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—BY—

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A LIBEL SUIT AND A TRIUMPH.

On the 15th of April, 1854, Mr. JNO. COSTIGAN, of Albany, represented to the editor of the *Albany Transcript* that an article contained in the N. Y. *Police Gazette* had greatly injured him, and he requested the editor of the *Transcript*, with whom he was upon friendly terms, to publish his vindication from the aspersions of the *Police Gazette*, which had already appeared in that paper.—Mr. CUYLER cheerfully consented, conceiving that by so doing he was doing a friend simple justice. But that friendly act involved him in a vexatious litigation of two years' standing. One week after he published COSTIGAN'S vindication, another Irishman, named THOS. REDMOND, the party against whom the allegations of Castigan were directed, requested Cuyler, as an act of justice to himself and wife, to publish two affidavits, sworn before 'Squire COLE, and setting forth the facts and circumstances of the transaction, out of which this difficulty had grown. He felt, in honor, bound to comply with the request, and without even examining the papers, excepting to note that they were properly signed, they were given in the *Transcript*. Here he hoped the matter would rest. On the contrary, however, it was but the beginning of trouble; for on the Monday following, Costigan called on him, and in a towering rage demanded satisfaction for a gross libel upon his fair fame and spotless reputation. He demanded a full retraction. Cuyler refused, and hence a suit for libel, claiming damages to the tune of $5,000! On the 28th of April the *Transcript* briefly stated the circumstances of the case, accompanied with an offer to publish certain papers when produced, and to make ample apology with their publication. For this another suit was brought by Costigan, and the same amount of damages claimed! He procured the arrest of Cuyler on a Judge's order, and he was compelled to obtain his release from "durance vile" by giving bail in the sum of $1,000! The *Transcript* says:

"These events transpired in April, 1854, and the causes were prepared as speedily as possible for trial, and placed upon the court calendar in a very short time. We have of course been compelled to attend every term of the court, with between twenty and thirty witnesses, some of them non-residents, and up to this term have been unable to procure a trial, our adversary never being prepared. Fortune at last favored us, and on Thursday the first case was called, and a jury empannelled.

"It is not our purpose to recite the evidence adduced, at this time, as we shall publish it hereafter. Our purpose now is merely to call attention to the trial itself. When the first juror was called, Judge Tremaine' Costigan's counsel, challenged him for favor, and interposed the objection that the plaintiff was a Catholic Irishman, the defendant a Know-Nothing, and the juror a member of the same organization, which he claimed was in direct hostility to the views of his client. Judge Harris at this time overruled the objection, and we wish this fact to be remembered. The trial proceeded, witnesses were examined on both sides, and after summing up of counsel, at one o'clock yesterday, the Judge commenced his charge to the jury."

The charge seems to have been an extraordinary one. The Court, it seems, ventured to give the jury its own opinion of the actions of men not on trial before it! The *Transcript* tells the rest of the story as follows:—

"Citizens having no interest in the result of this controversy, excepting so far as they may have desired the triumph of truth and justice, were dragged into the arena, their actions criticised and their motives impugned. The Judge, as we think, transcending his duty, implicated these outside parties, and in the opening of his charge, alluded to John Costigan and John McKnight as Catholic Irishmen, and the publishers of this paper as Know Nothings. There was not one word of evidence to sustain these allegations, and if there had been, it would have been untrue. *Why did the Judge refuse to allow the counsel in the outset to raise this question, and then drag it in when there was no opportunity to rebut its influence?* Why did he assume that the jurors were Know-Nothings, and being so, that they could not render a verdict for the defence, unless every point of justification was clearly established, lest their decision might be misconstrued by the public? Was this just—was this honorable? Why did his Honor assume to be the arbiter of the facts in the case, virtually claiming every point as proved by the plaintiff, and elucidating the testimony of his witnesses so as to tend to strengthen his case, and materially prejudice our rights? Why did he travel out of his way to pass upon the actions of Messrs. McKnight, Cagger, Van-Vechten, and 'Squire Cole, asserting that the three first named had acted very wrong in giving their honest opinions when called upon by the "poor Irishman," Redmond, and that 'Squire Cole had transcended his duty in issuing this warrant against Costigan, that he should have known better than to have entertained the complaint of Redmond, and that he acted very hastily in so so doing?

Why was it that his Honor so earnestly called attention to the fact that we were indemnified in the publication of the alleged libel, when the evidence proved the contrary to be true, and that if a verdict should be rendered against us, in reality it would be against another party, that we had nothing to do with it, and that in truth we would not be the losers? Can it be that he did not know such an opinion from him would, in case of a verdict for the plaintiff, tend to swell the amount of damages, and most unjustly too? In fine, why did he not confine himself to his legitimate duties, and charge the jury as to the law, leaving them to be—*as they really were and so exhibited to his Honor*—the judges of the fact? We were surprised—nay more, we were astounded, at the course pursued by Judge HARRIS.—Nor are we alone in our opinion of this extraordinary charge. We have heard but one expression from the members of the Bar, and our citizens generally, and we regret exceedingly that Judge H. should have laid himself liable to criticism, severe but just.—It was unwise and impolitic—not to say unwarranted, and when we claim that a defendant has certain sacred rights, which even a Judge should respect, however much he may differ with him in opinion, we do so from a consciousness that we have ample reason to take exception to the course pursued by him at the close of a trial, where a heavy verdict might have been rendered against us, the result of his expressions. If he was satisfied that the cause of public justice demanded that we should be saddled with a judgement claimed by the plaintiff—$5,000, or a less amount, he failed to convince the jury that his conclusions were correct. In the face of his extraordinary charge they agreed upon a verdict for the defence, in a very short time, and we venture to assert that among those most astonished at the result was his Honor himself.

We considered that justice to ourselves and those who have been unwittingly drawn into this controversy, demanded we should speak thus frankly in this matter. Although the jury protected and vindicated our rights, we could not pass ovar the affair without at least reverting to the circumstances attending it. If Judge HARRIS is satisfied, most assuredly we are.

As to the result of those libel suits, let us say, that we consider we have great cause for rejoicing. It is not only a triumph for us, but for the Press generally. If we had assailed COSTIGAN, traduced his character, and maliciously sought to injure him, we might have merited the trouble, vexation, and expense to which we have been subjected. In this instance, however, the plaintiff himself was his own assailant—called out the alleged libel upon himself—and we were as innocent of the charge preferred against us as Judge Harris. It was the right of COSTIGAN to annoy us in any way the law might sanction. He chose to do so, with what results we have already stated.

The *Transcript* of Saturday last says:—

We merely had time yesterday afternoon to announce the favorable result of the first of our libel suits with JOHN COSTIGAN, where in he claimed $5000 damages from us to repair his charac er, or place it in as good a position as before we had published the alleged libel. The jury of twelve men, perfect strangers to us, summond, to try the issue, acted promptly in their duty, and we thank them for their impartiality. Their verdict sustained us triumphantly, and gives the world to uuderstand that the Press cannot be muzzled by men of high or low degree.

Immediately upon the rendition of the verdict in the first suit the second was called. A like amount of damages was claimed ($5000,) but the Judge directed the Jury to find a verdict for us.

We congratulate our cotemporary upon this signal triumph. It teaches a good lesson, and establishes the fact that truth and justice *will* prevail over malice, persecution, and even the eccentricities that the Bench is not always free from. It is a victory of the Press, too, and one that is full of promise for the future.

STATE CANVASS—OFFICIAL.

The State Canvassers have progressed so far with their labors as to arrive at the following footings:—

SECRETARY OF STATE.	
Joel T. Headley,	148,557
Preston King,	136,698
Israel T. Hatch,	91,336
Aaron Ward,	59,353
COMPTROLLER.	
Lorenzo Burrows,	148,267
James M. Cook,	138,748
Lemuel Stetson,	101,863
Thomas B. Mitchell,	46,411
ATTORNEY-GENERAL.	
Stephen B. Cushing,	148,695
Abijah Mann, Jr.,	136,337
Samuel J. Tilden,	101,369
Jo5iah Sutherland,	44,357
STATE ENGINEER AND SURVEYOR.	
Silas Seymour,	137,608
George Geddes,	131,716
John B. Jervis,	88,290
John D. Fay,	56,293
CANAL COMMISSIONER.	
Samuel S. Whallon,	147,461
Daniel H. Bissell,	135,918
Curtis Hawley,	90,005
Frederick Follett,	60,974
TREASURER.	
Stephen Clark,	148,778
Alexander B. Williams,	136,696
Ariel S. Thurston,	91,871
Joseph M. Lyon,	57,910
INSPECTOR OF STATE PRISON.	
William A. Russell,	148,875
Wesley Bailey,	136,993
Patrick H. Agan,	100,702
Darius Clark,	48,332
JUDGES COURT OF APPEALS.	
William W. Campbell,	141,514
Bradford R. Wood,	134,353
Samuel L. Selden,	151,632
George F. Comstock,	140,299
Joseph Mullin,	132,049
Nicholas Hill, Jr.,	106,511
John Willard,	140,772

The difference between the footings for Mr. Seymour, for State Engineer and Surveyor, and the rest of the American ticket, is accounted for by the fact that the returns from the several counties are erroneously returned, being for "Engineer," "State Engineer" &c., by which means, Mr. Seymour is deprived of some six or eight thousand votes.

ALL SORTS OF ITEMS.

——A boy named Theodore Green, at Addison, Steuben county, had his hand split in two, by the wheel of a freight train, while engaged in putting a cent on the rail for the fun of seeing it flattened.

——The Salem, Massachusetts, *Register*, says the last thanksgiving, witnessed the reunion of the family of Benj. Cox, Esq., of that place, for the *seventy-second consecutive time in the same room.*

——Two boys aged fourteen and sixteen years fought a duel in Baltimore, a few days since. Both were slightly—not dangerously injured.

"I WILL TRY."—Col. Samuel Miller, of the U. S. Marine Corps, whose response, "I will try," to an enquiry from his commanding officer whether he could take a certain battery, during the last war with England, has passed into a proverb, was gathered to his fathers, at Philadelphia, on Sunday, having reached the ripe old age of eighty-one years.

——Prentice, of the Louisville Journal, has received from his friends a new overcoat. He is as enthusiastic about it as a boy in his first boots, and says: "It fits us as well as if we had been melted and poured into it."

A YANKEE POPE.—As an additional inducement for Americans to subscribe money to send over to Rome, to help build a college there, the organ of the most Rev. gives out, as if by "authority," that

"The day may even come when *an American will wield the double sceptre, seated on the Seven Hills*, and the fact be merely noted as an item by the historian, that one—the first —of a new nationality, and from the New World, succeeded in the order of that per fect and unbroken and Apostolic line which reaches to, and was founded on "PETER."—

[When it comes to that, "Sam" (perhaps) may be permitted to run as the opposition candidate."

ABOUT A PIKE.—The man who doesn't know a Pike from a pike-staff, is badly off indeed. We are not one of that sort.—When our old friend FRED. LAMB, of Fosterville, entered our office yesterday with a Pike that he caught himself, and that weighed about nine pounds plump, we recognized the "critter" at once. Our friends will be pleased to credit this astounding fact, though, truth to say, it is a mere "fish story."

Neighbor LAMB and a friend of his *netted* at least 100 lbs. of pike, pickerel, &c., in the Seneca river, not far from Montezuma, on Saturday night, at two hauls of their seine —and this of our's was one of the in-seine specimens that they caught. Though it's rather a scaly way to treat us, yet we assure neighbor LAMB, and all other "enquiring friends," that we never! no never!!" resent such treatment.

☞ Greeley and Seward, it is said, have fallen out," at Washington.—*Register.*

"Fallen out" of what? Out of the cab that the "Republican Party rides up and down Pennsylvania Avenue in, at Washington?—If so, "oh! what a fall was there, my countrymen!"

ARRIVAL OF THE EMPIRE CITY—$1,500,000 IN TREASURE.

The Empire City arrived at her dock at New York yesterday morning. She has been inside the bar with pilot aboard for 48 hours. She left Aspinwall at midnight, Dec. 6th. She brings $1,500,000 in treasure, brought down by the John L. Stevens. The 'atter boat spoke, 3d inst., the steamer Sonora, bound up with the New York passengers of the 20th November, all well.

Nothing important from the Isthmus.

Business at Valparaiso improving, Flour $11,50 to $13; full stock.

Ship Simoda and bark Milford from New York and ship Lawrence from Boston, had arrived; also three new Peruvian war steamers from England. It was reported that Arequiro and some of the Southern cities had declared in favor of Gen. Vivanco.

The revolutionary movements in Bolivia under Alvela, had been put down.

CONGRESS.

Washington, Dec. 17.—In the Senate nothing important.

HOUSE.—Mr. Dunn, of Indiana, made a personal explanation touching certain strictures on his course published in the N. Y. *Tribune*, intimating that he was not to be driven from his position by any outside pressure. But he was still ready as he had always been, to acquiesce in the course of the anti-Nebraska men whenever they came together, and surrendering all local and personal predelictions, agreed to stand on equal terms.

The trouble thus far has been that Cæsar has a part and Anthony a part, but some none. Certain gentlemen had stood aloof and the ballotings would show who and where they were.

FUN AT WASHINGTON.

We find the following good jokes in the Washington correspondence of the N. Y. *Times*:—

A WITTY METHOD OF MAKING A SPEAKER.

Hon. GEO. S. HOUSTON, of Alabama, is a jolly wag, as good natured as he is honest and sensible. The other day, after several votes for Speaker had been taken, without effect, Houston crossed the Representative Hall to the seat of the member from the Utica district, when the following dialogue ensued:

Mr. Houston—Matteson, don't you know how to make a Speaker?

Mr. Matteson—No! do you?

Mr. Houston—Well, I can tell you.

Mr. Matteson—For Heaven's sake do, then, Houston.

Mr. Houston—Why, *let the Banks suspend!* [An explosisn occurred just here,]

TWO DROMIOS—A RICH JOKE.

When your laugh is out over that specimen of pure wit, here's another "good one." Our host of Guy's National Hotel is thought by some to bear a striking personal resemblance to Gen. CASS—*how* stiiking you may judge when I am done. A stranger, who supposed he knew mine host very well, put up at the National the other night. Since this house has become the crack hotel at the Capital it is quite full all the time, and the new comer was necessarily, for the first night, sent to the upper floor to sleep.—Coming down stairs in the morning, a little cross, he met Gen. CASS (who has a fine suite of rooms here) in the hall, stepped up to him, and in language nore forcible and rapid than elegant said; "Mr. GUY, I'll be —— if I'll stand it! You've put me at the top of the house! I must have a room somewhere lower down."

General CASS, (interposing, and nervously) —Sir, you are mistaken in the person you address. *I am General* CASS, *of Michigan.*

STRANGER, (confusedly)—Beg your pardon, General CASS—thought it was my old friend GUY. Beg a thousand pardons, Sir, All a mistake, I assure you, Sir."

The General passed out of the building, but soon returned, and as luck would have it, the stranger met him at full face again, but in another position. This time he was sure he had mine host, for the Senator from Michigan he *knew* had just gone out. So Stranger stepped boldly up, slapped the General heartily and familiarly on the shoulder, exclaiming: "By heavens, GUY, I've got a rich sell to relate. I met old CASS up stairs, just now, thought it was you, and began cursing him about my room.

General CASS, (with emphasis) Well! *young* man, *you've met "old* CASS" *again!*

Stranger sloped, and hasn't been heard of since.

AN EDITORIAL DONATION PARTY is among the novelties of this "day and generation"—and it ain't an ugly sort of a novelty, either. It the Buffalo Commercial Advertiser we find a "special notice," from which we make the following extract:

"The friends and patrons of the Rev. J. E. Robie, editor of the Buffalo *Christian Advocate*, propose to make him a visit at Townsend Hall, on Friday evening, the 21st inst. Among the generous expressions of their appreciation of his valuable services in the cause of morality and Truth, it is proposed to present him with an *entire new dress* for his journal, the 7th vol. of which commences on the 1st day of January next."

This notice is signed by one hundred of the prominent citizens of Buffalo.

The Rochester *Am.* says:

"Mr. Robie *wins* friends wherever he may go, by his gentlemanly bearing, his editorial courtesy and his Christian character. May he live long, and be annually visited with a similar dispensation."

ROMANISM ON RANDALL'S ISLAND.—We have before referred to the covert introduction of the forms of Roman Catholic worship at the Orphan Nursery at Randall's Island, New York. It appears that the Governors had an exciting meeting on the subject on Thursday evening. It was shown that Mr. West, the Warden, had caused the establishment of an altar in the attic of the cook house; and a resolution was passed ordering its removal, no sectarian religious services being permitted, under the rules, within the establishment.

AMERICANS READ THIS!—From a list of persons holding office of trust and pecuniary profit, made out by the Secretary of State at Washington, it appears that there are 1,552 Custom House officers; only 212 of whom are Americans! the balance are foreigners. Other officers may be calculated at 15 Foreigners to 1 American.

	Americans.	Foreigners.
Light House Inspectors,	31	406
Post Office Department,	14	206
United States Consuls,	68	284
United States Mint,	16	84
	130	980

KILLED ON THE RAILROAD.—A shocking accident happened at Fonda on Friday night Patrick Kenney, boatman, in the employ of Mr. S. Farrell at the Little Basin, was run over by a freight train and literally cut to pieces. It is not known how the accident occurred, whether he was crossing the track, or attempting to get on the train. The first known of the accident was by the jolting of the cars crushing up his body. He was a single man, and resided in Albany.

IMPORTANT FROM KANSAS.—Dates from Lawrence to the 4th inst., state that Gov. Shannon has declared his purpose to compel the people of Lawrence to surrender the men whom the Sheriff has tried in vain to arrest.

He is enrolling under the name of Kansas militia, a force made up entirely of Missouri invaders. It is stated that an attempt was made on the 6th to *seize all the Sharp's rifles in Lawrence*, and no doubt was entertained that any such attempt would lead to a bloody collision.

WEDNESDAY, DECEMBER 19, 1855.

FROM WASHINGTON.

There is no Speaker yet! and no prospect of there being one soon. The regular Washington correspondent of the New York *Express* telegraphs under date of the 18th—yesterday—as follows:—

"There is no probable contingency, I think, in which the Northern Americans will vote for Richardson, as stated by some of the Fusion correspondents."

The Editors of the *Union* were selected as Printers for the Senate by a vote of 15. The attendance was small.

Some debate was had in the House yesterday on "matters and things in general."—Mr. JONES, of Pennsylvania, said "Know-Nothingism" in that State was perfectly synonymous with Free-Soilism.

On the 64th ballot, taken yesterday, the vote stood as follows:—Banks, 106; Richardson, 73; Fuller, 38—the rest scattering. The House then adjourned, but not without varying the proceedings by a spirited debate on the novel proposition of Mr. MCMULLEN to elect a temporary Speaker long enough to pass the General Appropriation bills, and then resign, and go back to their constituents. This was tabled, of course, and things remained just as they were. The responsibility of the disorganization rests with the honorable members who are included under the head of "Scattering."

☞ In the House of Representatives on Saturday, there was a warm debate. Mr. English, of Indiana, dwelt sneeringly upon the sentiment of "Americans ruling America." Mr. Dunn, of the same State, pertinently inquired, "*If Americans shall not rule America, I want my colleague to tell me who shall.*" There was no response, and there was a general acquiescence in the force of the inquiry.

☞ Of 80,000 horses sent to the Black Sea, by France, only 10,000 remain. The other 70,000 either perished in battle or through exposure, fatigue and neglect. The average cost was about $100 each, and about as much more to convey them to the Crimea. Thus the French Government has lost in horses above *fourteen millions* of dollars, since the commencement of the war.

NEW PUBLICATIONS.

Practical American Cookery and Domestic Economy.

This is the title of a work valuable to houskeepers, cooks and domestic economists. It is compiled by ELIZABETH M. HALL, and is handsomely published by MILLER, ORTON & MULLIGAN, of this city. The book is illustrated, and contains a great number of carefully selected and well-arranged Recipes for the preparation of a vast variety of "good things." We should judge it to be one of the best manuals of its class that have been published in this country. For sale at WILLIAMS', and the other book stores.

The Homestead on the Hillside, and Other Tales.

This is a charming work from the pen of Mrs. MARY J. HOLMES, published this day by MILLER, ORTON & MULLIGAN, in their usually elegant and attractive style. The reputation of the authoress is a sufficient guarantee of the excellence of this her last work. She always writes well and correctly. Her "Tempest and Sunshine" was a capital work, and is very popular.

THE STATE LOAN.

The proposals for the $4,500,000 State Loan were opened at 12 o'clock yesterday, at Albany, and they exceeded by $1,678,500 the amount advertised for. The awards, with the rate of premium, ranged from 100.15 to 103 per cent.

The loans for which this is a substitute, were made in 1838 and 1839; of which for $500,000 a premium was received of 26-100ths per cent; $500-000 for which a premium was received of 75 100th per cent., and the residue ($3,000,000,) was awarded at par.

☞ Two Germans committed suicide in New York on Friday. One was named Frederick Zehner, and hung himself in prison, where he was confined on charge of an assault upon his wife. The other was unknown, and probably committed the act from destitution.

STATISTICS OF CINCINNATI, OHIO.—The following statement shows to a good advantage the trade and commerce of the great city of the Ohio valley. The annual value of its manufactures is $52,109,374. Its imports annually are valued at $75,000,000, and its exports at $60,000,000. There are six thousand miles of railway now diverging from the city and four thousand miles under construction.

☞ The New York State Canal Loan, Five per cents, redeemable in 1874, $4,500,-000, was to be awarded by the Board of Canal Commissioners at 12 o'clock, noon, to-day at Albany. - As $2,250,000 of the 5 per cents maturing 1st of January are held in the Bank Department, the competition for the new Stock is expected to be spirited from the interior bankers, as well as from Albany and New York parties, on speculation.

THE MURDER CASE IN WORCESTER COUNTY, MASS.—The jury in the case of George Stacy, charged with the murder of Mrs. Sarah K. Phinney, before the Supreme Court, in Worcester, brought in a verdict of not uilty .He was also discharged on the other indictment against him for the murder of Iiss Kneeland.

A GIGANTIC CONCERT.—A Paris letter thus desbribes a concert on a gigantic scale, which was to take place on the Plain of the Great Exhibition on the 16th ultimo:

The orchestra is to be composed of 120 violins, 45 altos, 40 violincellos, 30 basses, and upwards of 200 wind instruments, besides a chorus of 500 voices, of which 230 are male tenors and bases, 200 female, and 70 young choristers. All the harpists in Paris have been put in requisition, and proving insufficient, a dozen more are coming over from London; several musical deputations from various countries are to join this musical festival, the most considerable of whom is that from Brussels, sent by M. Fetes.

"Is a Know Nothing fit to Sit on a Jury?"

The Albany Journal is discussing this important question. We would suggest (says the Troy Whig) it be referred to Gov. Clark and Chambers. If they can't agree, let them call in Ambrose L. Jordan, the Journal's candidate for Supreme Court Justice. The distinction these politicians attained as Know Nothings—every one of them achieving the "third degree"—will give their decision great weight. Send the case to those gentlemen as "Referees."

For the Auburn Daily American.

THE CASE OF KAVANAGH.

MR. EDITOR.—Though, as I am sorry to observe from occasional intimations in your paper, you are under the influence of that short sighted philanthropy which loves murderers more than it loves quiet and peaceable citizens, yet I presume you will admit a few words of remark in regard to Gov. Clark's reasons for commuting the sentence of Kavanagh to imprisonment for life. The reasons are that perhaps Kavanagh did not commit the murder, though Judge Allen, who tried him, and the Jury who examined the testimony under oath, were satisfied that he did. But I am not going to argue the question of his guilt or innocence—I take it he was either guilty or innocent. If he committed the murder, he deserves hanging and nothing less, under the laws of this State.—If he did not commit the murder nor had any hand in it, he deserves nopunishment whatever. It should be one thing or the other.

But Gov. Clark thinks he did not perhaps commit the murder nor have anything to do with it, and therefore sends him to the State prison for life. What outrageous nonsense and cruelty! Mark, that the evidence referred to by Gov. Clark does not go to show that Kavanagh was a secondary accomplice in the affair, nor that he committed the act under provocation, sudden excitement, liquor madness, &c., or any of the ordinary extenuating circumstances; but that he *did not commit it at all.* He will not hang him therefore, but he sends him to the State prison for life. That is, Gov. Clark dooms a man to wear out the rest of his days in a dungeon, not because he committed any crime, for Gov. Clark thinks on the whole he did not, but because he perhaps *might* have done it. If Gov. Clark did not deserve burning in effigy by the citizens of Lewis county for arresting Kavanagh, he certainly deserves it a hundred fold for such absurd justice as this.

I ask your attention to this case just as a sample of the wretched trifling with law and public safety now so common—A ruffian is arrested for a murder. The Judge,(a man of the highest character and qualifications, for instance, like Judge Allen,) is satisfied of his guilt and charges strongly against him. The Jury under oath find him guilty. In due course of law it only remains for him to have the earth rid of his abhorred presence by the rope of the hangman.

But now comes all the array of argument, entreaty, money and tears to rob the gallows of its victim. Every string is pulled—Judge, jury, witnesses, sheriff, &c., are besieged with incessant importunities. The Jury, though they found the man guilty under oath, have never sworn not to apply for his pardon. They, therefore, put their names to the paper, and leave the responsibility with the Governor. The Sheriff, perhaps, for a suitable consideration, joins in the request. The Judge, if a man of sense like Judge Allen, admits that the prisoner may "by possibility" be innocent, but is so thoroughly convinced of his guilt as to refuse to interfere. The Governor—if a man with a soft head and a hard heart—thinks the man cannot be guilty when so many respectable parties intercede in his favor, and then deliberately sends him to the State Prison for life. Such is the infamous farce played in the absurd name of justice, until it has come to this, that if a man will only abstain from committing murder under such circumstances of outrage as to arouse the community to take bloody vengence on the spot, he may kill at his discretion, and snap his fingers at the laws. If this process of things continues may it not come to be a question if it is not best to dispense with the whole humbug of Judges, Juries, &c., and leave each man's right arm to guard his own head and avenge his own wrongs. Since under these circumstances I am coming to have a profound respect for that ancient legislator, who had a pretty decided sympathy for public and private rights, and thought there were worse evils than hanging such as made it their business to infringe them, I do not hesitate to subscribe myself your obedient servant,

DRACO.

From Kansas.

The New York *Times* of yesterday published a quantity of very interesting letters from Kansas. No attack had, as yet, been make upon Lawrence, but the excitement among the people was, if any thing, on the increase. One of the correspondents gives a graphic description of the invaders' camp, which, it is alleged, contains a thousand armed men, who are loud in their threats against the "Abolition City," as Lawrence is called. The citizens of Lawrence have been making no great preparations to meet the mob, whose blustering, indeed, they treat with proper contempt. They are simply on the defensive, and will resist. The Missourians, it seems, have dispatched their ultimatum, but with all their fierce display of power and pretension, they will never be able to bully the Free-State men of Kansas into submission. A public meeting has been held in Lawrence, at which the representations and excuses made by GOV. SHANNON, for calling out the militia, were declared to be wholly false.

BROCKPORT COLLEGIATE INSTITUTE.—We learn, says the *Rural New Yorker*, that Mr. A. J. ENSIGN, an excellent scholar, and late graduate of the Rochester University, is to succeed Mr. STANTON (appointed Deputy Secretary of State) as principal of this institution. Though a young man, Mr. E. is eminently qualified for the position.

TERRIBLE CHARGE!—An exchange paper says a clergyman of Rome, N. Y., has been indicted for "*gross immortality!*" Poor man!

A BRACE OF BULLS.—The following advertisement appeared in an Irish paper:

"Whreas, John Hall has fraudulently taken several articles of wearing apparel *without my knowledge*, this is therefore to inform him that if he does not forthwith return the same *his name shall be made public.*"

COMPLIMENT.—The *Advertiser* says "what we do not know is not worth knowing."—'Tain't every "Know Nothing" that knows half as much! Wouldn't you like to be one of 'em, Brother PECK? Oh! how queer you *would* feel though!

—We want to return your compliment, some way or other. How shall we do it? Ah! "there's the rub!" Well, here goes!

What you *do* know is not worth anybody's knowing!

Are we even now?

☞ Somebody has discovered that quartz is porous. Is this a *bona fide* "discovery?" Why should not quarts be pourous?

From the Cincinnati Times.

THE ABDUCTION OF MARIA DENNISON.

The Girl's own Statement

DISHONORABLE CONDUCT OF PRIESTS, SISTERS, AND DOMESTICS.

A Police Officer Implicated!

We stated yesterday that an orphan girl, named Maria Dennison, adopted into the family of Dr. Hamlin, had been enticed from her home and secreted from her friends, by the consent, if not by the authority, of certain Roman Catholic priests of this city; and that the custody of the girl was only obtained through the energy and firmness of Dr. Hamlin. We this morning had a conversation with the girl, and find that the case possesses more than usual interest, and we lay the whole facts before the public, that they may judge rightfully of the matter, and see what means Jesuitism will resort to, to carry out its ends.

The girl is about twelve years of age, of an amiable disposition and industrious habits. She was met by the lady of Dr. Hamlin, while on a visit to her relatives in the East, last summer, who was so pleased with her in her unfortunate condition, brought her home with the intention of properly raising and educating her. The girl had been in the city just seven weeks when she was induced to desert her benevolent protector and protectress. Her statement, made candidly and without hesitation to us this morning, is in substance as follows:

In the family of Dr. Hamlin was an Irish Catholic servant girl named Sarah Halleren. As soon as she became acquainted with Maria, she enquired of her as to her religious faith, and finding that she was a Protestant, took every opportunity, to convince her that it would be better for her to be a Catholic. Getting the girl to promise secrecy, she told her, that if she would leave the Doctor, and go and live with the Sisters, she would be in a much better condition—that the Sisters would clothe her like a lady, give her the best to eat, &c.

This Irish girl was often visited by another, named Mary Burke, who united with her in the effort to persuade Maria to go and live with the Sisters. The girl, dazzled by the description of Catholic life given her time and again by these two Irish domestics, finally consented to go and be baptized at the Jesuit church on Sycamore street, provided the act was kept secret from Mr. and Mrs. Hamlin, to whom she had become very much attached, and who, she was afraid, would be offended if they knew it.

To prevent suspicion, Mary Burke, was to call for her on Sunday afternoon, and accompany her to the priest. She called promptly, but that afternoon Maria could not go.

The next Sabbath morning she was prepared for baptism at the house of Dr. Hamlin, by these two girls, and then sent to her protrectress with a lie in her mouth, viz: that she was going to attend service at the Rev. Dr. Fisher's church. She left the house by herself, but was over taken by the other girls and conducted to the Jesuit Church. There she was baptized, Mary Burke, and her brother "standing up" with her, and the ceremony being witnessed by Sarah Halleren and others. She was pleased with the cermony.

After she was baptized, she expressed a wish to return to Dr. Hamlin's. The priest told her she must not do that, as the family would give her no peace and would, in all probability, send her to the House of Refuge. This frightened her some what, and she consented to do as they bid her, as Mrs. McGowan, who was present, declared that the "darlin'" should not go to the "heretics," and that she would take care of her until arrangements could be made to take her out to the Sisters.

This woman accordingly took her to her house situated in the lower part of Elm street, where she stopped all night. *Mrs. McGowan, is the mother-in-law of Watchman Cassiday, who was present and knew what was going on!* He was angry at Mrs. McGowan for bringing the girl to the house, but told her (the girl) that he was glad she was going to such a nice place as the Sisters!

On Monday morning Mrs. McGowan took the girl to "Father Purcell," who gave them a permit to the Cumminsville Institution of the Sisters. They returned to the house, where an omnibus called for them, into which the girl was helped by watchman Cassidy. From there they went to Cumminsville, where the girl was placed in charge of "Sister Antony."

Here we will stop in the girl's narative to state a few other facts. Dr. Hamlen's servant was questioned in regard to the girl's absence, and she averred most solemnly that she had not seen her since she dressed that morning. A notice of the disappearance of the girl, with a description of her dress, etc., was read to the police shortly after it occurred, yet this watchman refrained from giving the information he possessed.

Maria states that she was kindly treated by "Sister Antony," who learnt her prayers, and told her that she thought that by Christmas she would be prepared to attend confession. After that they would try to get her some good plaee to "live out" with a Catholic family, which last statement dissipated all the golden anticipations the girl had formed, and which she expected to derive from her being a Catholic.

After Maria had been at Cumminsville some days, Sister Antony told her that the newspapers were making a fuss about her disappearance, and as the priest who had baptized her might get into trouble she thought it for her to be brought to the city.

She was accordingly disguisep and brought to the city by one of the Sisters, and taken to the establishment on the corner of Third and Plum, where she was kept all night.—The next morning she was conducted by the Sister to the priest, and a consultation was had. The priest said the fears of the Sisters were groundless, as there could be no trouble if the girl was kept secreted at Cumminsville untill the agair blew over. He was not afraid of trouble.

He advised them to get her clothes the best way they could, and return as soon as possible.

They next visited Father Purcell, who proposed that Mrs. Hamlin's shawl, which Maria had worn away, should be returned, and the girl's clothes demanded. Mrs. McGowan was selected to do this business.—Maria accompanied this woman to Fourth street, showed her the doctor's house, and waited on the adjoining corner until she performed her errand, which was unsuccessful.

They returned to Father Purcell, when it was agreed that a stout Irishman named Doley, who was present, should accompany the girl herself to Dr. Hamlin's that Maria should tell them that she preferred staying among the Catholics, and should demand her clothing, and that Doley should insist on her demands being immediately acquiesced in.

She accordingly accompanied the burly Hibernian to the doctor's residence, and happened to meet at the door both the doctor and his lady. Mrs. Hamlin was rejoiced to again meet the girl, for whom she had formed an affection, and her demonstrations of joy so affected the orphan girl, that forgetting the fears which had been impressed upon her about the House of Refuge, she declared her wish to stay with them.

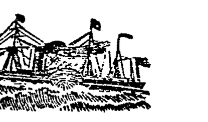
Her Irish attendant thereupon became saucy and impudent, and tried to force the girl to accompany him back. He was first invited to leave the house, which he refused to do, when he was forcibly ejected in no very pleasant manner.

The treacherous lying domestic was dismissed as soon as her connection with the matter was known, and Maria is again happy with her best friends.

Much credit is due Mr. Hamlin, for his perseverance in reclaiming the girl. After he had once got an inkling of her whereabouts, he used every means to again get possession of her, and will retain her, at all hazards.

There are many little circumstances in the case, in addition to what we have mentioned which we cannot mention to-day, which show how priests will not only justify but dictate loing, stealing and other sins, that they may get an innocent girl within the pale of their Church.

ONE WEEK LATER FROM EUROPE.



ARRIVAL OF THE STEAMER ASIA.

HALIFAX, Dec. 18.

The Royal Mail Steamship Asia, Capt. Lott, arrived at this port this forenoon. Her dates from Liverpool are to Saturday, the 8th instant, one week later than those received by the Baltic at New York. The Asia will be due at Boston on Wednesday afternoon, and she may possibly reach her dock in season for her mails to be in New York that night.

There is no feature of special importance in the week's news.

In the Crimea matters were in the same position at last accounts, and from Asia there is no additional intelligence of importance.

Peace rumors were quite abundant, but beyond the circumstantial manner in which they were related there was nothing to indicate that they were founded upon fact.—Upon the strength of them however an advance in consols had taken place.

COMMERCIAL INTELLIGENCE.—Liverpool Cotton Market.—Brown, Shipley & Co. report a steady and unchanged market, as compared with the quotations advised by the Baltic. The week's business aggregated about 50,000 bales, including 11,000 bales taken by speculators and exporters.

The same firm say that Breadstuffs were generally quiet, with but little speculative demand; they quote Western Canal Flour at 42s 6d.

Provisions were quiet, and there had been no change of moment in the quotations of the previous week.

The weather has been favorable for agricultural purposes.

Consols closed to 70 9 8, and the bullion in bank of England had increased to the extent of 87,000 pounds sterling.

FROM HAVANA.

New York, Dec. 18.—The steamship Cahawba from Havana 12 inst, arrived last night. There was no news of importance.—News had been received from Mexico to the effect that European diplomatists were steadily pursuing a course of action designed to add to the executive and political difficulties of that country. The sugar market was active.

Freights were dull.

Health of Havana good.

Our correspondent at Curacoa, writing on the 19th ult., states that a drought of two months duration had seriously effected the salt yield of the Island. Vesssls arriving from ports in Venezuela were subject to quarantine in consequence of prevalence of cholera.

The misunderstanding between the merchants and the U. S. Consular agent still continued.

GEORGIA LEGISLATURE—ARMS STOLEN, &c.

In the Georgia Senate on Friday a resolution was introduced for appropriating $100,-000 to aid southern men to emigrate to Kansas, as an offset to northern emigration.

A large quantity of arms were recently stolen from the Harrisburgh, Penn., Arsenal, and sent to this city, where it is supposed they were to be sold to Fillibusters, to be used in Nicaragua. The arms have been recovered, and certain parties who were concerned in the robbery arrested.

Edward P. Barnes, a clerk in the employ of D. G. & W. B. Bacon, arrested yesterday on a charge of having forged his employers' names to the amount of $6,000. He had drawn that amount in gold from the Phœnix Bank, and was just on the point of leaving the city when arrested.

Washington, Dec. 17.—The Senate caucus to day nominated Nicholson for Printer.—Only eighteen Senators were present, part of whom went out, refusing to concur.

Iveson's platform resolutions were put to rest in the arms of a committee.

It looks to night as though the plurality resolution would be adopted to morrow, and Banks Speaker.

Maj. and Brevet Col. Montgomery has been sentenced by a Court Martial to be dismissed from the service for his participation, while commanding at Fort Riley, Territory of Kansas, in the arrangements for conveying a part of the military reserve there into Pawnee City, in which Gov. Reeder was concerned, and at which he summoned the Legislature of Kansas to meet.

NEWS FROM MEXICO.

Baltimore, Dec. 18.—New Orleans dates of Tuesday and Wednesday, are received here. Advices from Mexico to the 8th, contained the New Orleans papers, represent the country to be in a condition worse than ever. Pronunciamentos, robberies, and dis orders of all kinds are prevailing every where.

The Ministry was dissolved on the 6th—Comonfort had also abandoned Alvarez, and the latter would return to the South.

Another account, however, denies that any Ministerial crisis had occurred.

WISCONSIN STATE ELECTION.

Milwaukie, Dec. 17.—The State Board of Canvassers at Madison, to day, declared Barstow, democrat, re-elected Governor of Wisconsin by one hundred and fifty-nine majority. There is much excitement concerning it, and his election will be contested.

IMPORTANT DECISION.

New Orleans, December 17.—In the U. S. Supreme Court this morning a decision was given in the Mrs. Gaines' case, reversing the decision of the Second District Court, and decreeing that Daniel Clark's Will of 1813, shall be probated, and Mrs. Gaines be put in possession of the immense estates left by him.

FIRE.

Louisville, Dec. 18.—The printing offices of the Memphis Appeal, and the Eagle and Enquirer were entirely destroyed by fire on Saturday, together with all the stock. The office of the Whig was considerable damaged.

A FEMALE FIEND.—The Buffalo *Republic* chronicles the following case of fiendish depravity:—

Officer Geo. Werle brought up this morning Ellen Hayden, a large heavy woman of about forty years of age. She keeps a grocery on Ohio street, near the toll bridge.—She was charged with scalding a child intentionally, by pouring boiling hot water down the back of the childs neck. The child injured, a pretty girl named Katharine McCarty, swore that she with other girls, were playing near the back door of Ellen Hayden—that she (Ellen) was intoxicated, and told them to go away; that they did not go away, when Ellen Hayden threw hot water on them, scalding Catharine severely all over her back. The woman, Ellen Hayden, said in justification that she did not do it purposely, and was very ugly in court.—The Justice thought otherwise, and inflicted, as a punishment a fine of $50, which she paid and went off.

☞ The Hon. HORACE MANN recently said that a Miser would pinch a dime until he made the eagle on it scream. Now there is no eagle on a dime!

IMPORTANT.—Dr. Dobbs has extracted a powerful tonic from sausages, containing the strength of the original *bark!* He christens it "*Sulphate of Canine.*"

DANDELION COFFEE.—We are indebted to Dr. DODGE for a box of this new and valuable preparation, manufactured by W. Gillies & Bros., New York. It is not only an excellent and finely flavored substitue for genuine Java coffee, but an invaluable tonic remedy for Dyspeptics, and all others who are unable to drink coffee. The preparation is made from fresh Dandelion roots, and must become popular.

☞ The "Soft" State Convention is postponed until the 10th of January.

SERIOUS RIOT, &C.

New York, Dec. 19.—There was last evening a serious riot at the City Hotel, arising from matters connected with the late Baker and Poole tragedy. A party of fighting men, friends of Baker, commenced the riot by an attack on Councelman N. H. Wilde, who was foreman of the Coroner's inquest in the case of Poole. Other parties were involved and the result was that one of the waiters of the establishment was so badly injured that it is thought he cannot live.—Others were badly hurt. The rioters escaped.

From Buenos Ayres we have files to Oct. 27th. Gens. Bustos, Lamela, Flores and other chiefs, were again in revolution, but at last dates Flores was in retreat towards Ensenda to re-embark for the Oriental Coast. Lamela was up in the north, and a good deal of trouble was expected. Other Indian incursions were also dreaded. Col. Oliaveri had arrived at Buenos Ayres. Exchange on the United States was at par.

The *Herald's* Washington correspondent telegraphs as folllows:—The opinion that Banks must ultimately be elected is steadily gaining ground, and it is generally expressed by men of all parties, but more from a conviction that nobody else can be chosen, than from any understanding how Banks can be.

The evidence in the Montgomery case is said to involve Gov. Reeder very deeply.—A rule of the service, however, forbids the publication of the evidence, except at the request of the accused.

The *Times'* correspondent telegraphs:—It is expected that to-morrow will be wasted in a continuance of discussion. The proposition for a plurality election meets with strong opposition from several of the Anti-Nebraska men, which will make it difficult to carry. Parker H. French had not yet presented himself at the State Department at 3 o'clock to-day. The President and all the foreign legation still treat Senor Marcoleta as the Nicaraguan Minister.

Sidney H. Stuart, the City Judge, recently tried for corrupt practices, has, it is said, sent a letter of resignation to Albany.

IMPORTANT FROM MEXICO.

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Another account, however, denies that any ministerial crisis had occurred.

STEAMER CRESCENT CITY WRECKED.

Savannah, Dec 18.—The schooner Baltic, Capt. Pruden, from Nassau, arrived here and reports that the steamer Crescent City from New York for New Orleans via Havana, on the 3d inst., was wrecked on the 7th inst., on Mattevala reef, Bahama Banks. The passengers, crew and baggage were saved and taken to Nassau by the wreckers. The vessel bilged and it was feared she would prove a total loss. The brigantine Alma has been chartered to carry the passengers and mails to their destination.

NO SPEAKER YET.

Special Despatch to the N. Y. Express:

Washington, Dec. 19.—Mr. Whitney, of New York, is about offering a Resolution, previous to proceeding to the next Ballot.

The debate was renewed in the House this morning on the Speakership, and much of it has reference to the Politics of Pennsylvania, and the 12th Section there and elsewhere.

No change in opinion yet.

Senate adjourned without business.

By telegraph to the N. Y. Express:

The Senators who left the caucus on the Printing question are:

Mason, Virginia;	Brown, Mississippi;
Hunter, Virginia;	Brodhead, Penn.;
Butler, S. Carolina;	Bright, Indiana.

They are all against the Union, which the President insists shall be the Democratic organ.

Forney hangs out for Buchanan, Nicholson for Pierce, though both N. and F. are now in the organ.

Every thing hinges on the Presidency, and there is a great flare up between the friends of different aspirants.

Pennsylvania claims a great deal on the plea that her vote will be necessary to elect a Democratic candidate.

NO SPEAKER YET.

BANKS GIVING AWAY.

XXXIVTH CONGRESS—First Session.

SENATE.

Washington, Dec. 19.—Mr. Clayton presented memorials praying for indemnity for French Spoliations prior to 1800. He proposed only to say now that he should call up the subject and address the Senate on it. The President's veto message was received last session so late as to render it impossible for him to discuss it fully.

He believed the single idea upon which the whole of the message was predicated was an error of fact. It proceeded on the ground that claimants were paid under the treaty of Louisiana, 1803, but the records in the State Department show not the fact. He would discuss the subject fully at a future day.

Messrs. Brodhead and Crittenden presented memorials from naval officers, complaining of the action of the Naval Retiring Board.

Mr. Jones, (Tenn.) submited a resolution calling on the Secretary of the Navy for the proceedings of that Board, and for the evidence on which they acted.

Mr. Clayton thought the subject should not be discussed in open session.

HOUSE OF REPRESENTATIVES.

Mr. Thorington withdrew his resolution providing for the election of a Speaker by plurality, as members desire a further vote viva voce, but said he would renew the proposition to-day or to-morrow.

Mr. Campbell, of Ohio, said there were some things mentioned in the discussion yesterday which might create a disposition on his part, to reply—particularly to Mr. Humphrey Marshall, who would read out of the American organization every member of this body who has not come here with a padlock on his tongue. This discussion he regarded as premature, but he was willing to meet the gentleman, agreeing with him as he did on the material points of Americanism, on the one hand, and the unbroken phalanx of the advocates of the Nebraska bill on the other.

Some gentlemen were absent now, thinking the time would be occupied in debate.—He did not know whether the last vote elected a Speaker or not.

He desired to throw no obstacles in the way of an organization and hoped the Clerk would proceed to call the roll.

Cries of "Call the roll," "call the roll."

The Clerk said—No election this vote.

The following was the result:

Banks,	102
Richardson,	73
Fuller,	37
Lester,	2

Messrs. Jewett, Williams, Orr, and Foster, one each.

A CHIMNEY HIGHER THAN THE BUNKER HILL MONUMENT.—At Preston, England, a chimney has just been completed at the work of Messrs. John Hawking & Low, which is 258 feet in heighth; its width at the foundation 34 feet; the weight of the stone cap is thirty-one tons, and 440,000 bricks have heen used in building it.

DEAD LETTERS.—Nearly one an a half millions of dead letters were opened at the office in Washington during the last quarter. Three thousand letters for that period containing money to an amount exceeding $18,-000, about seven-eighth of which has been promptly restored to its owners.

☞ The criminal statistics of California show a horrible state of society. In nine months of the present year there were 489 murders, 6 executions by the sheriff and 46 by the mob, a total of 541 violent deaths in three-fourths of a year, in a population of 300,000—a yearly average of over two in every thousand.

☞ The steamer C. Vanderbilt was got afloat again Sunday afternoon, and towed to New York for repair.