

inhabitants of a particular parish, by burdening them with the support of a pauper belonging to a different parish and so far perhaps it may be viewed as a case of contemplated private fraud, as the inhabitants of a parish are not the community at large. But whether the principle laid down by the court, was on the point of meditated individual injury or violation of public police, does not appear from the report of the case. In *3 Chitty on Criminal Law*, it is treated as a conspiracy to violate public police, but the principle equally applies to both. In *The King vs. Cope* and others, 1 *Stranger*, 144, the prosecution was for a conspiracy to ruin the trade of the prosecutor, who was a cardmaker to the king, by bribing his apprentices to put grease into the paste, by which the cards were spoiled. The putting grease into the paste, and thereby spoiling the cards, if done by one, would have been no crime in law, but a private injury, for which the party would have been left to his civil remedy; and it was the conspiracy alone which constituted the offence. And in *The King vs. Eccles*, 1 *Leach's Crown Cases*, 274, the indictment was for a conspiracy, by wrongful and indirect means to impoverish one *Booth*, a tailor, and to deprive and hinder him from following and exercising his trade. In the first count in the indictment, the object of the conspirators was alleged to have been accomplished, and in the second count the conspiracy only, was charged. It was not denied that the conspiracy was an indictable offence, and the only objection on the part of the defendant was, that the acts done to impoverish *Booth*, ought to have been set out in the indictment. But it was decided by the whole court, that it was sufficient to allege the conspiracy, and the object of the illegal combination being the gist of the offence; and that it was not necessary to state the means, by which the intended mischief was effected; for that the offence did not consist in doing the acts by which the end was accomplished, (for they might be perfectly indifferent,) but in the conspiring with a view to effect the intended mischief by any means; and by *Buller*, justice, that "the means were only matters of evidence to prove the charge, and not the crime itself." It has been contended that these last cases were conspiracies to injure public trade; the distinguished judges before whom they were tried have not said so, nor could they have so considered them. They were not so laid in the indictments, but were distinctly cases, in which the meditated injuries were levelled against particular individuals, unconnected with any matter of public concernment, and do not fall within the principles of any of the enumerated offences against public trade, which are offences committed by traders or dealers themselves, such as cheating, forestalling, regrating, &c. So in *The King vs. Leigh* and others, (*Macklin's case*), 2 *Macklin's Life* 217, in which it was held, that an indictment would lie for a conspiracy to impoverish an actor, by driving or hissing him off the stage; and in *Clifford vs. Brandon*, 2 *Campb.* 358, it was said by Sir *James Mansfield*, that "though the audience had a right to express by applause or hisses their sensations at the moment, yet if a body of men were to go to the theatre, with a settled intention of hissing an actor, or even of daunting a piece, there could be no doubt that such a deliberate preconcerted scheme would amount to a conspiracy, and that the persons concerned in it might be brought to punishment." There the preconcerted scheme alone, the unexecuted conspiracy, was held to be indictable; but if put into execution, according to circumstances, it would be a riot. In *The King vs. Robinson and Taylor*, 1 *Leach's Crown Cases*, 37, the defendants were indicted for a conspiracy to raise a specious title in *Mary Robinson* to the estate of *Richard Holland*, by marrying *Taylor*, under the assumed name of *Richard Holland*. The only evidence in the case was of the marriage, and that she lived with *Holland* as a kind of servant. It was distinctly admitted, that a conspiracy to do an injury to the person or estate of another was an indictable offence, and so held by the court, *Willes*, *Foster* and *Reynolds*, presiding; and it was also ruled, there being no positive proof of an intention to injure *Holland*, that it was not necessary to prove any direct or immediate injury, or even to show any specific overt act of conspiracy, but that it was the

Province of the jury to collect from all the circumstances of the case, whether there was not an intention or design in the parties to do a future injury to *Holland*. And that case would seem to cover all the ground necessary to support this prosecution. The conspiracy was levelled at the property or estate of another, and the object was to defraud an individual, but the act by which the fraud was intended to be accomplished, (a marriage under an assumed name) was not in itself unlawful. It has been ingeniously argued here, but not ventured on by those who conducted the defence of *Robinson* and *Taylor*, that they committed a perversion of the course of justice, as her right could only have been established by judicial proceedings. It was not so charged in the indictment, and without it, the prosecution must have failed, if it had been deemed at all necessary to constitute the offence; for no latitude of intention can be allowed to include any thing more than is expressed in an indictment," as has been before observed on the authority of *Lord Mansfield*, in the case of *The King vs. Wheatly*, 2 *Burr*, 1127, and 1 *Chitty's Criminal Law*, 127. In *The King vs. Lara*, 6 *T. R.* 565, it was admitted by counsel in argument, that a fraud upon an individual by conspiracy was indictable, and the doctrine laid down by the judges in *The King vs. Wheatly*, was fully recognized and adopted by *Lord Kenyon*; that is, that a cheat effected by conspiracy, was an indictable offence. The case of *The King vs. Berenger*, 3 *Macle & Selwyn*, 68, as it is understood by the court, is a very strong one. The indictment was for a conspiracy by false rumours to raise the price of the public government funds, with intent to injure such of the King's subjects as should purchase on a particular day. It was broadly admitted in argument, that if the indictment had stated, "that the defendants conspired to raise the price of the funds in order to cheat or prejudice particular individuals by name, or to benefit themselves at their expense, or that the public were concerned in the purchases of that day, and the defendants conspired, &c. to the prejudice of the public, it would have exhibited a complete offence." But it was contended, that the allegation, that it was with intent to injure "such of the King's subjects as should purchase on that day," was too general, and for that reason, the indictment was objected to. But the objection was overruled by the court, not on the ground, that to constitute an indictable conspiracy, it should be levelled either at the public in its aggregate capacity, or at a class or portion of the subjects, as distinguished from an individual; for it was treated throughout as perfectly clear, that if it had been laid with intent to prejudice or defraud either the public, or an individual or individuals by name, it would have been good; and the only difficulty on that part of the case was, whether, being laid with intent to injure those who might become purchasers, and not either an individual by name, or the public in its aggregate capacity, the generality of the charge did not vitiate the indictment. But they sustained the indictment *ex necessitate rei*, on the ground, that as it was impossible the defendants could have known, who would be the purchasers on that day, the charge could not have been more specific. And though it was conceded, that to raise or lower the price of the public funds, was not *per se* a crime, yet it was held to be an offence, for a number of persons to conspire to raise them by false rumours; and that the crime was not in raising the funds, but in the act of conspiracy and combination to do so, and would be complete, though it should not be pursued to its consequences. It was clearly therefore on the point of individual injury that the court went. And so in *The King vs. Gill & Henry*, 2 *Barnwell & Alderson*, 204, the defendants were indicted and convicted of a conspiracy by divers false pretences, and subtle means and devices, to cheat several individuals by name. The prosecution in that case, could not have been sustained, on the ground, as has been supposed, that it was for a conspiracy to commit an offence, indictable of itself under the statute 30 *George II.* against cheating by false pretences; for it is well settled that in an indictment framed upon that statute, it is not enough to allege generally, that the cheat was effected by divers false pretences, &c. but the particular false

pretences, must be stated, that the party may know against what he is to defend himself, and that the court may see that there is an indictable offence charged, as there are some pretences which are not within the statute. 2 *T. R.* 586. *East's Crown Law*, 837. So in an indictment at common law for cheating by false tokens, and so also in an indictment in the statute 33 *Henry VIII.* against cheating by false privy tokens, &c. 3 *Chitty's Criminal Law*, 999. 2 *Strange* 1127. If then the conspiracy in that case was only indictable, because it was to commit the statutory offence of cheating by false pretences, as they would form the principal ingredient of the offence, it would have been necessary to set out the particular false pretences, by which the cheat was intended to be effected, in order to show that it was the statutory offence, which the conspirators intended to commit—on the acknowledged principle, that every indictment must contain a certain description of the crime of which the defendant is accused, and a statement of the facts by which it is constituted. But it was there ruled by the court, that when several persons have once agreed to cheat a particular individual of his money, although they may not at the time, have fixed on any particular means for that purpose, the offence of conspiracy is complete, and that it was sufficient to state the conspiracy and the object of it in the indictment, without setting out the means by which it was intended to be accomplished, and per *Lord Mansfield*, in the case of *The King vs. Eccles*, "they may be perfectly indifferent." It is evident therefore that the indictment was not supported on the ground, that it was a conspiracy to commit an indictable offence, for if it had not been for a conspiracy to cheat, but against an individual, for the actual commission of the offence, it would have been bad for the generality of the allegation; and the principles of that case embrace every thing that is necessary to the support of the indictment against these defendants. The case of *The King vs. Mawbay and others*, 6 *T. R.* 619, was a conspiracy to pervert the course of justice, which is of itself an indictable offence.

(To be Continued.)

ARKANSAS.

Little Rock, May 14. Colonel D. Brearly, U. S. States Agent of Indian Affairs, passed this place on Saturday last, on his return to his station in the Cherokee nation, on the Arkansas. We are assured, that notwithstanding the unfortunate war which still exists between the Cherokees and Osages, the white settlements in this territory are not in the least danger of being molested by either party. A letter to the editor from the Cherokee nation, dated 5th inst. says that the Osages have lately made proposals to the Cherokees for peace—but it was not known whether they would be acceded to by the latter. P. S. Since the above was in type, we have the satisfaction to state, on the authority of a person arrived last evening from Fort Smith, which place he left on Wednesday last, that the proposals for peace made by the Osages, have been acceded to by the Cherokees; and that among other things, the latter have agreed to give up all the Osage prisoners in their possession. Mr. A. S. Sub-Agent for the Osage nation, left Fort Smith for that nation on Wednesday last, for the purpose of putting a final stop to this destructive war.

Havana, June 23. Arrived the U. S. schooner *Grampus*, Lt. Comdr. Gregory, from a cruise. The G. left the fleet under Capt. Perry in the old straits, they had captured two piratical schooners and a Key Comby (on Spanish charts) with part of the cargo of an English brig lately robbed and arrived at this port. The other by the boats, seven prisoners are captured, and were recognized by a seaman taken from a vessel robbed. The last prize was endeavouring to join their Commodore, and defended themselves. Only one prisoner arrived in the G. at Havana. Most of the men from on board the G. are left with Capt. Perry to man the prizes and boats, he is in great hopes of exterminating them in that neighbourhood. The last prize was named the *Felicia*, No. 23, from Havana, she may have been a prize to the Pirates, as they have taken several of the coasters.

BANK OF THE UNITED STATES.

Mr. CHEVES has determined to retire from the Presidency of the Bank, at the expiration of the present year. We presume he returns to his profession, which will afford him a more grateful and adequate recompense for his indefatigable attention to business, than the employment he now holds. Mr. C. is one of the first men in this country, and we have always believed that none but high public considerations could have induced him to immerse himself in the cells of a banking-house. We trust for the sake of the country in general, and the stockholders in particular, that a successor to Mr. C. may be obtained of equal probity and talent with himself. It is already a matter of speculation who is to be his successor. Mr. Gallatin has been named and would doubtless receive the appointment if he would accept it. [Nat. Intell.]

DIVIDEND.

The Bank of the United States has declared a dividend of two and one quarter per cent. for the last six months.

From the Aurora.

AUGUSTIN YTURBIDE.

As the appointment of Augustin Yturbide to the supreme executive authority in Mexico, places him in a station towards which all eyes will be directed, curiosity may be perhaps gratified even with some imperfect sketches of his biography; and it may probably afford some pleasure in its sequel. Augustin Yturbide was born at Valladolid, in Mexico, about the year 1790, for we find him in 1810 a lieutenant in the army. His father, who still lives in his 84th at Valladolid, was Joseph Joachim Yturbide, a native of Biscay, in Spain, who passed from Europe in 1763, at the age of twenty three years, to Mexico, and married a Creole lady of considerable fortune in that city, of whom Augustin is the offspring; and who was educated at the collegiate seminary of his native city. He attended with his father to the employment of an agricultural life, by which his constitution was framed to hardiness, and his habits were formed to military exercises in the militia of his province, composed principally of cavalry— from a pen with which the American people are familiar, we have obtained some of the chief traits of this character of the generalissimo of Mexico.

Young Yturbide distinguished himself among his contemporaries of the same age, as the leader in all youthful enterprises, excelling in athletic exercises; and equally distinguished in taming the wild horse, as in extending his mind to the promotion and improvement of agriculture, which formed the occupation of his father. He was a lieutenant in 1810; but there was so much disorder and such want of system in the revolutionary corps, that he deemed it useless to commit himself under such a state of disorganization. He left his native province for the capital of Mexico, but his history in the interval between this period and when we find him at the head of a division, and attacked by Morelos, at the village of Marabato, we have not means to ascertain. The defence which he made on that occasion with a handful of troops, very much distinguished him, made him known to the government, led him to the rank of colonel, and he was thenceforward usually in the command of a brigade, from the opinion that had been conceived of his intrepidity and enterprise. The talents which he had displayed, and the confidence he had obtained, excited the jealousy of some of the military chiefs, such as are found in all armies in all countries, for every where the man who possesses more than ordinary faculties or virtues, must always calculate upon being leared & hated; he was deprived of the command of Bahia; the injustice was endured without complaint; he repaired to the neighbourhood of the capital and occupied himself on a handsome plantation; where his character was too much distinguished to be long obscure. From his farm he was invited to take command of an army destined for the south, by which we understand that force which he marched to Acapulco in 1819-20. The minute circumstances of his understanding with the then Viceroy Apodaca, are not so well ascertained, as to authorise any specification; but on this march it appears that he matured those plans, which he had long conceived, for the total emancipation and independence of Mexico—which produced the memorable plan of Iguala, of which equality of rights for all persons, Indians, mulattoes and negroes, as well as whites, is the main characteristic feature; and upon this comprehensive plan which united all interests, and promised protection to all, to the soldierly promotion, to the priests their authority over souls, to the titled, their titles, to the merchant bounties, to the planters commerce, and to the various classes of labourers, liberty; all were consulted, named and respected, and all interests were reconciled.

Augustin Yturbide is full 5 feet 10 inches high, erect, well proportioned & well formed, rather athletic than light, combining the muscular force of Hercules with the elegant contour of Apollo; his motion is manly & graceful, easy and unaffected; his complexion a light brunette, and his visage a fine turned oval, animated by a playful, speaking, hazel eye, indicative of quickness and a warm heart; in his manner more persuasive than imperative—neither pre-empting nor assuming too much, he insensibly brings those up to his level with whom he converses, and never fails to excite great attachment. His military operations are characterised by vigilance, patience, and perseverance; and when he strikes, it is with the decision of thunder; in the most critical and hazardous situations he is composed, collected and smiling to a people, emerging from despotism to independence, have ascribed to him a sinister ambition, incompatible with free government. Yet he has very recently publicly repeated his determination, to terminate his political career by following the example of our great example, Washington. These are the principal features of character, which we have been able to collect; they are no doubt imperfect; but they are beyond doubt correct."

PAINFUL INTELLIGENCE.

By the ship *Carolina Ann*, arrived at New York from Valparaiso, letters are received from officers on board the United States ship *Franklin* 74, confirming the report and detailing the particulars of the loss of a boat's company belonging to that ship. The following is an extract from one of the letters:—"On Tuesday the 19th instant, a most melancholy and deplorable event occurred in this bay. On the morning of that day, a party consisting of seven officers, viz. Lieut. James N. Perry, Dr. Cornelius C. De Puy, Midshipmen Robert Marshall, John Cremer, Edward Preble, Robert E. Coffin, and Reuben R. Pinkham, and three seamen, named John Smith, Lt. Melane on C. Read, and William M. Daniels, all belonging to the *Franklin*, left the ship in one of her boats, with the design of visiting Quintero, a small town sixteen miles to the northward of this place, formerly the residence of Lord Cochrane. On nearing the shore, they unexpectedly found a high surf rolling in, and attempting to pass through it, in order to gain the usual landing place, the boat was overwhelmed by a tremendous surge, which capsize her and threw the whole party into the sea. Mid'n Pinkham and the lad M. Daniels were the only persons who escaped to relate the dreadful tidings! Messrs Marshall and Cremer, although excellent swimmers, disappeared very soon, and it is supposed were carried down by one of the sea-monsters who was unable to swim, as he was seen holding Marshall by the coat.

De Puy and Mr. Preble, neither of whom were reported to have been seen, were afterwards discovered in the bay, through the good and intrepid exertions of Lt. Perry and Mid'n Pinkham. They were as often overwhelmed and dashed to sunder. When every effort had been made, and the two former had disappeared; Lt. Perry and young Coffin were seen buffeted by the waves, and cheerfully encouraging each other in their endeavours to reach the shore. Another and another surge engulfed them, and their fate was irrevocably sealed. It is believed that Perry, being an excellent swimmer, might have gained the shore, but his strength was completely exhausted in nobly exerting himself to save his unfortunate companions.

"On this painful occasion, I feel unequal to the task of delineating the character of the individual worth of the deceased. The tear which glistens in the eye of every one on board, from the Commodore to the youngest lad in the ship, and the sympathetic sorrow depicted in the countenances even of strangers on shore, declare in mute eloquence that we have suffered a heavy and irreparable loss.

"On the 21st, the flag of the *Franklin* was displayed at half mast, with due respect was followed by Commodore Hurd's ship, the Chilean squadron, and the ships of all nations in port—and on Sunday last, the Rev. Mr. Andrews (Chaplain of the *Franklin*) delivered an impressive and appropriate discourse on board, which was listened to with deep interest by the ship's company and a large number of our countrymen from shore.

"The body of one of the seamen was found several days since, and decently buried at Quintero. Four more bodies were found yesterday, and the party which was detached this morning to pay the last sad tribute to their remains, has not yet returned. It can procure their names in time, they shall be inserted in this letter."

UPPER NILE, &c.

Extract of a letter from an American gentleman to his father in Boston, dated Malta, April 16, 1822.

"By my last, [June 20, 1820,] you knew that I was upon the point of accompanying Ismael Pachá to the conquest of the countries on the upper Nile. The expedition was crowned with the most complete success, and has laid open to the knowledge of the world a superb country, and will occasion no small acquisition to the Geography of Africa. I cannot, in the compass of a letter, which I am obliged to make a short one, inform you of my adventures in this romantic and fortunate expedition. My journal of it has been sent to England for publication, and copies of it may possibly reach America in two months. I have had the honour of having contributed to the success of a most extraordinary expedition, which has been singularly successful, and of being the first civilized man that was ever on the Banks of the Great Bahriel Abiad, which we have ascertained to be the main branch of the Nile, and probably the Niger. The singularity of this having fallen to the lot of a native of the new world, attracts in the opinion of Europeans, no little notice to myself, and I hope will bring some to your country."

From the Federal Gazette.

Extract of a letter from General James Wilkinson, to a gentleman of this city dated

Mexico, May 11th, 1822.

The transition of these kingdoms from the yoke of despotism to independence, some people think has been achieved at the little expense of blood—and therefore they would infer the necessity of civil wars to consummate the important acquisition. Do not esteem such politicians the true philanthropists, nor the warmest friends of humanity—and my deductions are very positive to theirs, because the passions, prejudices, the heat and ardour, which accompany the onset of civil contest, form the season of that intemperate conduct, which seldom recurs after the revolutionary storm has blown over, and reason has rescued the helm of the state from the hands of violence.

This country cannot, with its diversified population, be exempt from subjects of collision—but I do believe, and I trust in the benign Ruler of human affairs for the result that there exists too much national subordination, too much good temper, too much good sense, too much virtue, and too much patriotism among this people, to permit the occurrence of civil contests or counter revolutions, in such extent as to affect the stability of the national councils, or the general happiness and prosperity of the Mexican empire.

JAMES WILKINSON.

Extract of a letter to a gentleman in this city, dated

City of Mexico, May 11, 1822.

I take the liberty, well knowing you penitent for the cause of the Creoles of Spanish America, to introduce to you Gen. Braulabon and his companion Maj. Thompson, gallant and suffering followers of the great and good Miusa, and now officers in the service of this empire. The first is an entire confidence not only of this government, but of the sovereign people, and is the great favourite of this serene highness the prince regent—and generalissimo! Augustine Yturbide, who "take him for all in all," is at 38, one of the first men I ever beheld, not for his height or muscular force, though not deficient in either, but for his ease, simplicity and innocence of his unaffected manners; all his movements are graceful, and in every turn more popular than our own Thomas Jefferson, yet he is a lion in combat, and matches in natural pride and hardihood. He is charged with ambitious views, yet I heard him declare three evenings since, that in closing his public career he should follow the example of our immortal Washington, but that his country must have a government before he can execute this purpose.

MARYLAND GAZETTE.

Annapolis, Thursday, July 11.

UNIVERSITY OF MARYLAND.

The time of meeting of the Alumni of the University of Maryland, advertised to take place on the first Monday in August, has been changed to the first Friday in December next. Editors who have been so obliging as to publish the former notice will confer an additional obligation, by giving the present a few insertions.

For the Md. Gazette.

"As for the assertion that there is no ground for political contention, and that party rancour has ceased, it is nonsensical. It is a trick of designing knaves to gull the simple and the unsuspecting; it is the cant phrase of federalism, a party that has failed in every year practised artifice for the last twenty years to obtain power. When they despair of accomplishing their ends by other means, their motto becomes 'divide and conquer.'"

"We advocate measures, and not men." The above extracts were taken from the Maryland Republican of the 2d instant. It seems then, that the federalists, although they have withdrawn from the political contest, are not to be permitted to repose in peace and quietness. It is still deemed necessary to cast upon them the foulest reproaches, and to attribute to them the most unworthy motives, in order to resuscitate and keep alive the dying embers of party spirit, without the existence of which, designing demagogues can have no hope of succeeding in their purposes. It may suit well the purpose of such men to endeavour to attribute to the "practised artifice of federalism," the divisions which now rend the democratic party—but this itself is an artifice too palpable to deceive, too glaring to mislead. It is well known that the divisions which now rend the democratic party, have proceeded from causes in which the federalists had no agency. A portion of the democratic party, since this party obtained the supreme power in the state, seeing that the views and designs of the other portion were not directed to the benefit of the state, but to the attainment of their own private aggrandisement, have very much to their credit, come forward to oppose these designs, and hence the divisions in the party. With the quarrels of the democrats, the federalists have nothing to do; but when these are made an occasion for vilifying the latter, it becomes them to repress the calumny, and to spurn the calumniators. The federal party, by their bold, upright, and patriotic measures, have hitherto, and that within the last four years, (although the writer above quoted, says they have not been in power for the last 20 years,) succeeded in obtaining the confidence of the people, and administered the government with a degree of purity and integrity which have never since been witnessed. Can this writer have forgotten, that in those perilous times when the enemy was at their doors, when the capital of the union was burnt and pillaged, that the destinies of Maryland were wielded by a federal administration, and that by their prudence, energy and wisdom, we were secured almost entirely from the desolating ravages of war? If at a period like this, the people deemed it most wise to trust the reins of government to the federalists, and continued to have confidence in them, during the whole of the war, and for many years after it, when many difficulties still existed, what better success could we require of the purity and virtue of this party? And yet it is still to be made the theme of the most contemptuous reproaches.

The federalists are also the "advocates of measures, and not men"—but they know how to discriminate between men—and if the contest be confined to the democratic party, it becomes their duty to lend their aid to the election of the best man, and knowing their duty, they will not fail to perform it.

COURT OF APPEALS.

Wednesday, July 3. The argument in the case of *Dashiell and others vs. The Attorney-General at the relation of The Trustees of Hillsborough School*, in Caroline county, was continued by Murray, for the appellant, and Johnson and Harper, for the appellees.

Thursday, July 4. The court affirmed the decree of the Chancellor in the case of *A. & C. Johns vs. Blackinton*, and others, argued at luncheon last, by Pinkney and Stephen, for the appellants, and Winslow and Chambers, for the appellees.

Also the decree in the case of *Swine vs. Van Lear* and others, argued at June term last, by Pinkney and others, for the appellant, and Magruder, for the appellees.

Also the decree in the case of *H. Stamp's Adm'r. D. B. N. vs. J. Stamp's Exrs* argued at June term last, by Pinkney, Harper and Magruder, for the appellants, and Tancy and Winslow, for the appellees.

The argument in the case of *Dashiell and others vs. The Attorney-General at the relation of The Trustees of Hillsborough School* in Caroline county, was continued by Winslow, for the appellants, in reply.

Friday, July 5. The argument in the last above mentioned case, was concluded by Tancy, for the appellants.

The case of *W. & C. Merryman vs. The State*, at the instance of *Harris* and for the use of *Murray*, was argued by *Williams*, for the appellants; and *Johnson*, for the appellee.

The case of *Patterson vs. The Marine Insurance Company*, was opened by *Tancy*, for the appellant.

Saturday, July 6. *Buchanan*, J. delivered the opinion of the court affirming the decree of the Chancellor in the case of *Jones and others vs. Sibby*, argued by *W. Attorney-General U. S.* and *Moale*, for the appellants, and *Winslow* and *Magruder*, for the appellee.

The court affirmed the judgment in the case of *Barnes vs. Gray*, argued by *Stone* and *Wright*, for the appellants, and *Brauner*, for the appellee.

The argument in the case of *Patterson vs. The Marine Insurance Company*, was continued by *Wirt* (Attorney-General U. S.) for the appellees, and concluded by *Harper* for the appellant.