known to your Com-mittee any facts or information he might possess in relation to the matter. The Consul assured your Committee that no apprehension need be entertained that the Government of France would sanction the Shipment to this country of any of its convicted felons, that it had ever been foreign to their policy to do so, and that under the existing Constitution of the Republic, it would not be in the power of the Government to take any such action without the authority of some special law for the purpose, and that no such law had ever been en-acted. The Consul further states, that in all cases where vessels arrive from any port in France with passengers such passengers always come duly accredited by an Agent of the Government at the place of embarkation whose duty it is to strictly examine the credentials and passport of every passen-ger so embarking.

That he, the Consul, is furnished with an official copy of the Register, containing the name, birth place, description and occupation of every such passenger, and upon the arrival of the vessel in this port he personally examines each passport and compares the same with the register referred to.
He further states that if it be deemed ~~xxxxxxxx~~ a matter of expediency he will make the suggestion to his Government that all emigrants to California should be required to obtain the endorsement of their passports by the American Consul, at the port of embarkation, and he thinks such recommendation will be at once complied with. He also called the attention of your Committee to the orderly character and general good deportment of the present French population of California, and expressed his renewed assurances that his Government had never sanctioned the shipment to this State of any portion of their con-victed felons. He further expressed to your Committee his willingness at all times to submit such documentary evidence

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to inspection, as may come in his possession, touching the character and description of passengers arriving from France at the Port of San Francisco.
That your Committee might obtain all the information possible in regard to a subject of so much importance to our Community, they likewise waited upon Messrs Marziou Hes of this City, agents for the vessels which are to transport from France to this Country some 500. French emigrants in the course of the coming year.
Mons Matthey the representative of the house, explained to your Committee the nature and character of this extensive plan of emigration, and expressed his sincere belief that the class of passengers it comprehended would be a most valuable acquisition to our population, inasmuch as it would be chiefly composed of Mechanics, laborers, and agriculturists, who while bettering their own condition in life, would add wealth to the Country by assisting to develope its resources.
Mons Matthey informed your Committee that he had been waited upon by the French Consul in regard to this matter and that he had since written a letter, which he submitted to them, addressed, to his correspondents in France, in which he alludes to the reports in circulation here, and urges upon them the necessity and importance of ascertaining the character and standing of every emigrant passenger, and forwarding the same in anticipation of their arrival.
He further advises his correspondents of the existance of a powerful association styled the Committee of Vigilance who have combined together for the purpose of ridding this community of all disreputable characters, and who he assures them have the determination and the power to carry out their views; as an instance of which he alludes to the fact of several criminals having been executed by them in the open day, whose the authorities were powerless to interfere.

Collectors Office
Custom House, San Francisco
25 of September 1851

J Argenti Esq
Dear Sir

I beg to forward to you an extract from a letter from John L Hodge Esq U S Consul at Marseilles relative to the departure from France, and arrival here, of a class of passengers very detrimental to the interests of this country

Very Respectfully
Your Obedient Servant
Signed. J Butler King.

"Extract from a letter from Jno L Hodge Esq US Consul at Marseilles under date of 28th april 1851."
"In regard to passengers a great many are of the very worst class of desperadoes of Europe. I have reason to believe some sent at the expense of the Government. I should recommend your City Authorities to impose a heavy tax on all passengers from Europe and to suffer none to land who have not required passports from their respective Governments with the visé of the U S Consul: it may be given gratis. If you permit all to land coming from Europe your Country will be filled by a worse than Italian Banditti. A French Merchant who sent a ship to your port told me he had realized, "a very great profit on the Cargo", and mentioned to me yesterday - "I have just received letters from San Francisco, a great many malefactors had arrived-in three vessels from this Country upwards of 500 passengers some of the great desperadoes &c.
Committee J Argenti, J A Woodworth, Geo R Ward, G W Ryckman.
Report accepted & Committee discharged
It was ordered that the foregoing report should be printed

The Committee on rooms that they were presented with a pair Candelabras from Mr Cobb, and had returned one pair purchased from Messrs Gavitt &c
Report accepted & a vote of thanks to be sent to Mr Cobb
On motion of S C Woodworth
Resolved That the Secretary make a copy of the bye laws and have them posted in the rooms "Carried"

On motion of G M Garwood
Resolved That Selim C Woodworth be elected as first vice President of the Executive Committee. "Mr Woodworth was elected."

On Motion of Jas C Ward
Resolved That Mr G W Ryckman be elected as second vice President of the Executive Committe "Mr Ryckman was elected".

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On motion of Capt J J Sutton.

Resolved That the date of office of the members of the Executive Committee commence on the 17th of September. passed.

On motion of Geurge R Ward

Resolved That Mr Oakley be confirmed in the office of Sergeant at Arms. passed.

On motion of F Woodworth

Resolved That in future the hour for the meeting of the Executive Committee be at 8 o'clock. carried

On motion adjourned

Isaac Bluxome Jr

Secretary.

Minutes of Special Meeting of Executive Committee Sept 30. 1851

Mr Stephen Payran in the Chair.

Thirteen members present.

A letter was read from Col Geo R White desiring unlimited leave of absence, as he was about leaving the State. Request was granted, and a letter of thanks was given him for past services.

A communication was received from Mr G B Ryckman stating, that there was now in this City a Mexican who had committed seven murders, one of which was committed last week, and that he was about to leave the city, and desired that he be arrested.

It was decided by the Committee that they had no power to make an arrest, and after some argument Mr Ryckman withdrew the motion.

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On Motion of Mr S Payran

Resolved That a meeting of the general be called for to-morrow evening Oct 1. at 8 o'clock. passed

On motion adjourned

Isaac Bluxome Jr Secretary

Minutes of Ex Committee Sept 27. 1851. Continued.

The following Gent were elected as the Finance Committee

George R Ward — E Delaussett
E Maynard — Jas King of Wm
J J E Smiley

The following Gent were elected as the Qualification Committee

Capt Garwood — Chas E Case
G W Ryckman — Capt Hutton
Fred Woodworth

A letter was received from Mr I Adams in which he thanks the Committee for executing Stewart, Whitaker & —— & states that he thinks his life was not safe while these men lived. Ordered that the letter be placed on file.

A letter was received from Simon Heber desiring un-limited leave of absence. Granted, agreeably to the rules of Committee

A Communication was received from Mr D J Thomas Jr in which he states that there is a report that about 10 days since Mr John J McKaraher, a member of the Committee of Vigilance had been murdered at Contra Costa. And requests to Know what action the Committee will take on the subject.

It was ordered that the Communication be placed on file.

Minutes of Executive Committee San Francisco Sept 1. 1851

Mr Selim E Woodworth in the Chair.

Mr J Payran read two communications, one dated Sept 30. done dated Oct 1. from Mr E G Austin in which he declines going on with the suit of Metcalf vs Argenti Atkinson &c without sufficient remuneration.

On Motion of Capt Hutton.

The Communications were refered to a Special Committee whose duty it should be to obtain Council for Mr Atkinson provided, the charge was not over five hundred dollars, and it is ordered that the Committee shall report at a Special Meeting to be called through the Mail for to-morrow evening.

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Committee are Woodworth, I W Cartwright & J J Sutton

On Motion
Resolved That a special meeting be called for to-morrow evening at 8 o'clock through the public prss.

On Motion
Resolved That the President of this Committee write to the President of the Santa Clara Committee informing him of the change of venue in the suit against Messrs Argenti Atkinson & Als, desiring him to render what assistance he can in order to gain the suit.
passed

A Select committee from General Committee waited upon the Executive Committee and informed them that the meeting below had been called to order and desired to Know what reports, or if there were any to be made to the General committee.
The President by order of Ex Committee informed the Special Committee that they would report in 10 minutes

On Motion of J J & Smiley
Resolved That the Executive Committee recommend to the General Committee, That they give the Ex Committee power to make arrests.

On Motion adjourned
Isaac Bluxome Jr
Secretary

Minutes of Executive Committee Oct 2d 1851

Mr L Maynard in the chair

On motion of Selim & Woodworth
Resolved That in the matter of Counsel in the case Atkinson, that the whole subject be refered to special committee with power to act.
carried.

Capt Sutton withdrew from Special committee on lawyers for Mr Atkinson, and Capt A M Nagle was appointed to fill the vacancy

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On motion of J C Woodworth Esq
Mr D Argenti was added to committee for the purpose of selecting counsel for Mr Atkinson.

The Finance Committee made the following report.
The Committee of Finance of the Committee of Vigilance have great pleasure in herewith handing a report of the Treasurer which includes the payment (with a few exceptions) of all the claims upon the Committee of Vigilence up to the adjournment on the 15th of September last. which report shows a balance on hand in favor of the Committee of $230.$^{29}/_{100}$. A few claims remain unsettled and will be handed over to the Finance committee appointed under the Bye Laws adopted on the 30th ultmo for farther information.

All of which is most respectfully submitted.

signed.

George R Ward
C Maynard
E Delessert, Treasurer.

Repot accepted, and placed on file

The Committee to whom was refered the subject of selecting counsel to defend Mr J A Atkinson in the case of Metcalf vs Argenti Atkinson & Als beg leave to make the following report.

That your Committee called upon Col Weller and stated the wishes of the Committee to retain him as Counsel and desire to Know upon what terms he could be employed to defend the suit until its termination, he stated that he would with pleasure undertake the suit and inasmuch that procedings in the case might occupy much of his time and require his absence from this City for an indefinate time he would charge Eight hundred dollars and present three hundred dollars as a contribution to the funds of the Vigilance Committee.

Your Committee did not close with Col Weller but prefered to submit this matter to your hands. All of which is respectfully submitted.

signed J J Sutton
Chairman

San Francisco Oct 2. 1857

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On Motion of George R Ward Esq.
Resolved That the Sergeant at Arms receive 150. $ pr month from the 17th of September. for his services. carried

On Motion adjourned
Isaac Bluxome Jr
Secretary

Minutes of Executive Committee October 8.th 1851

Mr G W Ryckman in the Chair

A petition was presented by Mr S Payran, from Andrew Goodwin, praying the Committee of Vigilence to send to Marysville and recover her child, kept from her by force by Mr Wm Kohle.

On Motion of Mr Payran
Resolved That a copy of the petition be sent to the Committee of Vigilance of Marysville - together with a letter from this Committee, requesting them to attend to this case passed.

On Motion of Mr Selim E Woodworth
Resolved That the discussion now before the committee, (relating to Counsel for Mr Atkinson) be laid upon the table, and, that the Special Committee appointed to obtain Counsel for Mr Atkinson hold their seats until the case is disposed of. passed.

On Motion of Mr S Argenti
Resolved That the Secretary transmit a copy of the Constitution & Bye laws of the Vigilance Committee to the Committee of Vigilance of San José. passed

On Motion of S E Woodworth
Resolved That the Sergeant at Arms be allowed to attend the suit of Metcalf vs Argenti Atkinson & Ald now pending befor the Court at San José. passed.

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On Motion of
Resolved That a Standing advertisement be placed in the City papers, stating the time of Meeting of the

Executive Committee
On Motion

Resolved, That the Secretary send a Copy of the Eighth Article of the Bye laws to the absent members of this Committee And advise them that unless they shew some cause why their seats should not be declared vacant by Wednesday evening next, they will be so declared vacant - and new members elected to fill the vacancy.

On Motion of Mr G M Gairnood
It was resolved that the Secretary receive 100 $ pr month for his services
passed

On Motion Adjourned
Isaac Bunsen Jr
Secretary

Minutes of Executive Committee October 15. 1851

Mr Selim C Woodworth in the Chair

Minutes of former meeting read And Approved

A report was received from Mr J Payran (Committee of One) sent to Marysville by this Committee to recover the child of one Andrew Goodwin held from him by force by Mr & Mrs Kohle stating fortha the trouble attending and the final delivery of the child to its guardians.

A Communication was received from Mr John Parrott stating that it is impossible for him to attend the meeting of the Executive Committee and desiring that his name shall be stricken from the roll.
Accepted.

A Communication was received from Mr W D M Howard desiring that his name be stricken from the roll of the Executive Committee as it is impossible for him to attend its meetings.

The Treasurer reports that he has on hand belonging to this

Oct. 22nd

The sum of 217. 33/100 $.

The following addition ~~xxx~~ to the by laws was proposed by Mr Charles V Case.

According to provision of Section 12th of Bye laws of Executive Committee, I propose a new section to be as follows. That a fine of two dollars be imposed on absentees from all regular meetings sickness and absence from town being the only excuses

Messrs A Miller & Jas F Curtis were proposed as members of the Executive Committee by Col Jas B Stuit.

I C & Wardsworth was proposed by S W Ryckman.

Jas Murray was proposed by Jas De Voy.

On motion of S W Ryckman.

The subject relating to the filling of vacancies by election be refered to the next regular meeting.

On Motion of Mr Jas B Stuit

Resolved That this Committee take immediate steps to ascertain the whereabouts of Briggs & Oman and when found to arrest them. Carried.

On Motion of Mr Payran

Resolved That a Committee of three be appointed to wait upon Mr King the Collector of the port and get the necessary papers to search the vessels, the Bark Francis & Brig Enid &c.

On Motion

The Committee adjourned

Isaac Buyxone Jr

Secretary

Minutes of Executive Committee Oct 22. 1851

Mr Stephen Payran in the Chair.

Minutes of former meeting read and approved

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On motion of Selim E Woodworth

Resolved That the letter now in possession of this Committee from Thos Keys alias Belcher Kay directed to Stephen Whipple, be refered to a Committee of three, for further examination, and that said Committee dispose of it as they think best.

The Committee are F Argenti, S E Woodworth & S Payran

The Committee granted leave of absence to Samuel Brannan & Wm C Annan.

On Motion of F Argenti

Resolved That a Committee of five be appointed from this body, by the Chairman, to act as a Judiciary Committee, whose duty it shall be to inquire into the acts of the various Judges on our benches.

The Committee appointed are F Argenti, J F Hutton, S E Woodworth, E Delaurt, & H A Cobb.

On Motion of F Woodworth

Resolved That the Finance Committee be authorized to purchase a Safe for the use of this Committee and that the Secretary shall keep the books and papers in it, and that the Secretary and Treasurer shall each have a Key.

Mr I C & Wardsworth was elected a member of this Committee in the place of Capt W D M Howard to serve for a period of 12 months from the 17th of September last.

Mr George H Howard was elected a member of this Committee in the place of Mr I S Parrott resigned, to serve for 12 months from 17th of Sept.

A Communication was received, dated at Mokelumne Hill and signed by A B setting forth that there is one James Watkins now at work at that place, of bad character and states that he gives this information merely on account of his rascally treatment to his wife

The Communication was laid upon the table.

On motion adjourned

Isaac Buyxone Jr

Secretary.

Minutes of Special Meeting of Executive Committee Oct 27

Mr G W Ryckman in the Chair.

The Chairman stated that the meeting was called in consequence of the Death of Mr George I Bakes a member of this Committee; and the object of the meeting to call the members of the General Committee out on the day of his funeral.

Resolved — On Motion of Mr Woodworth
That a call be made through the public press for the members of the General Committee to assemble at the chambers of the Executive Committee on Wednesday morning the 29 inst to attend the funeral of Mr Geo I Bakes.

Resolved — On Motion of Mr Woodworth
That should there be one hundred members present at the Committee rooms, the banner of the committee shall be carried in the procession.

Resolved — On Motion of Mr De Cassert
That the Sergeant at Arms be directed to procure crape for the use of the members on the 29th inst.

Resolved — On motion of Capt J F Hutton
That the Members of Committee of Vigilance wear the usual badge of mourning for 30 days

Resolved — On motion of Mr De Cassert
That a Committee of conference be appointed to confer with the various committees of which Mr Bakes was a member, and to make the necessary arrangements for the procession.
The committee appointed are J W Cartwright, F C Ewer and Taylor, D J Thomas Jr

On Motion adjourned

Chas Griswold
Secretary pro tem

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October 28. 1851
There was no meeting this day, and there was not a quo-
-rum present.

Isaac Bluxome Jr
Secretary

Minutes of Executive Committee November 5. 1851

Mr E. D. Lyceman in the Chair

Minutes of former meeting read and approved

Mr Argenti as Chairman of Judiciary Committee reported that his committee were watching the course of the Judges but as yet have no report to make.

The Committee appointed to write a letter of condolence to the Mother of Mr Geo J Oakes report that they have sent a copy of the following, by the last Steamer.

San Francisco Oct 29. 1851

To Mrs Oakes

Boston

Dear Madam

In accordance with the tenor of the accompanying Resolutions passed at a Special meeting of the Executive Committee of the Committee of Vigilance, And in behalf of the Gentlemen composing that committee it becomes our melancholy duty to address you on a subject of deep and painful interest. We would extend to you as the afflicted parent of our deceased brother, George J Oakes, the Kindest sympathies of our hearts, under this mournful dispensation, and express the feelings of unmix-
-ed sorrow and regret experienced by every member of our association, for the loss of one whose many virtues had so entwined him in our affections. We can keenly appreciate the anguish of a Mothers heart under circumstan-
-ces so peculiarly painful as the present, for most of us are still blest with the holy influence of a Mothers love, though far removed from the homes of our Childhood, and we feel it will be a source of consolation to you in your

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season of grief and sorrow to learn that the dy-
-ing hour of your departed son was soothed by the
Kind attentions of warm and devoted friends, and
that the last tribute of respect was paid to his re-
-mains by a long train of mourners, comprising near-
-ly the whole busines population of San Francisco.
Our connection with your son as fellow members of
the Committee of Vigilance has been one of peculiar in-
-terest. At a time when anarchy reigned in our
community, and there was no protection for the lives
or property of our citizens from the torch of the incen-
-diary, our lamented friend was among the first to come
forward and join with his fellow citizens in the cause
of mutual safety, and though none regretted, more
sincerely than he did himself, the unfortunate necessity
which compelled us to act, none were more vigilant or
untiring in the performance of the duties which devolved
upon us. Regretting his loss, as we all sincerely do, the
pleasing duty remains to us of awarding to his memory the
true meed of praise which so justly belongs to it.
As a Merchant, he was respected for his honesty, uprright-
-ness and strict integrity. As a friend, he was beloved
for his sincerity, generosity and unwavering fidelity, and
as a citizen of San Francisco he was universally esteemed
by all who Knew him

"Green be the turf above him,
Freind of our better days:
None Knew him but to love him
None named him but to praise."

In conclusion Dear Madam, allow us to express to you
the assurances of our individual regard and estiem, and
that the Great ruler of the universe may ever watch over
protect, and comfort you, in this and all other trials and
tribulations is the fervent prayer of

Your very Obs Servants
Fredk A Woodworth
I C Woodworth
I F Hutton
In behalf of the Committee of
Vigilance of San Francisco

B. H. Bancroft Co...
Bancroft L...

On motion of F A Woodworth

Resolved That a Committee of two be appointed to waite upon the various Fire Companies and ascertain whether the Committe of Vigilance can have the use of their bells, to call the Committe together.

Committe I C & Wardsworth, G M Garwood

On motion of Capt Garwood

Resolved That Counsel be employed by this committee to defend the members of this committee in the suit of.

Metcalf vs George Mullen, F A. Woodworth, Thomas McCahill, Daniel Oakley, Charles Brinley & George C Schnerr.

On motion of I Bluxme Jr

Resolved That Mr Elisha Cook be employed by this Committee to defend the members of the Committee and that he receive $500. dollars for the defence, at the termination of the suit.

On Motion of Mr I Bluxme Jr.

Resolved That a Committee of three be appointed by the Chairman to waite upon Mr Cook informing him of his appointment As Counsel to defend the Six members now being sued by Metcalf and that he is to receive 500 dollars for the same at the termination of the suite.

The Committe are Isa DeLong, F A Woodworth and Isaac Bluxme Jr

Mr Geo R Ward desired to have the permission of this committee to state to Mr Burritt, that this committee were informed by Mr Saml Brannan that he, Judge Burritt Voluntarily tendered his services to this Committe to defend Mr Atkinsem in the suit of Metcalf vs Argenti, Atkinsen & Co gratuitously,

permission granted.

Dr A B Stout requested permission of this Committee to refer to the books & papers now on file.

Granted.

On motion of Col Hute
Resolved, That all vacancies in the Executive Committee be filled at its next regular meeting. carried

On motion of Dr A B Stout
Resolved That the bill of Mr A J Ellis against this com-
-mittee for travelling expenses to Maysville

On motion of Mr I Buxme Jr.
Resolved That the Secretary be authorised to collect the dues for November. carried

A letter was received from Mr Stephen Payson desiring to resign his seat in the Executive Committee and requests leave of absence from General Committee for six months with remittance of dues & fines.
The communication was refered to a committee of two who should waite upon Mr Payson and as-
-certain the cause of his resignation
Committee are Mr S Woodworth & Isa B Hute

The resignation of Mr Georg A Howard was re-
-ceived and accepted.

D J Thomas Jr. chairman of committee appointed to confer with corresponding committees of which Mr Oakes was a member to make the necessary arrange-
-ments for funeral procession.
Report that they met the other committees & in connection with them appointed S B Woodworth Chief Marshall of Com of Vigilance with S B Bower & Saml Taylor Esqs as aids And that they provided three horses & three scarfs for the Marshall & Aids

On Motion adjourned
Isaac Buxme Jr
Secretary.

Special Meeting of Executive Committee Nov 11. 1851

Mr G. W Ryckman in the Chair

This meeting was called together in consequence of a man by the name McGan being stabbed by one Antonio Gonzales in the Mississippi House on Long Wharf. After a patient investigation of the case it was

Resolved That Gonzales should be handed over the City Marshall as it appeared that it was a case of assault & battery with the name of the witness &c.

On Motion of Mr Argenti

Resolved That a receipt be taken for the prisoner from the Capt of Police

On Motion Adjourned

G Blaxom Jr

Secretary

Minutes of Executive Committee November 12 1851.

Mr G W Ryckman in the Chair.

Minutes of former meeting read and approved.

The Committee appointed for the purpose of procuring and ingaging Counsel to defend a suit brought by one Peter Metcalf against certain members of the Committee of Vigilance. Report. That they waited upon Mr Elisha Cook and stated the willingness of the Committee to employ him to defend the members being sued. Mr Cook undertakes to defend these suits on the terms proposed by your committee. Report accepted & placed on file.

The Committee appointed to waite upon the Firemen of the Engines companies, California & Monumental, Report. that they will willingly give their bell to the use of the Committee for calling the members together, but desire that an order be given in writing.

Report accepted & placed on file

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The resignation of Mr Wm Burling was received and accepted.

A letter was received from Mr S Payran inclosing a letter from Ernest Noble of Marysville who request that the Child taken from his house be returned or $200. for the board of it.

Communication laid upon the table

A letter was received from Mr I B Manny dated in San Francisco, setting forth that he has been robbed by one Joseph Fufts and others

Communication laid on the table.

On motion F Woodworth

Resolved, that the thanks of this committee be tendered to our late Chairman Stephen Payran Esq for his unremitting attention and untiring vigilance during the whole period of his connection with this committee and for the gentlemanly and impartial manner in which he has at all times presided over the deliberations of this body, and that a copy of the same be furnished him. carried.

On motion of Col Stone

Resolved, that no original papers shall go out of this Committee room. carried.

On motion of Mr Argenti

Resolved that the four members being sued be empowered to authorize Mr C Cook to appear for the two absent members now being sued by Metcalf and that this Committee be responsible for the acts of the special committee. carried.

On motion Col Stone

Resolved That the resignation of Mr S Payran as a member of the Executive Committee be accepted. carried

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The following Gentlemen were elected members of the Executive Committee

Mr A J Alma in place of Joseph Post 12 months
" Frank Paxton in place of A D Kinney 12 months
" W L Bromley " " " Geo H Howard 12 "
" Jas F Curtis " " " Geo J Oakes 6 "

On motion adjourned
Isaac Bluxome Jr
Secretary

Minutes of Executive Committee Nov 19. 1851

Mr G W Ryckman in the Chair.

Minutes of former meting read and approved

Messrs Frank Paxton A J Alma & James F Curtis accept their appointments on the Executive Committee.

On Motion of Mr T Woodworth.
Resolved That the article in the Sacramento Union of Nov 14 headed. "Vigilance Committee - Their Necessity & Justice" be placed on file. Passed.

On Motion of T Woodworth.
Resolved, That the Banner of the Vigilance Committee be placed in the hands of Chas Grismold Esq for safe Keeping. Carried.

On Motion of Geo R Ward.
Resolved That the Secretary be Authorized to collect the outstanding dues of this Committee.

On Motion of Chas Grismold Esq
Resolved That a Committee of three be appointed by the Chairman to select a suitable room for the meetings of the Executive Committee. The following Gent were appointed.
Messrs Chas Grismold, Jas M Swift, & T. Woodworth.

Letters were received from Messrs A J Ellis & J R Snyder

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requesting the Committee to accept their resignations as members of Vigilance Committee as they had been elected members of the Legislature of this State

Resignations were accepted

A letter was received, directed to Mr Argenti from Messrs Francis Benzi, Pablo Cabassi, & Lorenzo Saroni stating that one Alexander Biergio had been murdered by a Spaniard called Damiano and another named Peter Demitro.

Communication placed on file.

Mr. Wm Burling desired to resign from the Executive Committee as he was about to leave the State

Resignation accepted.

On motion adjourned

Isaac Blumenberg Jr
Secretary

Minutes of Special Meeting of Executive Committee Nov 25

Mr G W Ryckman in the Chair

Minutes of former meeting dispensed with

Present Messrs Ryckman, Argenti, DeLong, Dewey Darling, Dower, Delessert, Swift, Ward, Garrwood Blumenberg.

Mr Ryckman stated that the meeting had been called together on information received from Mr J Gregory that a quantity of Spurious Gold dust had been received in this City.

Mr Joseph M Gregory on being called before the Committee stated —

That he had received a quantity of bogus Gold dust from New York shipped by ~~S Rosenthal~~ Mrs Sylvester consigned to Mr S Sylvester who lives in Sacramento St between Montgomery & Kearny Streets. Mr Gregory says that he called on Mr Crozier the City Marshall and told of it. Mr Crozier took no steps to stop the.

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issue. Mr C said that there appeared a difficulty about it in proving that it was his (Sylvesters) that it might have been shipd to him from New York without his Knowledge, or that it might have been sent to him for his own use, in his business as a tinner. Mr C did not tell me to arest the party when he called for the gold dust.

On Motion of Geo R Ward

Resolved That a Committee of three be appointed by the President for the purpose of waiting upon Mr Gregory and telling him to arrest the party who shall call for the box now in his possession, and when arrested to send for the Committee

The following Gent were appointed Messrs Argenti, Delessert, & Delong.

On Motion of Geo R Ward

Mr Ry Roman was added to the Committee

On Motion Adjourned.

Isaac Stevens Jr
Secretary

Minutes of Executive Committee November 26. 1851

Mr G W Ry Roman in the Chair

Minutes of two former metings Approved.

Mr F. Woodworth, one of Committee on rooms, Stated that he had taken some trouble to select a proper room for the metings of the Executive Committee, but had not as yet confered with the balance of the Committee, and would not be able to report until next meting.

A communication was read, from Mr St Jayne President of Vigilance Committee at Hymans Ravine, dated Nov 17. 1851, in which he states that several brutal murders had been committed in his vicinity, and that one Bill Moulder, was strongly suspected of having something to do with them, and is supposed to be in or about this City.

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On motion of Mr T Woodworth

Resolved That the communications be placed on file and, that a copy be given to the Mayor of this city by the Secretary, and that the Secretary inform the Mayor that the Committee will render all the aid in their power to have the Murderer Arrested.

The Qualification Committee

Report the names of Mr De Witt C Brown in place of Stephen Payran resigned, to serve for 6 months from the 17th of Sept last, and Mr James Murray in place of Wm Burling, resigned to serve also for the term of 6 months from the 17th of last Sept. Report accepted, and the Sent men declared duly elected.

On Motion Adjourned

Isaac Bunsen Jr
Secretary.

Minutes of Executive Committee December 10. 1851

Mr Selim E Woodworth in the chair

Minutes of former meting read & approved.

On motion of Mr G R Ward

Resolved That Committee on rooms be instructed to report at the next meeting of Executive Committee

On motion of Mr G W Ryckman

Resolved That the accounts of Mr F Argenti in the case of Metcalf vs Argenti Atkinson et als be referred to Finance Committee

On motion of Mr G R Ward

Resolved That that the bill for coal of the Steamer Fire Fly be rejected, and that the Secretary be instructed to send the bill back to the owner of the boat.

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On motion of Mr G W Ryckman
Resolved That the report of the Treasurer lay on the table until there are funds in the Treasury.

On Motion of Mr James Dowes.
Resolved That in consequence of the scarcity of funds in the Treasury of the Committee, that a Committee of 6 be appointed by the Chairman to divide the City into districts and select suitable persons from the Committee to waite upon all persons residing in their district and obtain all the funds possible for the purpose of liquidating the debts of the Committee of Vigilance.
Committee are James Dowis & Isaac Bluxome Jr

On Motion of I Bluxome Jr
Resolved That a Committee of three be appointed by the President to prepare a suitable Certificate of membership to the Committee of Vigilance
Committee Mr G W Ryckman, Mr Jas Dowes & S Woodworth

On Motion of Mr I W Curtwright
Resolved That the Secretary be directed to give to Mr Wood a Copy of the Confession of Whitaker & McKenzie.

On Motion
Resolved That the suit of Metcalf vs Bluxome be referred to Committee on lawyers with power to act
Committee are Messrs DeLong, Woodworth & Bluxome

On Motion Adjourned

Isaac Bluxome Jr
Secretary

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Minutes of Executive Committee Dec 17. 1851

Mr G W Ryckman in the chair

Minutes of former meting read & approved

On motion of Mr I W Cartwright

Resolved That a committee of five be appointed by the chair-
-man to confer with Capt Ellis of Bark Callao who
was taken by force from his vessel by Mr Mc Manus & others
and ascertain whether the name of the Vigilance
Committee was used for the purpose.
Committee T. Woodworth, I W Cartwright, G R Ward
I Blayney Jr A F Tuchmacher.

Mr T Woodworth on behalf of Committee on rooms
reported that they were unable to obtain rooms in
a fire proof building at a reasonable rate and re-
-commend that the present be used for another month.

On motion of Mr D W C Brown

Resolved, that the Committee on Certificate of Membership
have futher time to report, and full power to act.

On motion of Mr Argenti.

Resolved That a member of this Committee be sent to San José
to urg upon Messrs Crosby & Tingley the necessity of
making a motion to have judgment satisfied in
the case of Metcalf vs Argenti & Ryckman et als and
not to leave San Jose until the business is finished.

On motion adjourned
Isaac Blayney Jr
Secretary.

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Minutes of Executive Committee Dec. 21. 1861

Mr E N Rychman in the Chair.

Minutes of former meting read & approved.

On Motion of Mr Delessert

Resolvd That the Secy write letters to all members of the Executive Committee who have absented themselves for three consecutive meetings, and request them to state in writing, why their seats should not be de-clared vacent.

On Motion of J C L Mandamorth

Resolvd That a Committee of three be appointed by the Presi-dent to see that the banner of the Committee of Big Ilanes be placed in the fair of the Vadies of Trinity Parish.

Committee Mr W A Thompson, C Delessert, & J J L Smiley.

J W Cartwright one of Committee appointed at last meting to enquire whether the name of the Vigilance Committee was used by Mc Manus and others in ab-ducting Capt Ellis from his Ship—

Reports that the Special committee were satisfied that the name was not used in the prosecution of this outrage

Report accepted & committee discharged.

On Motion Adjourned

Isaac Baxter Jr
Secretary

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Minutes of Execution Committee Dec 31. 1851

Mr G W Ryckman in the Chair.

Minutes of former meeting read and approved.

A letter was recived from Mr I C L Weeks Secretary of Vigilance Committee at McKelans Hill, in which he states that a man named James Campbell had murdered a Chilano named Estaban Saides, of which he was found Guilty by a jury, but had finally escaped, and desired this Committee to arrest him, should he come to this city. It was ordered that the letter be placed on file and that the Secretary answer it.

A letter was also recived from Mr Alex Kinkner desiring leave of absence for two months as he is about to leave the state for that time.

The request was granted.

On motion adjourned.

Isaac Bluxome Jr
Secretary.

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Minutes of Executive Com^t^ Jany 7th 1852

Mr Cushing in the chair

Minutes of former meeting read & approved

On motion of Mr Argenti that the Secretary be instructed to notify the members of Executive, that business of importance would be brought before them at the next meeting and to request a full attendance.

On motion adjourned

Geo R Ward
Secretary pro tem

Minutes of Executive Committee January 14. 1852

Mr Selim E Woodworth in the chair

Minutes of former meting read and approved

A letter from Mr Edward Oakes of Boston Mass was read and ordered to be placed on file.

A letter was received from No 33. setting forth the probable cause of the death of Mrs Lambert.
Ordered that the Secretary have permission to lay the matter before a Justice of the Place.

Resolved. On motion of ~~Mr D M~~ Geo R Ward
That the name of the Treasurer be signed on the left hand side of the Certificates of membership to Committee of Vigilance Carried

Resolved. On motion of S Woodworth
That the Secretary be authorized to obtain a box in

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the Post Office for the Committee of Vigilance
carried

On Motion of F Woodworth

Resolved That the Treasurer be authorized to pay the bill of Mr M Griffith of Steamer Fire Fly for coal
carried

On Motion of I C & Wadsworth

Resolved That the Secretary write to each of the members who have a subscription list to report at the next meeting and request them to exert themselves to make the amount as large as possible
Carried

On Motion of F Woodworth

Resolved That as soon as the Officers of the Committee can have the certificate ready they shall make it Known to the members, by publication in the daily papers
carried

On motion of J J & Smiley.

Resolved That a meeting of the General Committee be called and that at that meeting the proposition of adjournment Sine die be submitted.

The motion was laid on the table.

Messrs Smiley & Hutton desired that the secretary record their votes in the negative.

On Motion adjourned

Isaac Bluxome Jr
Secretary

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Minutes of Executive Committee January 21. 1852

Mr G W Ryckman in the chair.

Minutes of former meting read and approved.

A letter was received from Mr Argenti in which he requests leave of absence for 3 or 4 months granted

Leave of absence was granted to Chas L Case

Resolved On Motion of Geo R Ward
that Messrs Berford & Connor be accepted as members of the Vigilance carried

Mr Geo R Ward volunteered to make collections on Sansom St from Clay St South, in place of Chas L Case who has gone to New York

Resolved On Motion of Geo R Ward
that Certificates of membership be sent to Capts Wm R Howard, & C Hakeman on parchment, now absent at the Sandwich Islands, with appropriate letters. carried
Mr F Woodworth was appointed to correspond.

On Motion adjourned

Isaac Bluxome Jr
Secretary.

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Minutes of Executive Committee January 28. 1852

Mr Selim E. Woodworth in the Chair

Minutes of former meeting read and approved

The following Gentlemen were admitted as members of the Committee of Vigilance.

Capt. Wm Mac Michael.	Capt	Is Hunn	
Edward. C Kemble	Capt	Ottinger.	
Capt Wm W Lawrence			

Repeated

Mr Geo R Ward one of committee on collections that he with Mr I I & Smiley had collected and paid over to the Treasurer 200.$ and that there was about 100$ more subscribed, to be collected.

Report was accepted and privilege given to the committee to collect any other sums from the citizens, in any part of the city.

On Motion, a vote of thanks was given to the Gent for their untiring efforts to rid the Committee of Vigilance from debt.

Mr Fred Woodworth committee on correspondence read letters prepared for Capts Wm A Howard & Edgar Markeman "Accepted."

Mr Teligman was appointed to make collections of money on California St for the purpose of defraying the expenses of the Committee of Vigilance, in place of Mr Chas Grismold, who is sick.

Resolved

On motion of Mr Wm A White

that Messrs Selim E Woodworth & Geo R Ward be appointed a committee to wait upon Sheriff Hays, and get a Statement of the disposition of the Gaol fund and obtain a lein or other security for the citizens who subscribed their money for the completion of the building, and that said committee have full power to act.

On Motion of Mr J Bluxome Jr Mr G W Rockman

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was added to that Committee.

Mr J. Woodworth one of Committee appointed to waite upon the ~~Governor~~ Mr D'Merzion Consul, reported that he had called upon him concerning the ~~Convicts~~ Mr D'Merzion Convicts who were said to be on their way here, that the ~~Consul~~ D'Merzion showed him letter which denied the charge and showed the impossibility of it, and promised to give the Committee a copy of the letter.

On Motion of Mr J J & Smiley
Resolved That the Letter be published as soon as received. carried.

On Motion adjourned

Isaac Buxome Jr

Secretary

Minutes of Executive Committee February 4.th 1852

Mr G W Ryckman in the chair

Minutes of former meeting read and approved

Mr Geo R Ward one of Committee on French convicts, read a letter directed to Messrs D'Merzion & Co from their Government, setting forth in substance, that the emigrants from France would be the laboring classes, and that no person would be allowed to sail except he could give good references as to character.

Resolved On Motion of Mr Geo R Ward
That a communication be addressed to Mr Wm G Blake signed by the President & Secretary and under the seal of the Committee, most explicitly denying that Mr Cartwright had any authority to contract debts for the Committee of Vigilance, and also that Mr Cartwright be called upon for explanation

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On motion of Mr D W C Brown
Resolved that from and after this date the office of Sergeant at arms be abolished, and that the Secretary notify the person holding the office of this resolution.

On motion of Mr D W C Brown
Resolved that no action be taken in the case of Blake vs Cartwright until Mr Cartwright can be heard in his defence

On motion of Mr J Woodworth
Resolved that unlimited leave of absence be granted to Mr John J Bigot, and that the Secretary notify him of the fact

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Minutes of Executive Committee February 11. 1852

Mr G W Ryckman in the Chair

Minutes of former meting read and approved

a bill was presented by Mr Ryckman for Miss Reed 160 for expenses of Mr Cartwright to Columia & back for One hundred & thirty dollars
Mr Cartwright made a motion
That the Secretary address Miss Reed Hes a letter stating that Mr Cartwright had no direct authority from the Committee of Vigilance to contract debts in their name and consequently the bill is returned to them.

On motion of Mr G W Ryckman
Resolved that the secretary report at the next meting the names of the Gent who have been absent for six successive meetings.

On Motion Adjourned.

Isaac Bluxome Jr
Secretary

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Minutes of Executive Committee February 25. 1852

Mr Selim E Woodworth in the Chair.

The Committee on jail fund ~~&~~ report that they have seen Mr B F Harley Dy Sheriff and received from him a statement of the way in which the moneys given to the Sheriff for the completion of the County jail had been expended, and that a lein for the amount had been filed in the Office of the County Recorder,
the following is the Statement

James Donahue for doors & locks	275.
Blakburn & Thompson for Cement	200.
Williams & Miggs for lumber	377.
P D Headly for Cement 451.75. J P Divine mason 63.00	514.75
J P Smith Carpenter 254.00 J O Connor carpenter 130.50	384.50
W A Headle mason 134. M Brindle mason 67.	201.
Smith " 212. Merritt Walton carter 38.	250.
	$4677.28

The following Gentleman were appointed trustes for the Gaol fund. James Dows. James M Swift and Selim E Woodworth.

a bill of 30$ was presented for rent of room. ordered paid

a bill of Evining Picayune was presented, ~~and~~ ordered paid and paper discontinued

On motion of I Bluxome Jr
Resolved that a letter of condolence be sent to the friends of Capt Charles Thompson of Steamer General Warren who was lost at the mouth of Columbia River on the 28th of January, also a certificate of membership

Miss G M Garwood, Wm A White & S Woodworth request leave of absence as they are about to leave the city for the Atlantic States, until the term for which they were elected members of the Executive Committee expires.

On motion of Mr J J & Smiley.

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Resolved that the Qualification Committee report at the next meeting the names of Gent who will be willing to serve as members of the Executive Committee.

On Motion of Mr I C X Wadsworth
Resolved that the Treasurer of the Committee be ordered to pay the bills as they were contracted ~~for~~ so far as approved by the Committee.

On Motion of Mr I C X Wadsworth
Resolved that the bill of Messrs Wood & Cook for defending Mellus et als be approved and paid by the Treasurer

On Motion Adjourned
Isaac Bluxome Jr
Secretary

Minutes of Executive Committee March 3. 1852

There not being a quorum present
Mr Ward made a motion to adjourn, until Wednesday evening next the 10th inst.

Isaac Bluxome Jr
Secretary

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Minutes of Executive Committee March 13. 1852

Minutes of former meting read and approved

Mr Selim E Woodworth in the chair

On Motion of Mr Geo R Ward
The following Gentlemen were appointed as a Qualification Committee.
James C Ward James Dows
James DeVeng G W Ryckman Capt I F Sutton

Messrs A J Alma, J Panton & W A Bromley never having been present at the meting of the Executive Committee
On Motion of Mr Geo R Ward it was
Resolved that the Seats of the three named Gentlemen be declared vacant and that the Qualification Committee select three others to fill their places carried

On Motion of Mr J J C Smiley
Resolved that the Secretary call a meting of the General Committee on the evening of the 17th of the present month at ½ past 7 o'clock at the Old rooms on Batery St.
Messrs G W Ryckman, J J C Smiley & James Dows were appointed to make the necessary arrangements.

The Qualification Committee reported the names of Messrs G W Ryckman, S C Woodworth & Isaac Bluxome Jr to serve as members of the Executive Committee in the places of Messrs A J Alma J Panton & W C Bromley who were elected for One year from the 17th of September last.
The Gent were declared elected.

On Motion of Mr James F Curtis
Resolved that a certificate of membership be presented to Mr Damrin with a letter giving him leave of absence without charge

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On Motion of Jas C Ward
Resolved that a Committee be appointed to waite upon Messrs Austin & Burnett and try to effect a compromise with them in their bills against the Committee of Vigilance. Mr Jas C

Resolved that the Qualification Committee report at the next meeting the names of Gent who will be willing to serve as member of the Executive Committee.

Resolved On motion of Mr I C C Wardsworth
that the Treasurer of the Committee be ordered to pay the bills as they were contracted ~~xxx~~ so far as approved by the Committee.

Resolved On Motion of Mr I C C Wardsworth
that the bill of Messrs Wood & Cook for defending Mellus et al be approved and paid by the Treasurer

On Motion Adjourned
Isaac Bluxome Jr
Secretary

Minutes of Executive Committee March 3. 1852

There not being a quorum present
Alex Ward made a motion to adjourn, until Wednesday evening next the 10th inst.

Isaac Bluxome Jr
Secretary

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Minutes of Executive Committee March 13. 1852

Minutes of former meting read and approved

Mr Selim E Woodworth in the chair

On Motion of Mr Geo R Ward
The following Gentlemen were appointed as a Qualification Committee.

	James C Ward	James Dows
James DeVeng	G W Ryckman	Capt I F Sutton

Messrs A J Alma, F Panton & W C Bromley never having been present at the metings of the Executive Committee
On Motion of Mr Geo R Ward it was
Resolved that the Seats of the three named Gentlemen be declared vacent and that the Qualification Committee select three others to fill their places carried

On Motion of Mr J J C Smiley
Resolved that the Secretary call a meting of the General Committee on the evening of the 17th of the present month at ½ past 7 o'clock at the Old rooms on Batery St.
Messrs G W Ryckman, J J C Smiley & James Dows were appointed to make the necessary arrangements.

The Qualification Committee reported the names of Messrs G W Ryckman, S C Woodworth & Isaac Bluxome Jr to serve as members of the Executive Committee in the place of Messrs A J Alma F Panton & W C Bromley who were elected for one year from the 17th of September last.
The Gent were declared elected.

On Motion of Mr James F Curtis
Resolved that a certificate of membership be presented to Mr Lamorin with a letter giving him leave of absence without charge

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On Motion of Jas C Ward
Resolved that a Committee be appointed to waite upon Messrs Austin & Burritt and try to effect a compromise with them in their bills against the Committee of Vigilance. Mr Jas C

Ward was appointed.

Resolved

On Motion of George R Ward
that the Executive Committee report through their
Qualification Committee the names of suitable gent
to fill the vacancies occasioned by the expiring term of
the Six months members

Resolved

On Motion of Mr James F Curtis
that the office of Secretary shall cease to be an offic
of pay after the 17th of the present month.

On Motion of Mr George R Ward
Adjourned

Geo Blymond Jr
Secretary.

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Minutes of Executive Committee April 2d. 1852

Mr G. R Ryckman in the Chair

Minutes of former meeting read and approved

On Motion of Mr Geo R Ward
Resolved that Mr Garret R Ryckman be elected President of the Executive Committee for 6 months from the 17th of March last.
carried.

On Motion of Mr Geo R Ward
Resolved that Mr Selim C Woodworth be elected as 1st Vice President and Mr Eugene Delesdernier be elected as 2d Vice President of the Executive Committee
carried

On Motion
Resolved that Mr Geo R Ward be elected as Treasurer and Isaac Bluxome Jr be elected as Secretary of the Executive Committee.
carried

The following Gent were elected as a Finance Committee
Mr James Dows
" W M Ebbets
Mr J J K Smiley
E M Beebe
Mr Pulaski Jacks

The following Gent were elected as a Qualification Committee
Dr A B Stout
Mr W A Darling
Mr Jas Murray
" R S Vanmotte
Mr Chas G Scott.

On motion of Mr Selim C Woodworth.
Resolved that a Committee of three be appointed by the President to waite upon the proprietors of the Jenny Lind & American Theatres and ascertain at what price the Theatre can be had for the purpose of giving a benefit for the Committee of Vigilance
Committee S C Woodworth, E Delesdernier, W A Howard

On motion of Capt W A Howard
Resolved that Capt E Gerham to fill the vacancy of Mr Joseph

C. Scutter resigned. elected

On motion of Mr S.B. Woodworth
Resolved that the Secretary advertise the watches found on
Spires at Sonora. and that a Committee be appointed
to waite upon Mr Robert and inform him of the jewelry
found
Committee S B Woodworth J J C Smiley.

On motion of Mr J J C Smiley
Resolved that the Secretary addrss a note to John C Hays and
informing him that Messrs Jas Dows, Jas M Swift and
S.B. Woodworth were appointed a Committee and im-
-powered to have lein of Committee of Vigilance recorded
in their names

On motion adjourned

Isaac Bluxome Jr
Secretary

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Minutes of Executive Committee April 7. 1852

Mr Selim E Woodworth in the chair

Minutes of former meting read and approved

Mr Noah Ripley resigned his seat in this committee
And on motion of Mr S E Woodworth. the resignation was accepted
and Mr Chas Grismold appointed to fill the vacancy

On motion of Mr S E Woodworth
Resolved that the Secretary report to the Marshall of Sonora of the proceedings
of the committee in regard to watch & jewelry found on Spies &
others.

On motion of Mr Geo R Ward -
Resolved that the outstanding dues of ~~the~~ members be referred to com-
-mittee on finance and that the committee have full power to
settle the amounts due to committee

Resignation of Mr Pulaski Jacks received & accepted and
Secretary directed to give Mr Jacks a written leave of absence

On Motion Adjourned

Isaac Bluxome Jr

Secretary

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Minutes of Executive Committee April 15. 1852

Mr Selim E. Woodworth in the chair

Minutes of former meting read & approved

Verbal report of Theatrical Committe received & accepted.

On motion of J C & Waraworth.

Resolved that the Secretary address a letter of thanks to Mr & Mrs Thorn, Mr Maystre, Mr Smith & Madam Eleanore for the prompt manner in which they volunteed their services for the relief of the Committee of Vigilance

On motion of Mr Jas C. Ward

Resolved that the Theatrical Committee have full power to make contracts with actors &c

On Motion of Isaac Bluxome Jr

Resolved that ~~the~~ Mr Jas C Ward be appointed to fill vacancy in the Committee on Theatres caused by the absence of Capt H A Howard

On Motion of George R Ward

Resolved that the chairman!

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Minutes of Executive Committee May 5. 1852

Mr Jas C Ward in the Chair

Minutes of former meeting read and approved

One bill from San Francisco Herald for 12.$. and one from Alta California for 14.$. were presented and ordered paid.

On Motion of Mr James C Ward
Resolved that a meeting of the General Committee be called together on Wednesday evening next the 12th inst

On Motion of Mr James C Ward
Resolved that a Committe be appointed to procure a building for the ~~buildings~~ for the meeting of the General Committee and that they notify the Secretary of the place & time.
Committe Messrs Jas Dowd, Jas C Ward & M Ruddsdale

On Motion adjourned

Jas C Bluxome Jr
Secretary.

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Meeting of Executive Committee June 30. 1852

Mr G W Ryckman in the Chair.

The following resolution was passed unanimously.
That Mr E M Earle is fully authorised to receive from each member of the select Committee who were instructed to collect funds for the purpose of liquidating the debts of the Committee of Vigilance all the funds now in their hands - and to pay the same over to Mr E Cook - the Counsel employed to defend the action brought by Metcalf against the members of this body - to the amount of Five hundred dollars - and to hold the ballance in his hands subject to the order of the Executive Committee.

The above resolution was given to Mr E M Earle signed by Mr G W Ryckman & I Blumenberg.

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