

THE TRIBUNE.

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Life and Death.

What is life, father?
A battle, my child,
Where the strongest lance may fall,
Where the wariest eyes may be beguiled,
And the stoutest hearts may quail.
Where the foes are gathered on every hand,
And rest not day or night,
And the feeble little ones must stand
In the thickest of the fight.

What is death, father?
The rest, my child,
When the strife and the toil are o'er:
The angel of God, who, calm and mild,
Says we need fight no more;
Who, driving away the demon band,
Bids the din of battle cease;
Takes banner and spear from our failing hand,
And proclaims an eternal peace.

Let me die, father! I tremble and fear
To yield in that terrible strife.

The crown must be won for heaven, dear,
In the battlefield of life:
My child, though thy foes are strong and tried,
He loveth the weak and small;
The angels of heaven are on thy side,
And God is over all!

THE LAWYER DETECTIVE.

A CLIENT SAVED.

It was when I first began to practice. I was admitted and opened an office in the village of C. I had but little business, and was sitting in my office, trying to keep comfortable, the clock already pointing to 10:30, when the door opened and the keeper of the county jail entered.

"We have a guest at our house who is quite anxious to see you, and requested me to bring you up to him if you had not retired."

It was not far to the jail, and we soon arrived there. After unlocking the usual number of iron doors, the jailer admitted me to the prisoner's cell, and remarked that when I was ready to go he would come and let me out. The huge iron door closed with a clang, the bolt was sprung, and I was alone with my would-be client.

As I had supposed, as soon as the jailer was out of hearing the prisoner came forward. He was a young, gentlemanly-looking fellow, apparently about twenty-four years of age. Extending his hand to me he said:

"I am glad to see you, Mr. —, you are indeed kind to come to me at this untimely hour, but I wanted to talk to some one, and I feel that you will take an interest in my case. I have been arrested for the murder of Mr. Richards, the president of the Farmers' bank of K., and for the robbery of the bank. Will you not lend me your assistance?"

I assured him that I would do all in my power for him, if he desired to retain me. He suddenly interrupted me by saying:

"I beg your pardon, sir, I do wish to retain you to defend me in my trial; and a trial must of course take place," saying which he handed me five double eagles.

"I have heard but few of the circumstances of the tragedy, and I fear that there are some things that will appear to be against me, but I trust that you will bring me out all right. Do all you can, sir; employ more counsel, if necessary, but clear me, for I am innocent."

"Tell me what you know of the case, and the circumstances that you think appear against you."

"Well, I had a quarrel with Mr. Richards last evening, but it did not last long. I will tell you the whole story, sir. I am a clerk in the Farmers' bank of K., of which Mr. Richards was president. Now, Mr. Richards, you must understand, has a daughter several years younger than I am, a lady with whom I have not only become intimately acquainted, but for whom I have conceived a strong attachment. Her father discovered that I was deeply in love with Clara Richards, and saw, I presume, that she was not wholly indifferent to me. Last Sunday I dined at their house by invitation of Mr. Richards, and during the evening I told Clara the state of my feelings, and was overjoyed to learn that she reciprocated my love. We agreed that I should ask her father's consent to our marriage as soon as I should be able to support a wife.

"I called on Mr. Richards, and boldly asked his consent to our engagement. He was very angry, said I was an impudent fellow, declared I should never again speak to Clara, and, in short, he insulted me, accusing me of taking advantage of his kindness to ingratiate myself into the heart of his only child. At last, I too got angry, and can hardly remember now what I said—only I know I did not threaten him. At the close of our conversation he left the room, and I went directly to my room and to bed. In the morning I went, as usual, to the bank, and as soon as Mr. Richards came down he took me into his private office, and said to me that most men would discharge a clerk from their employ under similar circumstances, but he would keep me, on condition that I would forget my presumptuous fancy.

"Why," said he, "Clara has more for pin money than your salary." And then, after informing me that I would no longer be received at his house, he told me to return to my desk. Nothing unusual occurred during the day until just before we closed, when we received an unusually large cash deposit. As I was on the point of leaving the bank Mr. Richards called me and said:

"Here is a package containing \$9,000, I wish you to take to Mr. Martin, cashier of the City bank of C.; you

can explain to him about our vaults not being any too secure, and apologize for coming at such an unseasonable hour, and ask him as a personal favor to me to receive the funds on deposit. Take a receipt and return in the morning; you can take the six o'clock train this evening."

"I took the package containing the nine thousand dollars, and after receiving some money for my expenses, I started. I arrived at my destination about half-six o'clock, and went directly to Mr. Martin's house, but found that he had gone up town, and later was going to the theater. Whereupon I sought the principal hotel, thinking I might see him there, but was disappointed here and there. I walked around where I thought I would be most likely to meet him, until about half-past nine, and then returned to the hotel, took supper, and engaged a room, to which I went. I sat down and read the evening paper until about half-past ten, when I started for Mr. Martin's house. As I came down stairs and opened the door, a burly fellow touched me on the shoulder, and whispered:

"I arrest you for the robbery of the Farmer's bank of K. and the murder of Mr. Richards."

"He then placed the handcuffs on me and escorted me here; and now I have told you all I know of my case, and it is the truth. My name is Howard Burton; I have no parents."

This is the substance of what Howard Burton related to me in his cell in the jail at C. I had not interrupted him during his recital, but had listened attentively to every word. I was much interested in the young man, who was about my own age, and who I felt was innocent of the horrible crime with which he was charged. I remained with him until long after midnight, and then, charging him to converse with no one on the subject of the murder, I left him. I knew nothing of the circumstances of the murder as yet, but I thought I would go to K. and learn what I could.

On my arrival at K. I went directly to the bank, and found two or three detectives there and some of the officers of the bank. Nothing had been moved except the body of the murdered man. He was found lying on the floor, with his skull crushed and his throat cut from ear to ear. Some of the drawers had been rifled, but aside from this there was nothing to indicate robbery. There was missing from the safe \$9,000, but the locks afforded no evidence of having been tampered with. I found that belief in Burton's guilt was quite general.

I stood at the window in the president's office, staring vacantly out, hard at work thinking, when my eye noticed on the sash of the window of the lawyer's office just across the passageway a little scrap of paper with the word "paint" written on it. A suggestive thought flashed through my mind as I walked out of the bank and stepped into the law office door. I was slightly acquainted with its occupant, who welcomed me and invited me to a seat. We talked of the frightful occurrence of the previous night for some time, and at length I said, rising to go:

"So you have been painting a little, Mr. Harris?"

"Yes, sir; did you observe my sign? Kelly, the painter, has a young German working for him who is really an artist. He did all the work here."

"When was the painting done?" I asked.

"All done yesterday—be careful of your coat."

I bade Mr. Harris good day, and left his office.

I had learned who painted that window, which was just what I most wanted to learn, without asking a leading question or letting Mr. Harris know I was interested in Mr. Richards' murder any more than he. I made up my mind to see the man without a loss of time, and find out if he saw Mr. Richards after young Burton left the bank. I went to the paint shop.

"You painted Mr. Harris' sign and office, did you not?" I asked.

"Yes, sir."

"Well, what time did you finish up there?"

"At six o'clock, sir."

"Did you paint after dark?"

"Yes, sir; after dark I painted the outside of the window, about half-past five; the man in the bank lighted the gas and it shone so brightly that I finished the window."

"Did you see this man in the bank handle any money?"

"The man looked puzzled at this question, but answered:

"Yes, sir; I noticed him counting a large pile."

"What kind of a looking man was he?"

"Well, a kind of good looking man; it was Mr. Richards. If you don't know him I will describe him to you."

I answered that I had seen him, and then inquired what he did with the money.

"He made a bundle of it and handed it to a young man, telling him to take it somewhere. I could not hear all he said. In addition to the bundle, he gave him what I judged to be a few dollars in change, and told him to come back in the morning. Then the young man went away. By-and-bye Mr. Richards put out the gas, and then I suspended work and went home."

"Did you see Mr. Richards again?"

"Yes, I saw him in the cigar store as I passed."

I included my examination with the question:

"Did you know Mr. Richards was murdered last night, and the money in the bank stolen?"

The man turned pale, and exclaimed with much excitement:

"Murdered! no; is it so? You don't think it was me? My wife Kathrina knows I came straight home."

"Oh, no!" I said; "I don't think it was you. You must not, however, tell any one you have talked to me, or it may result in your being taken to court."

I was now certain of my ability to clear my client, as I could prove he was sent on the mission to C. I next wanted to find some one who had seen him on the train, but I knew not where to obtain the information. Every one was talking of the murder, and public feeling was indeed bitter against Howard Burton. Stories of his quarrel with Mr. Richards were circulated with the usual exaggerations, and it seemed to be the unanimous opinion that he was the cold-blooded murderer. Still I was hopeful, and returned to C., feeling confident of my ultimate success. On my arrival, I held an interview with young Burton, and told him the result of my visit to K. He was overjoyed, and expressed himself confident of being acquitted. Returning to my office, I looked up all the reported cases that bore any resemblance to the one in hand. The examination of my client was set down for the next morning, at which time I went to the jail and accompanied him to the court room, accompanied by an under-sheriff. We found quite a formidable array of lawyers of note representing the prosecution. In addition to the learned district attorney, there were two astute criminal lawyers who had been retained by the bank officers to assist him. The examination was very brief, and after calling Mr. Richards' servant, and receiving the testimony of the hotel clerk, Howard Burton was fully committed to answer the charges of murder and robbery at the January term of the court.

"Can you not think of some one you know who saw you on the train from K. to C. on the night of the murder?" said I.

"No, sir; not one that I know; but perhaps the conductor will remember me. He had to change a five dollar bill for my fare, and grumbled a little about that."

"I will see him at once," said I, starting to go.

"Do so, do so," said my client, excitedly. "Call to my mind the young man who had a pen over his ear. I remember that on leaving the bank hurriedly I neglected to remove the pen, which I frequently carry over my ear, after the manner of clerks."

I went directly to the depot, and learned that the conductor I was in search of would arrive in about an hour. I waited, all impatience, and upon his arrival asked him if he would do me the kindness to walk up to jail and see if he could identify Mr. Burton. He willingly consented, and upon arriving at the prisoner's cell, I introduced him to my client. The conductor gazed steadily at young Burton a moment, and then said:

"Mr. Burton, be kind enough to put on your hat."

Burton did so, and again he looked at him sharply without a change of countenance.

"Now, sir; please put your hand in your waistcoat pocket."

I was afraid that the conductor was not going to identify him, but as young Burton put his hand in his waistcoat pocket, the lappel of his coat was drawn back, revealing upon his breast a Masonic pin, the badge of a Knight Templar.

"I fully identify him as the man for whom I changed a five dollar bill on my train, which left K. at six o'clock in the evening, and am ready to swear to it in any court of justice. You see, sir," continued the conductor, "we learn in our business to remember, and noticing a pen over this young man's ear, I laughingly advised him to take it down. But what called my attention principally to him was the fact that he wore that Knight Templar's badge."

I saw that I could prove an alibi, and thus undoubtedly clear my client; but I was ambitious to do more. I wanted to arrest and convict the guilty party. The next thing for me to do was to see the keeper of the cigar store, at which my painter on his way home had seen Mr. Richards after six p. m. on the night of the murder. On the following morning I took the train for K., and on my arrival went directly to the cigar store, and then spoke to the man behind the counter of the murder.

"Oh," said he, "poor man, he was in my store about an hour before they found him dead."

"Indeed," said I, "did he trade with you?"

"Oh, yes, sir; why, he came in here, as I tell you, and bought some cigars that very night on which he was killed, and stopped a moment to chat with me. Then he looked at his watch, and said: 'It is a quarter past six. I must go in and lock up the bank and go home.' Just then his man servant came in and said:

"Mr. Richards, I have a note from Miss Clara, for you, sir."

"Well, Thomas," said he, "I suppose it is for money; that usually is the subject of her perfumed notes to me; come into the bank a moment."

"In a little while I saw the servant going in the direction of Mr. Richards' house, and in about an hour afterward his master was discovered in the bank dead."

This from the cigar store keeper. I did not let him know I was attorney for the accused, and was soon turning my steps toward the late residence of the deceased. I was admitted by his late servant Thomas, and was soon conversing with Miss Clara, to whom I confided my relations with Burton. I asked her

what time she sent Thomas to the bank the night her father was murdered.

"I did not send him at all," she replied, evidently surprised at the question.

"Well," said I, "we are going to acquit Howard Burton, and to take his place we want to find out who did commit the crime. Now, Miss Clara, are you sure you did not send Thomas to the bank the night of the murder?"

"I know very well I did not," was her answer.

"Then," I replied, "either the keeper of the cigar store is mistaken, or your servant Thomas is the murderer of your father."

I told her to treat Thomas as usual, and not to speak of our conversation to any one. After receiving a letter she wished to send to Burton, I took my departure to C. Immediately on my arrival here I went to my client, and communicated to him all I had learned, and delivered the letter. I took the first real night's rest that night I had since the death of Mr. Richards. I had previously sworn out a warrant for the arrest of Thomas, to be served as soon as the jury should pronounce my client not guilty.

Thomas, the servant, was first called. He swore to the quarrel between Mr. Richards and Burton, and that he heard Burton threaten Mr. Richards' life. Notwithstanding I closely cross-examined him, I failed to make him contradict himself, and when he retired nearly every one in the court room was doubtless certain that Howard Burton was guilty. The next witness was the hotel clerk, who testified that Burton came into the hotel while he was attending to the guests from the train that arrived in C. at about half-past six o'clock. Then followed the examination of the bank cashier, who swore that the package of \$9,000 found on Burton at the time of his arrest was deposited in his bank on the afternoon of the murder. After calling several other witnesses, whose testimony was of minor import, the prosecution rested. I then followed, and after a brief opening address, called the painter, who swore to seeing Mr. Richards send Burton on the errand; also to seeing Mr. Richards in the cigar store after six o'clock on the evening of the murder. When I had finished with him he was submitted to a severe cross-examination, in which he acquitted himself very creditably. Then I called the conductor who swore to seeing Burton on the train on the night of the murder; he also swore that the train left on time—six o'clock. The cigar store man was next examined, who swore to talking with Mr. Richards at a quarter past six, also to seeing him leave for the bank with Thomas.

Witnesses were all cross-examined thoroughly, but did not contradict themselves in any particular. I then closed my case, and after a few remarks from the prosecution, the judge charged the jury, who retired, and in fifteen minutes returned with a verdict of not guilty.

As soon as quiet was restored, the sheriff approached Thomas, the servant, and said in a loud voice:

"Thomas Healy, I arrest you for the murder of Mr. Richards!"

The excitement in the court caused by this unlooked for and sudden proceeding was most intense. The prisoner was immediately taken to jail, followed by a crowd that were loud in their expressions of denunciation—the same crowd that a little before had marked Burton as the murderer.

Well, to finish the story, I have little to add. I was retained by the bank officers to prosecute Thomas Healy, and he was convicted of the crime. He protested his innocence almost to the last, but the night before he was executed he made a full confession, stating that he had determined to rob the bank some evening when Mr. Richards was there alone. It was Mr. Richards' custom, he explained, to go to the bank in the evening, and when he and young Burton quarreled, he (Thomas) saw his opportunity. His determination was strengthened by hearing Mr. Richards remark on the day of the murder, as he sat at dinner, that there was an unusually large amount of cash on hand. The note in the case was one that Miss Clara had given him to take to her father some days before, but Mr. Richards coming home before Thomas found him, it had not been delivered as intended. By the aid of this note he had got Mr. Richards in the bank, and while he was reading it he struck him with a stove poker and then cut his throat. He got no money as the reward of his crimes as the vaults had been locked.

The night Thomas made his confession he committed suicide, thus cheating the gallows tree of its just due.

Howard Burton was made cashier of the bank and married Clara Richards within a year.

What they Think.

The London Times, in commenting upon the crime of Thomas, is good enough to say that it cannot be called characteristically American, for the extremely flattering reason that the "disproportion between the means employed and the end to be attained is a guarantee against the recurrence of such attempts. As the phrase stands, its only intelligible import is that Americans are not likely to take up with the business of destroying passenger ships at sea for the sake of fraudulent insurance, simply because it "would not pay" to kill so many people for so small a sum of money as could ordinarily be secured in this way.

Col. T. B. Mills offers to pay the expenses of sending a regiment of Arkansas State Guards to the Centennial.

The War in Cuba.

The following report from Havana shows us how terribly the war in Cuba is carried on: The insurgents have been active for a month. The official reports mention thirty encounters, and there are others. On December 12, Chambas was attacked by four hundred Cubans, under the command of Serafin Sanchez. The garrison, thirty-eight men of the civil guard and volunteers, beat off the assailants after a fierce combat, killing eight and losing four. At Cienfuegos, the festivities of Christmas eve were interrupted by news that the rebels had attacked the village of Jagna, near the city. The military authorities called out volunteers and firemen, and the captain of the port ordered a gunboat on the bay to furnish transportation. By great exertions the troops were landed at four o'clock the next morning; but by that time the enemy had sacked the village, burned part of it, and made off with booty and some prisoners. On Christmas eve, when the inhabitants were engaged in their annual holiday, and it was already dark, the place was unexpectedly invaded by raiders, who emptied the stores and houses of desired articles. A party of the assailants made a charge on the castle, hoping to seize the gate before the alarm spread among the garrison; but they were frustrated by a colored fireman, who reached the gate before the raiders and closed it. The insurgents sent a volley after him which scarred the gates and walls. Captain Beltran, of the Tarragona regiment, who was accidentally in the village, endeavored to reach the fort, but was killed by a mulatto, who was immediately shot from the fort. An officer's servant was wounded, but he escaped. The insurgents packed their spoils on horseback and retired, carrying with them Don Jose Barquin, his young clerk, and two artillerymen surprised in the village. These persons were subsequently found cut to pieces at half a mile from Jagna. The only one who showed then any signs of life was Barquin, who is not yet dead. The inhabitants had fled in all directions, and only ventured back when the raiders had gone. The latter, it is said, were seen to carry off four or five wounded comrades, hurt in the attempt to surprise the fort.

The French house of Cail & Co., of Paris, has a branch here, and the government has called upon it to pay \$25,189 in gold for the first six months of the five per cent. tax on capital. Payment being refused, on the plea that the concern here was only an agency of the Paris firm, the authorities caused machinery to be seized to the value of \$44,380 in gold, and had it announced for sale by auction; but representations having meanwhile been made at Madrid, a cable was received thence ordering all proceedings against this house to be suspended until the minister's instructions could be received by mail.

A Barmaid's Fortune.

It is not often that a pretty barmaid falls into a fortune of £80,000, as a very pretty barmaid at the Harp, London, has just done; but then probably few pretty barmaids deserve such luck as well as this one did. Three years ago a very well known man was Mr. Thomas Alexander Mitchell, member of Parliament for Bridport and senior member of the firm of Mitchell & Co., of London and Riga. He had represented Bridport for thirty years. His business was extremely profitable; he had accumulated a fortune of about £250,000. He was, however, in the habit of drinking a great deal, and he liked best to do his drinking at the Harp, where he was served by the pretty Miss Helen. In 1872, to the surprise and amazement of all his acquaintances, he walked off with Miss Helen one morning and married her. She made him an excellent wife, and to a great extent cured him of his intemperate passion for drink. Last March, however, Mr. Mitchell was taken ill and died. A few days before his death he made a will by which he left £80,000 to his wife; gave legacies of £1,000 each to his old servants and acquaintances, provided an annuity of £100 a year for some old ladies, his cousins; and left another £80,000 in the firm of which he was the leading partner, on condition that it should remain for twenty-five years, and that then his wife should have one-half of it, while the other half should be retained by the firm. The rest of his property—that is, about £75,000—he bequeathed to the metropolitan board of works, leaving them to do what they like with it. Mr. Mitchell's relations were greatly displeased when they learned of this will, and they resolved to dispute it. Their grounds of dispute were that it had been obtained by undue influence, and that the testator was not of sound mind when he made it. The case has just been tried in the probate division of the high court, and the will has been sustained—it being shown that the plea set up by the relations were wholly and absurdly false. So the pretty young widow gets her £80,000 down, and £40,000 more in expectancy; while the board of works comes in for its £75,000 or £80,000.

The champion considerate man is he who, on being cast ashore at the isles of Shoals at night found the light-keepers' hut, and slept, half frozen, just within the storm porch till morning, because, as he said, "he supposed the keepers were asleep inside the house, and would not like to be waked up."

The London Saturday Review says that "the farmers and traders of the United States are probably superior in moral and intellectual qualities to the bulk of any other civilized community."

Items of Interest.

Nevada proposes to punish hoodlums at the whipping-post.

The people of western Georgia are still immigrating to Texas in large numbers.

Don't take too much interest in the affairs of your neighbors. Six per cent. will do.

A large number of Scandinavians have colonized near Falls City, Washington Territory.

An attempt is being made at Brunswick, N. C., to raise Angora goats for their wool.

The total income of the Prince of Wales, from all sources, is about \$575,000. The Princess receives, besides, \$50,000.

A Montreal physician, asking for the renewal of a note, writes: "We are in a horrible crisis; there is not a sick man in the district."

The Boston Journal notes that "a popular actress, who died recently, left an unprotected husband without visible means of support."

The proprietor of a ropewalk says that what makes it hard on rope makers is that at least fifty men die daily of natural causes who ought to be hanged.

Parshtottam Chetty, a wealthy Madras merchant, made a wager that he could drink twelve wineglasses of rum. He was intoxicated when he began the feat, and soon after its performance he died.

A blind beggar in Paris was absent from his usual position in a doorway during the cold weather. In his stead was a placard with the inscription: "In consequence of the severe cold I solicit alms at home," accompanied by his address.

The Danbury News speaks of a man of that town who, wishing to engage several bushels of potatoes from a party in the suburbs, asked a neighbor what sort of a man he was. "Well," said the conscientious neighbor, "I don't know very much about the man, but I should think he would make a tiptop stranger."

A young lady of Hardin county, Iowa, who, merely to show her knowledge of business affairs, drew up and signed a hundred-dollar promissory note at a party several months ago, has just received a notice from the bank to walk around and settle it, with interest. She thinks this is carrying a joke too far.

Plutarch tells us, in his reply to one of his own Roman questions, that possibly a good reason for the custom of kissing was that women were forbidden to drink wine, and therefore that those who did defiantly dare to drink might not be undiscovered, but certainly convicted when they met with an acquaintance, kissing became a custom.

A few days ago an undertaker of Brookhaven, Miss., playfully measured J. H. Stewart for a coffin, and ascertained that an eighteen inch box would do for him. About eight hours afterward he was astonished to receive notice of Mr. Stewart's death and an order for a coffin. The coffin was sent in accordance with the above measurement.

The other evening, when a Detroitier and his wife felt lonesome, they decided to go over and see an acquaintance and pass an hour away. "Ah! I'm glad to see you!" exclaimed the acquaintance as he opened the door. "Come right in and take off your things. I've got 160 verses of a poem written, and I want to read them to you and see what you think of my talent."

The Missouri State lottery long maintained itself as a legalized business, because it had a contract with the State in which it agreed to devote a percentage of its receipts to certain public purposes. This theory has been overthrown by trial, and the police of St. Louis have been ordered to stop the sale of tickets in that city. Incidentally it was shown that the lottery made a clear profit of \$6,000 a month.

"Suppose," said a now-beating Clarinda (an) lawyer to a witness he was trying to badger, "one day recently; suppose I should tell you that I could bring a dozen men to your town to this court room who would say they would not believe you on oath, what would you say?" and calmly the witness made his reply: "I would say you lied." A genuine smile diffused itself all over the court room, and the unruffled witness stepped down.

Diminishing Grain Trade.

New York has lost nearly one-fourth of its grain trade, while other Atlantic ports have gained. This is the startling fact which the report of Mr. Walker, statistician of the Produce Exchange, sets forth with clearness. The receipts of flour and grain at Montreal, Boston, Portland, Philadelphia, Baltimore, and New Orleans were 63,771,695 bushels during the first nine months of 1874, and 63,445,031 bushels during the first nine months of 1875, a loss of over 326,664 bushels. But at Montreal there was a loss in receipt of grain of 656,373 bushels, so that at the five American ports there was a small gain. On the other hand, receipts at New York during the first nine months of 1874 were 84,166,049 bushels, and during the first nine months of 1875 only 63,284,201 bushels, a loss of 20,931,848 bushels, or nearly one-quarter. In grain, excluding flour, the loss at New York was 19,118,513 bushels during the same period, or more than one-fourth, for receipts of grain in 1874 were 69,100,279 bushels, and in 1875 only 49,118,513 bushels. But during the same nine months receipts of grain alone at the five American ports were larger than during the corresponding period in 1874 by 4,000,369 bushels.