



G. T. F. CLARKE,
Editor and Publisher

SATURDAY FEBRUARY 22, 1879.

Official Organ for Monroe County.

The City of Austin, with our mails from the North broke down on the passage, having lost her crank pin. She put in at Norfolk, Va.

The Florida State Journal says Senator Conover thinks the election of Col. Call to the Senate will disrupt the Democratic party as he is such a partisan.

The Moffet Bell Punch Bill was defeated in the Senate on the 11th where it was generally thought would have gone through slick and clean.

THE LEISLATURE has had its picture taken, but as one of our exchanges declares that in the group Dennis could nowhere be found, we pronounce the picture not worth a smile!

The Patriot wants to know why the Marianna Courier and Tampa Guardian should compete at the State Fair without the Key West Dispatch. Why Brother Patriot, is this complimentary because we opposed that fraud Conover?

The Angora goats in California is a decided failure. So far as we have been able to learn from some of our exchanges, no herd of goats in that State yields enough wool to pay the interest on their cost and the expense of keeping them.

Hon. D. N. McAughey, Senator from the 12th Senatorial District of Florida, died at Tallahassee on the 8th inst., and both Houses adjourned as a token of respect to his memory. The funeral took place from the Assembly Hall on the morning of the 9th.

The Hon. R. H. M. Davidson has introduced in the House bills for the survey of the Withacoche river and the building of a naval wharf at Key West. The foregoing is printed in the Sunland Tribune. We noticed the same in the Record but our brother got ahead of us.

THE ARTICLE "was it a volcano?" printed in the Forest and Stream, and republished by us to-day, will perhaps be interesting to our readers who have had all kinds of speculations with regard to our late fish disease.

OUR FRIEND Col. Gore says he only meant it as a piece of pleasantry when he said that the Marianna Courier and Tampa Guardian should compete for the premium at the State Fair, and is sorry that Judge Magbee took it as a reflection on the respective journals.

Col. J. Ina is at the helm of the State Journal again. That "Doctor" having modestly stepped down and out. The Col. is now editor and sole proprietor, and we suppose his old friend of the Key of the Gulf will be after him again about that 13 ft. low water channel.

We give in another column the evidence of Mr. Tilden before the Potter Committee and would ask our readers to peruse it. Of course the Potter Investigating committee is a perfect farce, and we might just as well make ourselves equally ridiculous by noticing what will hereafter be called part and parcel of American history.

The Key West Dispatch of the 1st inst. says: "From the Cincinnati Daily Star of the 20th ult., we learn that Lieutenant-Governor Hall, of Florida has been indicted by the United States Grand Jury on the charge of conspiracy with others in obtaining false returns of the election in Brevard County. The Dispatch always was known to be like a good tall—always behind—Florida Patriot.

Truly, But we would not like you to be the cow; for we would give such a pull at your tail as would lead you to "pastures green"—according to Conover, your man of business.

THE BREEZE in extracting our little editorial on the conjunction of Lee & Co., for the Brevard county frauds at the election comments upon it in this wise:

"It is not what the editor has quoted that he does not like, it is something else in that same article. Try it again Breeze, and come out with the true rock of offence and then we will see what we can do for you. Don't be afraid!"

Why, Mr. Breeze, we cannot think now of anything else in your article that we do not like. We would again refer to it, and closely scrutinize it, but we cannot now lay our hands upon that particular copy as old exchanges are cast out of the gangster upon the arrival of each fresh mail. However, if you think we are afraid, we would request of you (please) to send us another copy, or enlighten us somehow or other. Really we don't know what you are driving at.

Our little round "Ball," of the Express Office of our city, got his back up the other day with regards to our northern mail, and on the spur of the moment, thought he would render some service to other grumblers of this community—the press included. The following letter from the assistant post-master will explain itself, and show that Ball is trying to do something for himself in Key West.

T. T. Ball Esq.
Key West Fla.
Sir,—Yours of the 1st inst., alluding unnecessarily to the receipt of certain correspondence from this city, was at once forwarded to the P. O. Department at Washington, and I now have the pleasure of informing you that to-day instructions have been received directing a daily despatch of Key West mail by land route, in addition to the weekly despatch by Mallory steamer, heretofore made. Very respectfully,
N. G. PEARSON,
Asst. Postmaster.

Crucifix.
We are more than glad to see that a bill has been introduced in the Assembly for the prevention of cruelty to animals. We sincerely hope it will pass both Houses and become law. On a former occasion we had to complain of many of our draymen who work their poor creatures every day of the week from the break of day till long after dark, scarce giving them time to eat their scanty allowance, often over-laden with them, and Sundays place them under saddles for a race or gallop through the streets. These cruel and inhuman owners of horses should be punished, and we hope the act will put a check on them. If it becomes law, as we hoped above, we shall not wait for the police but constitute ourselves a committee "of one" to report.

That State Printer.
The Ocala Banner is even indignant because Mr. O. E. Dyke was not elected State Printer and calls it a piece of ingratitude—winding up its article on the subject thusly:

"We repeat and emphasize that the defeat of Capt. Dyke for this position was a most ungrateful act on the part of a Democratic Legislature."

Well, well, we do declare! but what is all this fuss about? One to hear the Banner and Pensacola papers speak would fancy Mr. Finley a Radical and a carpet bagger. Is he not as good a Democrat as Mr. Dyke? And supposing the latter is "the father of Democracy in Florida," as he has been called, is that sufficient reason for him to feast on democratic government pap to his life's end? If General Washington was living to-day you had better say that he must be President still, cause he was the father of his country. For goodness sake let Mr. Finley alone and let the Banner enjoy his two cents' paper. Mr. Dyke is contented enough, and is wonderfully quiet, while you all are tearing up your shirts and breaking your necks about it.

City Lazaret.
A suggestion has been made to the City Council to spend \$200 for the purchase of the hull of the ship Marie Frederikko, to be used as a lazaretto. At present we have no accommodation for our sea-faring citizens and others arriving here with contagious diseases. Mango Key, which is used for that purpose is well known to be unsuitable to the suffering of our fellow men, and to send a poor wretch there is to send him to his grave—exposed to all kinds of weather, when the very best treatment should be given, it is no wonder that few or none ever recover. Besides, look at the saving to the city. The last few patients sent there cost something like \$1000, and here is a good commodious hull of 1125 tons which can be converted into a comfortable hospital with suitable apartments for attendants and nurses to be had for the small sum of \$200. After being cuttled and well moored at the proper place suggested, the city can very easily get back into the treasury the amount expended and have for a long time a good lazaretto, as we may term it, to boot.

We do sincerely hope that the City Fathers will take the matter advisedly under consideration, and not squabble or hesitate in the least to at once agree unanimously and make the purchase. Small pox for instance, as all know is a most terrible and loathsome disease, and requires the most delicate and careful treatment. To do this, we must have a proper place for both patient and nurse; and another saying would occur from the fact that a nurse could be hired far cheaper to attend a patient on board of the ship with all conveniences attached than on the miserable Mango Key. Surely our representatives in the municipal government are not going to have themselves paraded before their constituents as a "penny wise and pound foolish" crowd.

The Legislature.
The Assembly memorial asking Congress for the erection of a U. S. Court House and Post Office at Key West, passed the Senate on the 7th inst. unanimously.

The Assembly bill for the relief of Mr. Thomas Forrester, of Monroe county, passed that body and referred to the Senate for concurrence.

Mr. Gabriel on the 7th introduced a bill to be entitled "an act to prohibit minors

from gambling in this State."

"A bill for the prevention of cruelty to animals," read and referred to the Judiciary Committee.

The Assembly memorial to the Congress of the United States asking for an appropriation to pay the unpaid balances awarded to citizens of Florida under the provisions of the several acts of Congress passed in furtherance of article nine of the treaty between Spain and the United States, concluded February 22, 1819, was read in the Legislature on Wednesday and adopted without a dissenting vote.

Dr. Harris on the Carpet.

It tickles us somewhat; but for the life of us we cannot see how the Health Board can allow themselves to be shovelled up and dumped upon a dunghill!

Seriously speaking, we believe that Dr. Harris did wrong in *dismissing* Mr. Gross to have the body of Mr. Gross (our late friend!) exhumed or disinterred from the cemetery.

And we would further say that Mr. Hellens either made a false statement as to the time of Mr. Gross' death to the Health officer, or the Health officer lied before the committee.

Dr. Harris, before the Board, arose, and was very explicit in his explanatory remarks;—after reading the Ordinance granting him the authority for his actions, he confessed that he had been misled by those applying to him for the disinterment of Gross' body.

Of course, Harris is not without blame, but we think it rather hard that the committee should have recommended his dismissal.

Still, we cannot see how the President of the Health Board can rule that it requires a two-thirds vote for either dismissal or retention. And here we agree in toto with our contemporary of the *Key of the Gulf* in this morning's issue.

We have had enough of parliamentary usages in the British Colonies, and know full well that the common law of the United States is framed after the fashion of Great Britain. If then, you are following in the same stream as of yore, why do you play the role of Oliver Cromwell, Lord Protector of all England?

Enough. But one word more. All we know of the two-thirds vote is this: The President of the U. S. States can be impeached and requires a two-thirds vote of the Senate. A bill passes both Houses requires a two-thirds vote to pass it over the President or Governor's veto.

Nuff said,—except that Harris is the autocrat of Russia, whilst Mr. Keck wears the political belt; but Harris' belt em every time!

The following is the report of the Board of Health of the City of Key West.

Your committee appointed to investigate the matter of the disinterment of the remains of the late William Gross, and to recommend such action in reference to the Ordinance governing the interment and disinterment of the dead as the public health may require, and for other purposes, beg leave to herewith submit the Record of Proceedings, and the testimony taken, and to report:—

That we find that the taking up or removal of the bodies of those who have died of contagious or infectious diseases within the time allowed by the Ordinance, has been of very frequent occurrence in the past, and your committee cannot too strongly urge the necessity of the Board at once taking such measures as will be likely to effectually prevent it in the future.

In the case specially given for our consideration we find that, putting the best construction on the action of the Health Officer, there has been on his part either gross culpable negligence, or incompetency in the discharge of the responsible duties of his office. He must have either known the facts in this case or not known them. If the former, his action in the premises evinces such a reckless disregard of, or contempt for, all the precautionary and preventative means which should be used to conserve the public health, as to amount to incompetency, and to render him unfit to be entrusted with an office of such vital importance to the community. If the latter, culpable negligence in not informing himself before taking such an important step. That the foregoing, in our opinion, holds good, no matter whether either in his opinion or in actual fact the Ordinance authorized his action or not. We therefore recommend his dismissal.

On the part of the City Section we find carelessness and ignorance, for which in some manner the former Boards are responsible, in not having his duties defined and him instructed therein by the Sanitary Committee. We recommend that he be severely censured, cited before the Board, reprimanded, his duties clearly defined, and he instructed therein and cautioned to a faithful discharge thereof in the future.

In reference to the Ordinance, we recommend that Section 1 of Ordinance No. 9 be so amended as to read "twenty-four" instead of "twelve" calendar months, and that Sec. 3 of said Ordinance be rescinded, and that Sec. 1, Ordinance No. 29, be so amended as to allow no disinterment without the consent of the Board of Aldermen, and then only under the supervision and control of the Sanitary Committee of said Board.

Respectfully submitted,
J. W. Sawyer,
J. W. V. B. Plummer,
J. F. Albury,
Jas. B. Curry,
Key West, Feb. 19, 79.

A boy "out at the elbows" was asked the cause, and replied, "I laughed in my sleeves till I bust them."

Decision.
The following is the decision of Hon. J. W. Locke (in admiralty), in the case of W. D. Cash and others, which recently occupied the Court and interested many of our citizens:

District Court of United States
Southern District of Florida
(In Admiralty.)
W. D. Cash et al
vs.
W. C. Maloney Jr. for Libellant.

G. Bowne Patterson and L. W. Bethel for Respondt.
Locks Judge. This is a case to enforce the division of an amount earned and received by the schooner Florida, for services rendered the Spanish steamer Garcia under an alleged agreement of consignment made and entered into by the master of that vessel with the master of the schooner Garcia in December last, for an equal division of the earnings of those two vessels.

Such agreements are frequent in this district, and are generally intended to relate more particularly to the business of wrecking, but at other times when no limits is expressed in making the agreement extend to all earnings from whatever source. In this case the consignment was general, as money earned by the California from fishing, freight, and passage money had been divided with the Florida; and it is admitted that it was such as would include earnings from salvage services.

We are not concerned with the time when such agreements of consignment unless limited by special understandings when made, are taken to be general, and extend to all such amounts as may be earned by either vessel.

They may be restricted as closely as the parties making may desire and express at the time, but such restriction must be expressed in the agreement rests upon him alleging it; and unless it is shown that such restriction is expressed at the time of making, any special intention or understanding of either party cannot be accepted as controlling or influencing its operation.

Such a consignment is for and on account of the vessels although made by the masters.

In all maritime matters, agreements of assignment, charter parties, contracts for insurance, supplies or repairs or other maritime nature they are presumed to be made for and on account of the vessel and those connected with her and for the benefit of master or crew. The vessel is the subject, and all relations existing between the parties are through her.

The Supreme Court in *Andrews vs. Wall*, 3 Howard 568 in speaking of a consignment of this nature says:

"Although made by the master of the vessel it must be deemed to be made on behalf of the owners and crew, and to be obligatory on both sides until formally dissolved by the owners. The mere change of masters would not dissolve it, since it is not a contract for the personal benefit of the master, but a contract for the benefit of the vessel, and it falls precisely within the same rule as to its obligation for as the contract of the master of a ship for seamen wages, which if within the scope of his authority binds the owner and is not dissolved by the death or removal of the master. Besides, the agreement of stipulation for consignment, for freight, and consequently could not be broken up or dissolved only upon due notice to the adverse party; and the mere removal of the master of one of the vessels, by the owner thereof for his own benefit or at his own option could in no manner operate without such notice, to the injury of the other vessel."

This, then, is the general controlling principle in such consignments, namely that it is through the vessels that the interests are united and through them alone, and unless it has been stipulated and agreed between the parties that some other arrangement be made, the consignment is a voluntary dissolution and notice alone can. It may be that frequently the character of the vessel, or the agreement with master and crew, is such that her interest in the consignment is but small when compared with their, but this can never be presumed and the general principle that the interests of the vessel control, still governs.

The change of owners cannot injuriously affect the interest of seamen or crew in a change of master or crew after a contract of assignment or charter party made on account of the vessel unless it has been particularly specified that it should. The change of owners of one vessel without notice to the other parties could not defeat the consignment, nor could the change of master or crew. The Supreme Court says plainly that the removal of a master could not, and if not the master certainly not the crew. Whoever joins a vessel or becomes in any way interested in her during the existence of a contract consignment enters upon such relation with the vessel as of such agreement, and takes the risk whether he makes or loses. If not so, neither party could ever be certain of his relations with his consignment, and his movements are liable to be interfered with and loss incurred.

These being the principles upon which such contracts are entered into, let us apply them to the cause under consideration; for in applying principles neither questions of amount nor persons can be considered.

The first point of defence is that the consignment was made with Robert, the former master of the California, and not with Albury, who was master at the time of earning the money in question; nor on account of her owner; and that the entire crew had been changed and none of them had been the parties consigned with, or that the present crew shipped with the understanding that they were not to be bound by the contract.

This point is answered by the decision of the Supreme Court and embodies only question of law, namely the construction to be placed upon such contract, and does not depend at all upon the opinion of the party making, as it does not appear that there was any special expression of intention varying the general construction. The new crew it appears were informed of the consignment, but their opinion whether they were bound by it or not could have been taken in their favor had the suit been against them for a share in the earnings of their vessel and it would not be fair to put them in the present case. They joined the vessel under the circumstances of the consignment of which they were aware, and are bound by the legal construction of it. Demeritt, the respondent states that he would not have consigned with Albury, but did consign with Robert on account of his skill and knowledge of fishing. There was no expression of this idea at the time of making the agreement, and no stipulation that it should be terminated by a change of masters. Demeritt could have protected himself and his owners by such an understanding at the time of the contract, the same as a. Inverce can stipulate against a change of masters without notice and consent but where such matter is not mentioned it can have no force.

In further defence it is urged that the understanding was that both vessels should fish up the reef until they met at Cape Florida when one vessel should take all of the fish and proceed to Havana, but that the California instead of following this course went on a salvage cruise in search of floating cotton which was reported adrift in the gulf stream. Now were it shown that this was a condition precedent or a part of the agreement of consignment, and that at the time both parties understood it so, it would have much force; but I do not find that to have been the case. If no where appears that it was understood to be a part of the contract of consignment that they should fish if more profitable business offered, but that this was a mere understanding outside of, and separate from the original agreement and subsequent to circumstance which might offer opportunities for greater profit or gain. Now was there any misconduct or bad faith in the owner, master, or crew of the California in discharging the first crew, or going on a wrecking voyage which should prevent them in justice from claiming in this matter, although the contract might not have been virtually terminated? If it had been shown that the crew of the California had been discharged and she left

any length of time doing nothing, but looking to her consort for earnings, the matter might well be urged, but that does not appear to have been the case. B. F. Roberts left her had engaged Albury as master, a crew was shipped and she went to sea very soon.

A temporary delay in the change of crews could cause no more injury to respondent than would the vessel's lying idle a few hours, the same length of time, with crew on shore.

In regard to the California's going for cotton, had all parties interested been consulted at the time I am satisfied the consent would have been unanimous, as under the circumstances such a voyage promised a greater profit than would one for purpose of fishing alone, and therefore I do not consider her voyage improper. Had she fallen in with a large amount of cotton the Florida would certainly have been entitled to a portion of the salvage.

Demeritt had an opportunity when the vessels met at Rodriguez to terminate the consignment and in not doing so assumed the risk of meeting a vessel in distress himself, or sharing with Albury if he fell in with one. The question has been asked; to whom should the money go if awarded? We may also ask from whom would money have been claimed had the California instead of the Florida fallen in with the Garcia? Not from those individually with whom the consignment was made but those who had accepted the relation previously occupied by them and taken the chances either to share their earnings with the Florida, and her crew or take a share from them. This is a question which is of considerable interest to this community, and I cannot say that I consider the respondents so far in the wrong in refusing the payment and compelling a resort to the Courts for a judicial decision as to justify charging the entire costs to them.

It is therefore ordered that the costs be paid from the total amount and the libellants receive one half of the net residue.

HON. S. J. TILDEN BEFORE THE POTTER SUB-COMMITTEE.

The Examination.

New York, February 8.—Before the Potter Committee this morning, Gov. Tilden entered, accompanied by his brother, Henry A. Tilden, of Lebanon, John Bigelow and Henry J. Dimmock. The Governor was at once sworn by Mr. Hunton the chairman, who said: "Governor Tilden, we received your letter expressing your willingness to testify." Mr. Tilden replied: "I have read the publication and translation in the New York papers I did not recognize a single one either in the cipher or translation, which I had ever seen before; I never entered into any arrangement to purchase the votes of South Carolina or Florida; I had no information or suspicion that any such communications were being carried on, until I saw the dispatches published in the New York Tribune. I had no knowledge or any dealing with any parties to these negotiations; I never authorized any such negotiations, in any form whatsoever. On the morning of November 20, 1876, Mrs. Col. Pelton mentioned in my presence that her husband, had gone for the day. I did not know he had gone or was going out of the city. He went to Philadelphia I believe. Later through the day I was called on by Mr. Cooper, who was on his way down town, and was told by him that he had received an offer from some party offering to obtain for money the vote of South Carolina. I said I would authorize no such transaction nor spend money for any such purpose. The whole conversation occupied only a few moments. I obtained Col. Tilton's address in Baltimore and telegraphed him to come. I know nothing of the ciphers that had been passing between him and others and I could not have translated them. With regards to Florida, I never saw one of the telegrams, either in cipher or the translations; in regard to the Oregon dispatches, I was not aware that they came in cipher, until after the meeting of the committee to investigate them; some of the dispatches were addressed to my residence, 15 Grammercy Park. I do not know that any of these dispatches had been delivered there. Col. Pelton's habits of mind and mine are very different. A day or two after the election, Gen. Grant wrote a letter recommending that commissioners go South to see a fair count. I had nothing to do with the selection of those commissioners; I never heard from them but once and that was a communication signed by Mr. Ottendorfer and others. I was very busy all that time and did not undertake to correct the idea that they were my personal agents. That idea has no foundation; they represented the Democratic party. None of them, so far as I know, went to those States, authorized to do anything that a gentleman might not do. From the 7th of November, 1876, to December 6, of the same year, under no circumstances did I enter into any competition for the seeking of the certificates by veal inducements. There never was an hour or a minute that I entertained such a thought. To the people who I believe elected me President of the United States, to four millions of citizens who were defrauded, I owed it as a duty I would proclaim I would not yield one jot or tittle of my right. Whatever evils may result from this subversion of the electoral system and of free government, I resolved I would enter into no action for the purchase of the Chief Magistracy. [Cheers which the Chairman suppressed.] I had resolved that I would continue to protest against the wrongs by which the people were defrauded out of their rights. [Mr. Tilden's voice was husky and it was difficult to hear him.] When Pelton returned from Baltimore, I said something to him about his action and he made no reply; I did not get from him any information about the ciphers or negotiations until I saw them published. I did not believe that Pelton had any power because he had no authorization; Edward Cooper came to me and said he had received a proposition to get the votes of South Carolina for money; the substance of our conversation was that the votes were for sale. I never heard of any attempt to bribe until the publication of the fact. I first heard of the Florida bribery from Mr. Marble; he simply mentioned the circumstance after he had returned from Florida; he gave no details and I made no inquiries; I made no inquiries from my nephew about these corrupt propositions to buy and sell.

Question—Then you had no interest in it?
Answer—Only an interest in stopping it.

Mr. Tilden admitted he had had confidential relations with Manton Marble; that the latter before going to Florida called to bid him good-bye; there was nothing in the conversation at their meeting bearing on this question; it was a little more than a formal leave taking; he reiterated in reply to the questions that in his interview with Mr. Cooper no idea of accepting a proposition to purchase the votes was debated between them or was thought of for a moment. As for Col. Pelton he was the last man in the world he (Tilden) would have selected if he had intended to enter into such transactions as purchasing the electoral votes. Being asked why, in his card to the public, he did not refer to the Baltimore transaction, Mr. Tilden replied that it was not pertinent.

Question—Do you not see that your statement that you had no knowledge of the negotiations except through the Tribune is likely to deceive, because you heard of the Baltimore negotiations?

This question seemed to stagger Mr. Tilden somewhat, but he said he did not know of the cipher telegram which had passed on the subject, nor any negotiations but did know that there had been an offer in South Carolina which he had put an end to by his intervention.

Question You made your statement conscious that you knew something which the public did not, which you did not make in your published statement?

Answer I made my statement in accordance with the truth.

Question Did you intend to convey the idea that you had no knowledge of this offer?

Answer I did not intend to convey any idea on the subject; I had been advised by a hundred people to do one thing and another and I did not think it was necessary to refer to the fact of the Baltimore transaction.

I reply to the very able and close examination Mr. Tilden reiterated that it was not pertinent to the subject to refer in his statement to the public to the corrupt offer he had heard of, and denied that he had drawn up his statement with the special design of keeping this information from the public.

Sharp cross-questioning, in which Mr. Tilden was occasionally requested to be frank, failed to get him to admit that he remembered any conversation at the Third National Bank with Mr. Smith a week prior to a latter's departure for North or South Carolina. This finished Mr. Reed's cross-examination of Mr. Tilden.

Mr. Hiseock now took him in hand. In reply to a question if he "was informed of the nature of the dispatches received by Mr. Smith from Florida?" he said: "I did not occupy myself much with the progress of the Florida proceedings; never saw the dispatch advising the employment of a man 'who could be trusted for a week;' I heard I had one majority in Florida, but did not see the dispatch referred to as conveying that and other information; did not see the dispatch to George W. Smith saying, 'See my dispatch to Spain.' I have no recollection of seeing or hearing read any such dispatch. I assume the Democratic General Committee here were in communication with the gentleman in Florida during the canvass."

Question You have said that if you had any idea of influencing these boards the last person you would have chosen would have been Col. Pelton, why did you not deem it proper to call Mr. Cooper's or Mr. Heyritt's attention to the matter and ask them to take charge of the matter lest Pelton might compromise the Democratic General Committee?

Answer In the first place, I supposed they had full knowledge, and would be able to take care that nothing wrong should be done; the civil law does not recognize the purposes until they are embodied in the actions; the church punishes purposes if criminal, even if they are not carried out; the atmosphere at that time was full of rumors of fraudulent returning boards! I declare before God and my country that the votes of Louisiana and Florida were bought, (meaning by the Republicans.) I would scorn and condemn my righteous title if the Democratic party had secured my seat by fraud.

Hiseock said McLin testified that he was approached by Manton Marble with an offer for the purchase of the votes. He deemed it his duty to make this refutation in the face of Gov. Tilden's assertions on his character.

Hiseock. Gov. Tilden, are you entirely clear that McLin was influenced in his action by the hope for office?

Answer I swear to the best of my recollection. I believe I shall be just to every one in this examination, and shall protect myself fully without going into matters connected with my family relations.

Mr. Hiseock This investigation was for the investigation of the whole people, and I believe it to be in the conscientious discharge of my duty to fully investigate Col. Pelton's relations to you.

Mr. Hiseock (to Mr. Tilden): Had you any information at that time that the returning board of South Carolina or Florida were for sale? Give the name of the gentleman who told you.

Answer I cannot give you the name of any man. I state on evidence that it would not convict anyone.

Question Give me the name.

Answer It appeared in the papers.

Mr. Hiseock We will now go back to the time when Pelton visited Baltimore. I ask you again to give me any evidence you have that those boards were being corrupted by the Republicans. I limit you up to the time of the final action of these boards.

Answer I have no evidence up to that time. What I learned was from subsequent investigation.

Mr. Tilden admitted that up to the time Pelton went to Baltimore he had none except newspaper knowledge about the alleged corruption of Republicans in dealing with the returning boards.

Mr. Hiseock called Tilden's attention to the dispatch No. 34, dated Tallahassee No-

ember 22, and signed "Marble." He said: I don't know or understand what it means. He could not say whether or not a large sum of money was raised by the democrats in New York which might be used for political purposes; in regard to dispatch No. 14, addressed to Smith Weed, and signed Denmark, he said Colonel Pelton did not consult him about it; did not now Pelton was in communication with Weed and others in the South; these telegrams never came to my house with my knowledge.

After a brief examination of one or two other witnesses, without eliciting any important information, the committee went to executive session and decided to examine no more witnesses. They will leave for Washington to-night.

Our Washington Letter.

From our regular Correspondent.

WASHINGTON, FEBRUARY—1879.

There seems an undoubted intent on the part of the democrats to force an extra session of Congress. Taking so many obnoxious riders upon the appropriation bills, indicate only the desire to render their defeat a certainty by this Congress, and consequent assembling of the 46th soon after the 4th March. The city is filled with hungry men from the South who are clamoring for office, and there is no other way to appease these "loyalists" of the Ellis Stripes, but to commence Congress and make a general overhauling and bouncing of republican clerks and employees in the Senate and elsewhere if possible. Though the Senate has few officers yet with a hundred Southern gentlemen waiting here for each position and every mother son of them demanding reward for their "loyalty" during the war though it displayed itself fighting under the "confederacy" flag against the Stars and Stripes. Your readers can appreciate the necessity which compels a northern dough-face to engineer an extra session and the debt of gratitude we owe Bounding, Baining, and birds of his stripe. Some years since Congress permitted one of our railroads to build its depot near Pennsylvania Avenue the main thoroughfare from the Capitol to the Treasury and White House and to construct its track across the Mall thus destroying one of the finest parks in the District and breaking up the magnificent drive given by the unbroken stretch of open grounds from the Capitol west to the Potomac. The nuisance of running trains has become so great that a determined effort is being made by our city authorities to compel all our Railroads to unite in a common or Union Depot or to remove their Depots from the business portions of the city to the outskirts. When it was proposed in Congress to grant the above Depot Senator Conklin opposed the measure with all his ability and claimed among other reasons or arguments for his opposition that the Mall should not be disfigured and that in very few years the burden of nuisance would become so great to the people through the running trains as to compel the people to rise in protest and demand removal. We have fully realized his predictions and will have to pay dearly for our whistle inasmuch as the occupying railroad quietly informs us it was given its franchise and is deprived of it must be fully compensated for its grounds and improvements thereon. It's good fun to give away valuable property without the payment of a dollar, therefore and then pay back at the rate of \$3.00 per square foot the ground alone beside paying for the improvements double their worth to the city. Were our experience different in this respect from other cities, we might. Congress had been badly cheated when induced to make the original concession. But we believe every town has some eyesore similar to this of ours—something to show it had acted in haste and repented bitterly at leisure. Mr. Conklin suffered another defeat in the matter of the New York City Custom House appointments, for the Senate confirms all of them, this sustaining Mr. Sherman rather than Mr. Conklin. The fight has been a long and bitter one indeed, but the Administration now, and Mr. C. can chew the cud of disappointment as best he can. Yet he appeared in his seat the day after his reverse showing no signs of defeat and looking as pleased and undisturbed as ever in the past. He takes more pride in his personal exterior or dress than any Senator save Mr. Bruce, the colored Mississippi Senator, and we presume is too much the polished gentleman to allow his grievances, if he has any, to affect his demeanor in the Senate Chamber. At last steps have been taken for repair of the Patent Office for the House Committee on Public Buildings has agreed to recommend an appropriation of \$250,000 for this purpose. Nearly 18 months have elapsed since the Patent Office was burned, and it is a shame Congress has made no move for the reconstruction of the building. A temporary covering is sufficient to keep out the rain was placed over it last winter, instead of appropriating enough to replace what had been destroyed by fire and the damage done since by water amounts to the interest on half a million of dollars. But such is Congress. Could the democracy have made political capital out of spending money repairing the Patent Office, one of the finest government structures in the world, they would have freely devoted a million to the purpose. But as no voter could get a reward out of it the cause of the neglect and delay can be understood. Our city bummers are bounding Congress to give them, as well as the Territories a delegate in Congress. But our taxpayers almost to a man, are satisfied with our rulers as they are for they know a return to popular elections means simply the opportunity for Murder Bay and Swampoodle and other hells to launch forth their untutored voters, who by voting often and early rule and ruin everything permitted to be touched by them. It may be a freeman's happy privilege to vote in the States but our taxpayers are content to be disfranchised forever rather than to permit our mob and rabble to become dictators of our rules.

The Dispatch,

LOCAL.

SATURDAY FEBRUARY 22, 1879.

Chew Jackson's Best Sweet Navy Tobacco.

With this issue of our paper, ends the advertising list of delinquent Tax payers. All those who have not paid up, had better look to their interests. Those places remaining unpaid on the 3rd of March will be put up at Auction and sold to the highest bidder, and if no bidder is found it will be bought in by the Collector of Revenue, for the State of Florida. If any one wants to redeem his property after that time fifty per cent and the cost of sale and advertising, is the tune they will have to respond to.

We advise all in arrears to call at once and save time, expense, and much annoyance, as the law is imperative.

— The fair to Cedar Key per str. Gem has been reduced to \$10.00.

— The prisoners of the County jail was let out to-day to fire a salute for Washington's birthday, which they did in the park next to the prison yard. Hoopla!

— The Ball to be given by the Key West Cornet Band, (postponed), takes place Monday evening. This is the last of the season.

— San Carlos School has a press and all necessary printing materials. Already twelve boys whites and colored are being taught the art of printing. This is commendable and adds a branch of industry to the institution. We wish them all success.

— If we had the money that somebody possess, we don't think we would spend it in ice, fish and turtle by way of speculation, nor aspire to something more nobler. We don't know who will get mad about this, and what's more, we don't care.

— We neglected, through forgetfulness, (no good to lie about it) last week, that the Rev. Father Spandierio had arrived and assumed his position as assistant pastor of St. Mary's Star of the Sea, to fill the vacancy caused by the death of the lamented Father Foucade.

— Lieut. J. A. Buchanan, Signal officer arrived this week on the steamer Tappa Hancock to inspect Key West and Punta Rasa stations. We are certain he will find both in perfect order and report favorably. Shanefelter sticks to his work as a three cent stamp sticks to a letter.

— Many fellows—especially married men, have a good excuse for going home late at night. All to be said is "I am just from Lodge." We, being unfortunate enough to belong to no lodge have to stand and take all that comes. Guess we'll join a lodge too.

— Our U. S. Marshal is a married man and to-day completes his twenty second year since he led the beautiful dance to the Hymenal altar. And Genl Washington's birthday too mind you. This is a national holiday and no courts will be opened, so the Marshal will have his spare all to himself and family.

— Talking about instinct of animals, is it not a mystery worthy of note, that since the first batch of dead fish drifted to our shores not a single buzzard has been seen? They have all quitted the island, and our spongers and fishermen assure us that none can be seen all along the coast. They must have had sufficient instinct to teach them something about the disease.

— A friend told us the other day, just after the City Council Committee, that it was a good thing to be in debt, for you can always manage to keep in some position. Well, we are always in debt to somebody but devilish little position we are in. However, it is our aim now to solicit a further extension of credit in order to test it. Beware ye auctioneers, butchers, bar keepers and shoe makers.

— At the meeting of the board of health Wednesday evening at the City Hall to take steps in Dr. Harris' case they wanted yes, and tried hard to exclude the press! Why, gentlemen are you in your good sober senses or not? Well, guess we won't say anymore now, but we ask the gentleman who raised the objection, please not to make himself so ridiculous again, for if he does, the press will work hard to dump him.

— Communications from Drs. Austin of the Marine Hospital, and Harris H. O. to A. F. Tift, Esq., appears in this morning's issue of the Key, wherein the Doctors state that there was not the slightest evidence that the man had been drinking, and hence that any report to the contrary was through ignorance or malice. It would be well if newspaper (?) people be more careful and not insert erroneous reports about people they know nothing of.

A CARD.

The Mother Superior of Key West Convention begs leave to express through the medium of these columns, her thanks to all who patronized the Fair held last week. To their attendance and generosity she considers herself indebted for the success of the fair, which realized in all, the sum of \$707.15 an amount that surpassed her most sanguine expectations; once more, sincere thanks to the friends of Education who aided in the good work.

— To day being Genl. Washington's birthday our city presents a lively appearance. A perfect display of bunting to be met on every side one may turn, and the shipping looks grand. Fort Taylor belched forth the usual salute at midday and was duly responded to by our Sheriff from the park where the band played Hail Columbia etc. The Isle of the Sea Band played on the Russel House piazza and the street was thronged with spectators, all happy and jolly.

— Blanks and instructions for securing Arrears of Pension will be sent by Express & Green, Washington, D. C. to all persons enclosing nine cents in postage

stamps. Original Pension and Bounties obtained. Patents secured for inventors. All land and mineral claims Homestead and pre-emption entries and all contested cases are in special charge of W. S. GRAFF, Esq. for twelve years connected with the General Land Office. Land Warrants, and Land Scrip bought and sold. Address as above.

— Poor McHugh. He was hauled up before the city council Thursday evening for a reprimand. After taking the trouble to appear in his best bits and tuckers—long tail blue included, he was politely told by the President to depart in peace, and we suppose, "sin no more" Alderman Sawyer presented him with a full blown white rose, (emblem of innocence and purity,) and the mischievous city clerk said McHugh left the hall under the impression that he had caught h—l. Now, Mr. Beeswax pick us out a good spot in that adjoining cemetery for saying this much.

— A fellow returning from his lodge one night last week, commenced to prepare for bed; after he had succeeded so far in divesting himself of his apparel, he concluded to have a smoke; he lit an old stump, pulled away for two or three minutes. His better half already in bed, asked why he was so quiet, at being interrupted in his soliloquy he raised a terrible furor, attempted to pitch the candle stick at her using maledictions to suit. At last his companion seeing him wandering over the room with a candle in his hand, enquired what he was looking for; his answer was: "h—l—h—l—I am looking for—hic civil—hic—"

— Last Sunday evening the Rev. Mr. Gilbert Rector of St. Paul's Church, gave a good and wholesome lecture on "Courtship and Marriage." The church was crowded to its utmost capacity by St. Paul's and Peter's congregations and many outside strangers. We were pleased to hear from the lips of the gentleman the good old Catholic doctrine: "The church recognizes no divorce" but oh! if that was only accepted by many adherents of the Episcopal faith! We can turn to the files of our paper and point out too many legal advertisements wherein the courts have been applied to for divorce! We think Mr. Gilbert a plain speaking man and hope his advice will be received and acted upon. At the end of his lecture he exhorted his hearers to truthfulness, goodness, love, soberness etc., and, says he: "God will do the rest."

Our Tenure of Life

Depend on a great measure upon our regard for or neglect of the laws of health. If we violate them we cannot expect to "make old bones." But that the span of existence allotted to a natural delicate constitution, or one which has been shaken by disease may be materially lengthened, is a fact of which we have daily proof. The vivifying and restorative influence of Hostetter's Stomach Bitters upon a failing physique affords a striking illustration of the power of judicious medication to strengthen the hold on life. Restored digestion, complete assimilation, renewed appetite, sound repose, these are among the benefits conferred upon the debilitated by that supreme renovator. With a circulation enriched, a frame invigorated, and nervous system tranquilized, the invalid, after a course of the Bitters, feels that his life-tenure is no longer the precarious thing that it was—that he may yet enjoy a "green old age."

We have been requested to publish the following:

The Horse and the Ass.

A FABLE.

Once upon a time, a horse concluded to go upon his travels and see if he could not add to his fortune, which was a very small one, and no adequate to the support of his family, for the times were very hard in his country. He journeyed a long distance and passed through many countries filled with wild beasts, where pestilential diseases existed, but these dangers he heeded not for he thought of his family! At length he took passage with other horses like himself for his home, and he rejoiced greatly thinking soon to see his family. But the poor horse was taken sick right unto death, and he was left to be cared for, in a country through which they were passing and the horses in that country cared for him! Kindly, for they said: "Is he not one of us?" and has he not a family who are anxious?" Now there was an animal in that country like unto a horse, and he had taken much poison called sinners, and it had changed his nature much and his ears were very long. Now this animal was an ass, although he thought himself a horse, and had a great opinion of himself and strange to say, this opinion was shared by the entire community, for they all admitted that he was a very great ass. And when this ass saw that the horse was being cared for kindly, he lifted up his voice and spoke, and he said aw-he! ah-he! He then endeavored to poison the minds of the community against the horse and he prescribed a poison for the horse like unto that which he had taken himself, for he "had been there." But while the horses listen to him they heeded not his advice for they said he is not one of us and don't know, what is good for our kind, for lo! he is an ass. And so they continued to care for the horse so that he soon got well again, and went home to his family. But the community marvelled much at the wisdom of the ass, and acknowledged that he was the very greatest ass in all the country.

Was it a Volcano?

Recent intelligence seems to confirm our theory of a sub-marine volcano off the coast of Florida, by whose recent eruptions countless numbers of fish have not only been killed, but the business of market fishing, upon which so many of the coast dwellers depend for a livelihood, put a stop to altogether. The drift of pumice stone along the shore of the gulf would seem to be almost conclusive evidence in itself. That these eruptions are intermittent, as in other known volcanoes, is proven by the data pertaining to similar occurrences twenty five years ago in the same locality. I verily, that there have been intermittent phenomena of precisely the same character, proves the absolute fact of volcano eruptions.

If we were to be allowed to speculate, we might inquire what relation or connection these oceanic disturbances may have with mysterious smoke inland, near St. Mary's which has been visible for the past three years, and whose locality and source so many persons have made futile efforts to discover. The evidences of extreme volcanic action, not very remote, are visible all over the Western part of Texas, while volcanoes are still burning in Mexico, localities not so far removed as to make the disturbances in the Gulf of Mexico unreliable for conclusive data.—Forest and Stream.

Ordinance No. 68.

Sec. 1.—Be it ordained by the Mayor and Board of Aldermen of the City of Key West in common Council convened:

That 30 days after the passage of this ordinance it shall not be lawful for the owners of Cows, Horses, Mules, Goats, Sheep or Hogs, to allow them to run at large within the limits of the City of Key West, and it is hereby made the duty of the City Police, or any Person or Persons authorized by the City Marshal to take up and impound any of the aforesaid animals found running at large, and if there should not be any claimants for the said animal or animals so impounded at the expiration of Four (4) days the same shall be sold at Public Auction.

Sec. 2.—And if the owner or owners should appear and claim any animal or animals impounded the following shall be the amount of charges collected from such party or parties upon delivery to wit: Cows Five Dollars (\$5.00) Horses Five Dollars (\$5.00) Mules Five Dollars (\$5.00) Goats Two Dollars (\$2.00) Sheep Two Dollars (\$2.00) Hogs, Three Dollars (\$3.00), also the cost of maintenance of said animals.

Sec. 3.—It shall be unlawful for any person or persons not authorized by the City Marshal to take up or impound any of the aforesaid animals found running at large and any person or persons found guilty of the offence shall be liable to be fined not less than Two Dollars and Fifty cents (2.50) or more than Ten Dollars (\$10.00) at the discretion of the Mayor, nothing herein contained shall prevent any person or persons from taking up and have impounded any of the said animals if caught within their premises, and any damage which the said person or persons, may have sustained from the said animal or animals shall be paid by the owners of said animal or animals if claimed and if sold at Public Auction the amount of damage sustained shall be deducted from the proceeds after the City charges shall have been deducted.

Sec. 4.—The City Marshal shall have charge of the City Pound, and it shall be his duty to give Forty Eight (48) hours notice of the Sale of any animal or animals which may be impounded together with a description of said animal or animals, the City Marshal also keep a record with the City Marshal of all animals which he impounds under inspection of any party interested.

Sec. 5.—The Fee for the Police for taking up and impounding any animal shall be the amount collected by the City. The City Marshal's fee shall be 5 per cent. of the amount which said animals shall sell for at Public Auction, and after paying an expense attached to said animals the Marshal shall deliver the balance to the City Treasurer at the end of every month.

Sec. 6.—And if there should be any claimants for any animal or animals sold at Public Auction within six months of such sale the amounts deposited within the City Treasury shall be forfeited to the City.

That all ordinances conflicting with this ordinance be and the same are hereby repealed.

Passed the Board and approved this 16th day of Jan. A. D. 1879.

J. W. V. R. PLUMMER

President of Board

and Mayor pro tem.

Attest

PETER T. KNIGHT,

City Clerk.

MRS. MARY LEON

Manufacturer

—OF—

SHELL WORK

Corner Whitehead and Southard Sts.

is prepared to do all kinds of fancy shell-work with neatness and dispatch, and at as low rates as any other house of its kind in the city.

Having had many years' experience in the art she is willing to complete, and guarantee, perfect satisfaction.

Great references given, and a trial which might lead to further patronage both as to price and quality, respectfully solicited.

[P. 22.3m]

CLEAR THE WAY!

Now is the time, and now is your chance to make a rush at the store of

R. M. KEMP

for he will commence on Monday next 3rd Feb'y. to sell off at cost, in order to make room for a fresh stock from the North.

Great bargains to be made

All goods will be sold without reserve.

Many articles of great value will almost be given away.

NOW IS YOUR CHANCE.

F. M.

SMOKE

BLACKWELL'S

DURHAM

TOBACCO

List of unclaimed letters remaining in Post Office Feb. 20th 1879.

Ambrister Francis 2	Albury Wm. T
Adams Williams	Albury Joseph H
Anderson Lewis	Adams Wm. A
Allen Fannie	Albury Daniel
Brown Mr. J	Brown Charles
Baker Susan Mary	Brown Sarah
Brown Catherine Jane	Baker Georgeanna
Butler Rose B	Baker Joseph T
Clark B P	Curry J F
Curry Jasper	Charlow James A
Clare Dorset	Cornish Andrew
Christy James W	Cash Otis
Cornish Theo	Curry William
Demerches Jose	Dean Sarah
Demora C P	Fields Walton
Fisher Charity	Fander F. A. M. B.
Picat O	Griffin Benjamin James
Griffin John	Harris Moses
Higgs Mrs. Amy	Haynes Edward
Harris Miss Laura	Hall Elias
Johnson Miss Venus	Johnson Thomas
Kay Joseph D	Kap Frank
Limore Samuel	Lemotte Jane Miss
Lasso John	Lyons George
Lightbourn George	Meadows Charlotte
Martin Mrs.	Mrs. Blain
McKinzie Charlotte	Marks Dr.
Mulligan John A	Mackelwil Williams

Parke Calom B

Pinder Eliza

Pinder Maria

Pinder Amy

Pardomo

Roberts Daniel

Russell Roberts

Roberts J H

Sanders Mrs. Maria

Sawyer Joseph Alonzo

Sontag F| | |
| --- | --- |
| Sanders John Thomas | Thompson Samuel |
| Thompson Joseph G | Thompson John W W |
| Thompson John | Mary Ann |
| Thompson William | Wooler L W |
| Wilkinson Williams | Wan Miss S |
| Williams Cornelia | |

Parke Calom B

Pinder Eliza

Pinder Maria

Pinder Amy

Pardomo

Roberts Daniel

Russell Roberts

Roberts J H

Sanders Mrs. Maria

Sawyer Joseph Alonzo

Sontag F| | |
| --- | --- |
| Sanders John Thomas | Thompson Samuel |
| Thompson Joseph G | Thompson John W W |
| Thompson John | Mary Ann |
| Thompson William | Wooler L W |
| Wilkinson Williams | Wan Miss S |
| Williams Cornelia | |

J. B. BROWNE P. M.

NOTICE,

is hereby given that the following described lands and buildings will be sold at Public Auction, on Monday, the 3rd day of March, 1879, at the County Court House, in the County of Monroe, City of Key West, at 12 o'clock, M., or so much thereof as will be necessary to pay the amount of taxes duly assessed against said lands and buildings, together with the cost of sale and advertising; and I shall continue the sale from day to day, until so much of each parcel thereof shall be sold to pay the taxes, costs and charges thereon.

Isaac E. Bailion, House on White & Ferguson's

Lot Emma street, Tract 3, 1876 and 1877 \$6.77

Felix Barolla, House on John White's Lot sq.

61 Lot 3 Duval st. 1876 and 1877 \$8.34

John Bolton House on White & Ferguson's lot

and Tract 3 Ellen st. 1876-7 \$8.34

Robert Butler, House on J. A. Pitcher's lot

Tract 11 Division's st. 1875-6-7 \$6.22

Richard Barrill, House and Lot, Tract 16

Thomas st. 1876-7 \$9.42

William R. Cook, House and Lot, Tract 18 sq.

1, Lot 13 Julia st. 1876-7 \$10.45

Oscar Clifton, House on Margaret, Mox's lot,

sq. 39, Lot 4 Duval st. 1876-7 \$8.45

Primus Davis, 5 Houses and Lot sq. 26, Lot 4

Thomas st. 1876-7 \$7.51

Primus Davis, 6 Houses and Lot sq. 27, Thom-

as st. 1876-7 \$9.40

Primus Davis, 1 Lot, Tract 3, Simonton sub.

div. sq. 1, Lot 8 Thomas st. 1876-7 \$5.30

John A. Delaney, House and Lot, sq. 61, Lot—

Whitehead st. 1876-7 \$21.35

Rome Dupont, Lot, Tract 4, sq. 2, Lot 4, Duval

st. 1876-7 \$13.25

Dupont & Shackelford 3 Lots, Tract 4, sq. 6,

Lot 1 Duval st. and alley 1876-7 \$18.01.

Louis Gabriel, Lot, Tract 10, sq. 12, 1876-7,

\$8.76

Pompey Gibson, part Lot 3, sq. 6, Tract 4, Duval

st. 1876-6-7 \$20.77

John H. Grillon, House and Lot, sq. 23, Lot 4

Simonton st. 1876-7 \$18.35

Wolf Hayman, Lot, Tract 13, Watson's sub.

div. 1876-7 \$4.54

Shadrack Hannibal, House and Lot 1, sq. 5,

Tract 10, 1876-7 \$7.

Laura Hooley, Lot and House, sq. 52, Lot 2,

Thomas st. 1876-7 \$21.35

Laura Hooley, Lot and House, sq. 52, Lot 4,

Emma st. 1876-7 \$16.65

William King Lot and House, Tract 4, sq. 6,

alley 1876-7 \$18.12

Francisco Lopez, House and 21 Lots, Tract 10,

sq. 1, Division st. 1876-7, \$17.21

Frank Lancaster, House on Paul Seabrook's

Lot, Tract 4 sq. 3 Lot 2, Alley 1876-6-7 \$15.90

John Lewis (Lot 1) House and Lot Tract 4 Centre

st. 1876-7 \$9.55

John Mathews, House on Saml. Gabriel's Lot

sq. 40 Lot 4 Alley 1876-7 \$4.98

David Mathews, House and Lot Tract 10 Julia

st. 1876-7 \$6.23

Joanna Mitchell, 3 Houses and 2 Lots, sq. 52

Lot 2 Fleming st. 1876-6-7 \$43.40

Elijah Morton, 3 Houses, Tract 4 sq. 3 Lot 2

Whitehead st. 1876-7 \$6.65

Elijah Morton 2 Lots Tract 10 sq. 2 Lots 4 and

5 Virginia st. 1876-7 \$5.07

William Rogers House on Von Pater's Lot

Tract 3 Angela st. 1876-6-7 \$6.79

Mary Ann Rillon, Lot 4 sq. 64 Emma st. 1876-

