AMERICAN EAGLE

R. S. TALL,
EDITOR AND PROPRIETOR.

WEDNESDAY MORNING JUNE 3rd, 1857.

Look to Your Interest!

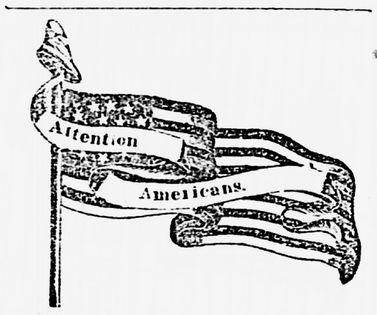
THE "EAGLE" HAS A **LARGER CIRCULATION** THAN ANY PAPER EVER BEFORE PUBLISHED in the LOWER COUNTIES, and is constantly receiving *new subscribers which makes it the* BEST PAPER ON THE SHORE FOR PUBLISHING ADVERTISEMENTS.

FOR GOVERNOR OF MARYLAND,

Thomas Holliday Hicks, Esq.,

of Dorchester County,

Subject to the decision of the nominating convention of the American party, which assembles in Baltimore, on Thursday 23rd proximo.



THE AMERICANS of the several districts of this county are requested to meet in primary meetings on

Saturday. 13th of June,

and select four delegates, each, to represent them in a county convention, which will assemble in Cambridge on the Monday following, June 15th, for the purpose of electing four delegates to represent Dorchester county in the Gubernatorial nominating convention. All persons opposed to the pseudo Democracy are invited to attend.

Baltimore Market.

BALTIMORE, June 2d, 1357.

FLOUR AND MEAL.—Howard street.—A fair inquiry to day. Sales of 100 bbls super at $7,50. The market closed to-day with buyers at $7 50 per bbl. but holders were generally asking more.

City Mills.—Holders generally were asking 7 50 per bbl. Sales of 100 bbls Stafford Mills brand at 7 50.

Ohio could have been bought readily at $7 50 per bbl, but no buyers at this figure.

Family and Extra Flour.—We now quote Ohio extra at 7 75 a $8; Howard street and City Mills do at 8 a 8 25 per bbl. Baltimore ground family is now selling at $8,50 and do extra at $8 75 per bbl.

Corn Meal.—No sales reported to day. We quote City manufactured at 4 50, and country do at 4 00 per bbl.

GRAIN—WHEAT.—The market was steady to-day. About 3500 bushels offered on 'change, and nearly all sold, choice white at $1 90 and prime red at $1 80. We quote good to prime white at 1 83 and 1 84 per bush.

Corn.—Market buoyant, and prices advanced from 3 to 6 cents per bushel. About 12,000 bushels offered on 'change to day, and mostly all sold, good to prime white at 90 a 95 cents; and good to prime yellow at 91 a 94 cents per bushel.

☞Mrs. General Scott is said to be lying dangerously ill in Paris.

☞Mrs. Bramble, at East New Market, in this county, has a goose which has layed 45 eggs this season, and is still laying regularly.

☞Sam Green has been found guilty by the court and sentenced to the penitentiary for the term of ten years,—until the 14th of May, 1857. *Democrat.*

Poor fellow he will have a hard time to serve ten years by that date. It will be seen that our new editor is a profound mathematician as well as a learned politician.

THE NEW CENT.—Have you seen the "new cent?" It is beautiful. It is nearly as large as the new quarter dollar, and almost as bright.—On one side is a beautiful spread eagle, and on the other a wreath, representing the different agricultural products of the country, inclosing the words "one cent." It is a great improvement. The old cent will soon pass out of circulation. So be it.

☞It will be perceived that the name of Thomas H. Hicks, Esq., of Dorchester, stands at the head of our columns, this morning, in connection with the approaching Gubernatorial contest. On this question we desire to remark that although he is almost the unanimous choice of the people of this county, we do not design drawing invidious distinctions,—ours is the organ of the American party, and whomsoever may be selected as the standard bearer in this struggle, we pledge ourselves to exert our strongest powers in securing his election, that thus the executive chair may be restored to its former dignity and respectability.

HISTORICAL PAINTING.—A correspondent of the Baltimore Sun, writes, that the Committee of the Maryland Legislature, of which Senator Hoffman is chairman, have contracted with Mr. Edwin White of the city of New York, for the painting of the great historical picture of "Washington Resigning his Commission," for which the Legislature, on the 22d day of February 1856, appropriated $3000. Mr. White will paint the picture in Paris, whether he is on the point of going, and complete the work in two years, having given bond for its faithful execution.—The resignation occurred in the Senate Chamber at Annapolis, and it is fit and proper, that the event should be commemorated by the State of Maryland.

HEAVY LOSS OF GOLD.—On the 12th instant Major Dashiel paymaster in the U. S. Army, and four men, were upset in a boat on Indian river, and came near being drowned, but were fortunately rescued.—Major D. had with him a leather bag containing about $23,000 in gold for the payment of the troops on the Florida coast, which was lost. The Charleston Courier, from which we learn these facts says the bottom of the river is a quicksand, and the probability is the money will never be recovered.

Who shall be our next Governor?

This is a question often propounded to us, but the solution of the inquiry must depend on circumstances yet to be developed.

Doubtless there are many gentlemen of promise in the American ranks, who, if called by the suffrages of the people to that important and highly responsible station, would discharge the duties of the office with credit and honor to themselves and with benefit to the State.

We have heretofore refrained from urging the claims of the man of our choice,—First, because we were not authorized to do so; and secondly, because we entertained the hope that the nominating convention would be left free to make a selection without any "special pleading," in favor of a particular candidate. But in this hope we have been disappointed, and we have recently witnessed, in various parts of the State, the most strenuous efforts to forestall public opinion on this important subject.

To remain longer silent would be doing violence to our feelings, as well as relinquishing our privilege. We therefore deem it our duty to apprise our friends throughout the State that we have among us an honored and esteemed fellow citizen, whose qualifications both of mind and heart eminently fit him to fill the place once occupied by a Goldsborough, a Sprigg, a Martin and a Vesey.

THOMAS H. HICKS is the son of poor, but honest and highly respected parents. His father, a mechanic, with a large family of children, nine in number, was taken from him when young, yet old enough to appreciate the loss of a parent's advice and example, and the importance of parental counsel in rearing youth to manhood.—Thrown upon his own resources, he was accustomed to hard labor until he arrived at manhood—hence his sympathy for the working classes, and his popularity with every class.—When quite a young man, he was called by his party, (the old Jeffersonian Democratic party,) to become a candidate for the Sheriffalty of his native county; and running against a very popular candidate of the old Federal party, was in October 1824 elected to that office, the full term of which, (then three years), he served with credit to himself and satisfaction to the people.

In 1829, when the old Federal and Democratic parties had lost their identity, he was the last Democrat to give up his party. Upon the organization of new parties he became an Adams man, and was soon after nominated by a convention of his party as a candidate for a seat in the House of Delegates, was elected; and again in 1830 was returned a member of the same body. In 1831 he was nominated by his party and chosen an Elector to elect a State Senate—was again in like manner elected in 1836, and same year sent by his county as a member of the House of Delegates. At the session of the State Legislature in 1837 he was chosen a member of council to the Governor. In 1851 he was called to a seat in the Convention to form a new State Constitution. Thus in every instance, it will be observed, he was elected by a vote of his county, except when selected as a member of the council to the Governor—and it may further be observed, he invariably led his ticket.—In addition to all these honors, Mr. Hicks has been repeatedly solicited to become a candidate for the office of Governor, for Congress, &c., which he invariably declined; and not until after the most pressing importunities of friends, in the American party at home and abroad, did he consent in December last, to permit his name to be used in connexion with the nomination for the office of Chief Magistrate of the State—then it was he yielded to the wishes of his party and consented that his name might be used, or not, as his friends might think proper—and as he had determined from the moment he connected himself with the American party (then in its infancy,) to sink or swim with it, we have another exhibition of his constancy and devotion to any cause he may deem promotive of the honor and welfare of his country

The *public* career of Holliday Hicks is a matter of history, and the people of the State of Maryland can judge of the manner in which he has acquitted himself in the various positions he has occupied. His *private* history is fully known but to the people of his own county, where

"None know him but to love,
None name him but to praise."

Impregnable to the assaults of the *powerful*, and impervious to the insinuations of designing men, his large experience in public life—his fidelity in office—his unwavering firmness in many former trying and critical emergencies, are sufficient guarantees that the dearest interests of Glorious Old Maryland may safely be entrusted to his keeping. And when we say he is Dorset's favorite son, and shines with no mean brilliancy among the political stars of the Eastern Shore, no more is said than past history, and an intimate acquaintance for many long years justifies us in asserting. Always conservative and reliable, none need distrust him.

Election of Register of Wills.

In the Carroll county (Md.) *Democrat*, of the 30th April, we find a communication under the above caption, which being a subject of like interest to the people of this county, we transfer to our columns. The vague indefiteness of the Constitution in this particular is a public misfortune, and one to which there is no present remedy. In this county there is a difference of opinion as to the meaning of the consitutional provision, but we believe it is generally conceded that there is a Register to elect, both parties will therefore nominate a candidate,

The circumstances in this county are similar to those in Carroll. In Caroline county there is also a similar case and the Denton Journal suggests that those of both parties who feel themselves interested in the matter, make up a sufficient fee, and submit the question to some eminent lawyer, with the understanding to abide by his judgment. The following is the communication:

"A very important question is to be decided this year in Carroll county, in regard to the election of a Register of Wills. It arises on the construction of the Constitution which reads thus:

'There shall be a Register of wills in each county of the State and in the city of Baltimore, to be elected by the legal and qualified voters of said counties and city respectively, who shall hold his office for six years from the time of his election, and until a new election shall take place, and be re eligible thereto, subject to be removed for willful neglect of duty, or misdemeanor in the same manner that the Clerks of the County courts are removeable. In the event of any vacancy in the office of Register of Wills, said vacancy shall be filled by the Judges of the Orphans' Court until the general election next thereafter for Delegates to the General Assembly when a Register shall be elected to fill such vacancy.'

The facts in the case are these,—Mr. BAUGGARTNER, the first Register under the new constitution, was elected in November, 1851. He died in January, 1853, when the present incumbent was appointed by the Orphans' court, and afterwards elected by the people in November, 1853. Was he elected to fill a vacancy of four years, being the extent of the unexpired term, or for a full term of six years? That is the question to be decided, and it turns entirely on the meaning of the concluding words of the above quoted section, viz "to fill such vacancy."

Though it is probable that these words were thrown in merely to round of the sentence without any thought as to their import, or liability to create confusion of ideas; yet, being there, we are bound to give them their full signification. Some seem to think that they mean the unexpired term as a matter of course; but as the words used can have no such direct meaning, I will not waste time in arguing the point. If it can be shown, however, that the vacancy in the office necessarily lasts as long as the unexpired term, then it may be considered as equivalent thereto.

The word "vacancy" is of itself a most indefinite one; and without attendant circumstances to give it a precise meaning, can never be construed into a measure of the office in question less than a full term. It necessarily means a "void," or "empty space;" and may have precise limits, or not; that is, may be definite or indefinite. Applied to an office, it means to express the condition of that office as long as it is unsupplied within tenant. When an office has been started, it is designed to keep it filled in an unbroken succession. If the Constitution provided a successor to come in after the first, then there could be no doubt as to the duration of the vacancy, as its beginning and ending are fixed. Yet the facts are, that no one has been designed to hold the office at the end of the unexpired term; nor have such sexenial elections been provided; so that upon the death of the late incumbent, the office became indefinitely vacant—there being no fixed point at which to terminate it—and the line of succession was completely broken, until renewed in the manner provided in the Constitution.

It may be asserted, however, that the language of the Constitution, in saying that the Register elect shall hold his office for six years, is equivalent to fixing the election every six years.—Yet it cannot be disputed that the Constitution only means that a Register shall hold his office for six years, if he lives so long, or chooses to hold it, or does not become disqualified in some way. Then, it can be only equivalent to saying that there may be an election every six years, provided each Register holds his office so long, which, as a fixed rule of election, is too uncertain to be presumed.

The case of U. S. senators may be referred to, where a vacancy is construed to last for the balance of the member's term, whose place is to be filled. This arises, not from any identity of the meaning between a vacancy and the unexpired term; but from the fact that the Constitution requires one-third of the Senators to be chosen every two years, and shows that the intention was to restrict the meaning of the word "vacancy," in that case, to the length of the unexpired term; as, under any other construction, the purpose of classification would be entirely defeated. The cases then, are not parallel; bacause in our State Coustitution there is not to be found any indication or purpose that the words used are to have any signification less than "a vacant office."

Had the present Register died, or resigned before the election in 1855, then, according to those who maintain that he was elected to fill the unexpired term, there would have been a vacancy within a vacancy—a *vacuum in vacuo*—but as nature is said to abhor a vacuum, she would hardly admit the necessity of having one within another. In that event the Orphan's Court would have had to fill the office until the election in 1855, when the people would have elected another Register to fill out this troublesome vacancy. Were the elections annual, a case might arise running into still further absurdity—and all to grant the mere phantom of a vacant imagination.

On the other hand, if my construction is correct, the office is kept filled in the simplest manner. Whenever the people elect a Register, he is entitled to hold for six years, longer or shorter, according to the circumstances. Should he leave the office vacant, the Orphans' Court appoint some one to fill it until the next election thereafter—thus avoiding a special election—when the people have a fair opportunity to elect another Register to fill such vacant office.

If there should be a general concurrence in these views; and both parties decline to nominate candidates for the office, and if the Sheriff should choose not to give notice of such election, much personal inconvenience, cost and litigation may be avoided.

There are two similar cases, at least, in the State—one of a Register in some County on the Eastern Shore, elected in 1853; the other a Clerk of one of the Courts in Baltimore city, elected in 1855. It would be well to ascertain also the course intended to be pursued there. This subject is worthy of attention; and I hope it may be discussed and settled through that most valuable instrument by which the people in our free country both speak and hear—the Public Press.

Correspondence of the "Eagle."

MR. EDITOR:—

Through self defence I am again called upon to trouble you and the readers of the "Eagle" with a few remarks in reply to that hypercritical "Vindex." I am aware that this correspondence is uninteresting to you and your numerous readers, and I will therefore endeavor to be brief. It was not my intention, in the first place, to notice anything that he should hereafter say, and could forbearance be considered a virtue, I would not notice his last article. It contains neither wit, argument or common sense, but is a combination of unfounded assertions, and abject language. Aware of his inability to prove the verse, on which he vents his criticism, incorrect, he has opened upon me his vocabulary of low slang, and covered me with the slime of his worse than hydrophobic lips—May the "Great I Am" protect me from the attacks of such a madman. With your permission I will notice his article briefly, and then pass him by forever.

In the first place, he accuses me of thinking that my right to write poetry should not be questioned. This is a land of liberty, and I maintain that an individual's right to write poetry, or do any thing else that does not encroach upon the rights of others, *should* not be questioned; but if he means to convey the idea that the worth of my articles should not be questioned, I beg leave to deem the assertion untrue, and "hurl it back with all the stink of his own vomit." It is true, I was not aware that the article alluded to was to be criticised, but the only thing I regret is that the critic is a blockhead. Had it eminated from the pen of a sensible man, I should have considered it a compliment and passed it by. "Perfection perfected," though a quotation, is about as shallow-pated an idea as ever eminated from his "dome of thought." Can anything perfect be more perfect? can perfection be perfected? or does Vindex quote from a higher authority than Murray?

He accuses me of acknowledging my article incorrect because I deigned to notice his first article, and a little further on in his production, while denying himself an egotist, he says that he would not have replied had I not accused him of egotism! Let me ask him one of his own questions. Why did it hit you in such a tender place, (I suppose most any place is tender, especially on his head,) if you are no egotist? Verily, consistency is a jewel.

"Mother Goose's Melodies" I have never read, but as a weak mind requires weak food I suppose they form a very prominent part of the library of Mr. Vindex.

He says that I acknowledged my blushes.—True, I blushed, but it was as Jesus wept, not for myself, but for humanity. I blushed to see my article criticised in such a feeble manner.—I have a heart that can feel for another, and it was the weakness of the critic that touched it in this instance.

Ignorance seems to be a very popular word with him. I am painfully aware of my ignorance, but when I am told of it by Vindex it reminds me very forcibly of "pot calling kettle blackey" "People who live in glass houses should not throw stones," is a very just and appropriate adage, and one which Vindex would do well to paste up in his hat.

Solomon says, "A fool's mouth worketh his ruin." If this is the case, Vindex, your only escape is in stopping short in your mad career. You cannot elicit more from the readers of the Eagle than the title of a blockhead, and one more production from your feeble pen may tear from your brow even this laurel. Let me entreat you, then, to stop before your doom is sealed.

He may continue to rail on, but his railing will be as unnoticed by me as is the baying of the dog by the midnight moon. I thought that I was dealing with, at least, a human being, one not totally devoid of every finer feeling of humanity and every ennobling idea of manhood, but I find I was mistaken, and I leave him to his fate, more in pity than otherwise. With no ill feeling I remain GEORGE FAYETTE.

DECEASE OF TWO U. S. SENATORS.—The telegraphic dispatches in yesterday's Sun, briefly recorded the death of two United States Senators; the Hon Andrew P. Butler, from South Carolina, and the Hon James Bell, from New Hampshire. Judge Butler was known as one of the most venerable, able and dignified members of the Senate, and commanded the respect and regard of men of all parties. He was appointed Senator in 1847, by Gov. Johnson, to fill the vacancy caused by the death of the Hon. George McDuffie, and has remained a member of that body ever since—having Mr. Calhoun for his colleague until 1851. During the last session of Congress his name was brought very prominently before the country by the assault upon Senator Sumner, that assault having been committed by the Hon. Preston S. Brooks, a nephew of Mr. Butler, since deceased also. Thus both uncle and nephew now sleep quietly beneath the soil of their native State. Doubtless the bitter denunciations and violent imprecations which the unfortunate assault elicited had their effect upon the health of Judge Butler, and at the close of Congress he returned home worn and wearied, and was soon seized with the illness which proved fatal on Monday last. In his death South Carolina loses one of her ablest statesmen.

Senator Bell was less known in the country at large. He was elected to the Senate two years ago. He was an able lawyer, of amiable and unassuming manners and highly esteemed among his brother Senators. The Legislature of New Hampshire (composed of a majority of republicans, with which party Mr. Bell sympathized) meets next week, and will probably fill the vacancy. It is a remarkable fact that three United States Senators from New Hampshire have died within three years, and all while in office; viz:—Moses Norris, Charles G. Atherton and James Bell.

DRED SCOTT.—The real, original Dred was the lion of the court house Saturday morning. About 10 o'clock he made his appearance on the steps fronting on Fourth street. He was soon recognized and surrounded by about a score of lawyers, all congratulating him on his enviable notoriety. Some said he was the most celebrated character of the present day---that he caused a greater stir in the United States than Lafayette himself, and advised him to go forthwith to Boston, exhibit himself there, and from thence to London, but to be sure before he left for England, to get an introduction from Mrs Stowe to the Duchess of Southerland, and that doubtless his fortune would be made. Others advised him to join the black republicans and stump it through the State for Major Roilins during the onsuing canvass, while some others advised him to join the church 'No, massa,' said Dred, 'me not go to Boston nor to England, nor to de stump neider; me stay in St Louis with massa Labaum. Dred is a small, pleasant looking negro, between 50 and 60 years of age (of course) somewhat the worse for wear and tear. He wears a moustache, and imperial and was dressed in a suit of seedy black —*St Louis Ledger*

A TOUCHING SCENE IN COURT.—The Buffalo Advertiser of Friday states that Dr. Beigler, convicted of the seduction and murder of a young woman, was brought into court for sentence. During these proceedings the family of Dr. Brigler came into court, consisting of his wife, a grown up son and daughter, and a little girl, and a bright little boy, who laughed with pleasure as he met his father. That laugh broke down the strong man, and hardened as he had seemed to be heretofore, cold and heartless as he was under the eye of the mother of his victim, the tears burst from his eyes at the magic of that bright, cheerful smile. His wife sat down and held his hand, weeping quietly as the proceedings went on. The prisoner, however, soon recovered himself and was again the unmoved, the icy being throughout.—The prisoner is a man of wealth and education, and enjoyed a large practice. He was sentenced to the penitentiary for seven years.

☞P. T. Barnum, it is stated, has been very unsuccessful, in his trip to Europe, with "Little Coadelia Howard" and Tom Thumb. He was followed too, it appears, by his creditors, who watched their opportunity to levy on him had his speculation proved a fortunate one. It is is said to be his intention to return home, take the benefit allowed by law, and then go back to England.

SCARCITY OF CORN.—Accounts from the middle and western section of North Carolina tell of great scarcity of corn amounting in some cases to a fear of famine and the actual death of stock for want of food. The Salem Press says that at a sale in Stokes county, on the 19th inst., corn sold for $2 05 per bushel, cash.

Bennett on the American Party.

Participating in the general mistrust of the motives of G. G. Bennett' Esq, of the N. Y. *Herald*, we view with more or less suspicion the fluctuations of his political course: but it must be admitted that he has earlier and more extensive access and tendency of popular sentiment than perhaps any other individual in the United States. Availing of this knowledge his ambition to shine as the creator of Public Opinion and producer of results prompts him to foreshadow coming events, by seeming to desire their occurrence. His recent political variations afford striking illustrations of this ambition. At the opening of the late Presidential campaign, when he discovered that sectionalism, growing out of the Agitation of Salvery, would be the prominent issue, and when he bslieved that the parties would be divided by strictly geographical discriminations he espoused the fortunes of John Charles Fremont.—Towards October, a change came over the political drama, and when it became evident that the refusal of the American Party to fuse in Pennsylvania would give that State to Buchanan, thus multiplying his chances of election, the *Herald* changed its tune and predicted the result which followed. And now that the dismantled condition of the sectional parties give token that the pure question of Americanism is to be the distinctive issue in the next campaign, Mr. Bennett calls upon the friends of Mr. Fillmore, to re-organize immediately, that there may be "a national Union conservative party to stand as mediator between the North and the South,' and looks with confidence to the American National Council, to reconstruct that party on the basis of the Constitution and the Union.—He makes this *proclamation* in the following authoritative style:

"In behalf of numerous supporters of Mr. Fillmore we call upon his friends throughout the country to proceed without further delay to organize for the campaign of 1890. The dismantled condition of the democratic and republican forces and the great issue which are operating to divide the people of the Union into two absorbig sectional parties call for the immediate organization of a national Union conservative party to stand as mediator betwen the North and the South in the next Presidential election. Many friends of Mr. Fillmore believe that in the eight hundred thousand votes which he received last november from all parts of the Union there is still existing the nucleus upon which to build a conquering party in 1860. To this end it is desirable not only that Mr. Fillmore adherents should proceed in every State, county, city, town, and hamlet to re-organize for active service but that from every quarter such an impulse shall be given to the American National Convention of the second of June at Louisville, Kentucky, as shall result in the genuine, board and liberal principles of the constitution and the Union'

Through the foregoing announcement is accompanied by a sneering editorial, levelled at the dark lanterns and horrid oaths of the Know Nothings, it is a significant sigh of the times, and gives token, as every member of the American party felt donscious must ltimately be the case that the day is not far distant, when the patriotic principles of that party must triumphantly prevail over all opposition. The only plank, on which Republicanism rested, has been shivered to atoms by the decision in the Dred Scott case, and every combination against the declared law of the land must hereafter savor of Treason and Rebellion. On the other hand the slave-holding States whose support of Mr. Buchanan was unanimous, with one Union loving exception are already disappointed and begin to mistrust his administration; and unless the *sham* democracy becomes an avowedly sectional party it will soon disappear; if it does become such, its political assendency is forever lost. It is therefore with good reason that the *Herald* editorially remarks that the two most powerful parties in the last November election are crumbling to pieces. But without counting on the present causes for the disintergatton of the opposing parties, we predicate the future seccess of the American party on higher grounds,—the claims, its national and conservative principles have upon the affections of the American people. However, in no event, can the *Herald* become the authorized organ of the American party or its confidential adviser.

FROM CENTRAL AMERICA

Capitulation of Walker to the United States Sloop of War St. Mary's—His Arrival at New Orleans.

NEW ORLEANS, May 27.—The steamer Empire City, from Aspinwell is coming up with the noted General Walker and staff of the Nicaraguan fillbusters on board they having capitulated on the last of May to Capt. Davis of the United States Sloop of war St. Mary's. They were brought to Panama by him. The Costa Ricans are not known in the articles of captitulation, Two hundred and sixty men came off with Walker.

New Granada has ceded the island in Bay of Panama to England in settlement of the McIntosh claim.

[SECOND DISPATCH.]

NEW ORLEANS, May 27.—The Empire City reached her Wharf at seven o'clock; ten thousend people were present Gen. Walker accompanied Col. Jacques, Mr. Pilcher and Mr. Turner agent of the associated press proceeded in carriages to the St. Charles where Walker spoke expressing his thanks for the reception: recognizing the American love of liberty in the masses and assuring them that victory was still sure. The greatest excitement exists in the city. The St, Charles is besieged by thousands: Walker spoke twice.

The Claifornia papers discredit the story of Crabbe's defeat and excution. Walker surrendered because Captain Davis signified his intention of seizing the schr. Granada, which held Walker's reserve.—Walker was kept a prisoner by the U. S commander at Panama, not withstanding the terms of capitulation allowed him and his officers to retain their sidarms and liberty.

Lieut. Strain died at Aspinwall on the 15th ult:

SURRENDER OF GEN. WALKER.

Attack of the Allies on Rivai—Walker's Men Eating Mules, Cats and dogs—The Surronder.

Gen, Henningsen and Col. Titus, of Walker's late army have arrived in New York. The following statement was obtained be the Tribune from Gen. Henningsen:

Since the last advices received here from Gen. Walker, the allies made an attack on the intrenchments at Rivas with a force of 2,600 men. The assault lasted six hours and was hotly contested throughout. As near as could be ascertained the enemy lost 400 killed and wounded including 30 prisoners taken by Gen. Walker; one cannon belonging to the allies also fell into the hands of the fillbusters. Walker's total loss in this engagement in killed and wounded did not exceed 50 or 60 men.

From this time untill the second were in April, when Gen. Mora arrived and assumed command, of the allies no offensive operations, to speak of took place on either side. On the 11th of that month the allied forces, led on. it was said, by desetrers from the fillbusters camp made a desperate attack on General Walker's entrenchments and succeeded in gaining possession at one time of the lower plaza. About 150 had entered that portion of the town when Gen Henningsen succeeded in bringing three guns to bear upon them which mowed them down with great slaughter.—About half of them escaped, and the remainder being surrounded were obliged to surrender. After a good deel of hard fighting the enemy was finally repulsed, but not without contesting the ground inch by inch. One hundred and three prisoners in all remained in the hands of General Walker after the fighting was over.

The hopes of the fillbusters were greatly sustained by the constant expectation of relief from Col. Lockridge and party on the San Juan river who were daily looked for. Of course no correct intelligence could be obtained respecting his situation and prospects as all the avenues of approach from that quarter were in the hands of the allies. But as day after day no news came from the San Juan, the garrison in Rivas began to despair and were fast losing their spirits, when information was received that Capt Davis of the United States sloop of war St. Mary's, had seized the schooner Granada containing half of an General Walker's ammunitation. Then in view of the hopeless prospect before them, the design of retiring from the country began to be entertained. Meantime Capt. Davis proceeded to the seat of war and endeavored to urge the contending parties to come to terms. General Walker, after prolonged and painful consultation with his officers concluded to enter into stipulations with Captain Davis and he subsequently surrendered to him as an officer of the United States government.—The allies were not named in the instrument. By a full understading however the retirring forces were not molested, by them—one of the Costa Rican generals attending Walker and his staff through the lines of the enemy, a hostage as it were.

At the instance of Captain Davis the women and children, numbring about 70 were removed from the camp on the 20th of April. The formal capitution took place on the 30th of the same month. are the troops set out on the march to San Juan del Sur on the last of May.

The whole number of Walker's men at the time of surrender was 475; of these 260 including officers were effective, 175; were on the sick and wounded 1ist and 40 were natives.

Provisions had been exceedingly scarce during the whole month of April, and the men ahd lived chiefly on mule or horse meat nearly all the time. Dogs, cats and other animals were sometimes killed to furnish a movely. General Henningson decribes horse-flesh as quite pessable—when one can get nothing better.

The enemy the general states had suffered much from desertions and on the 1st of may could not have had more than 2,500 available men at Rivas.

Another account says:

When Gen. Canas took possession of Rivas he found there 60 of Walker's men sick and wounded—all in a dredful state for want of attention, and his first step was to provide for their comfort ordering large quantities of sheets, clean linen, bandages, &c., from the costa Rica stores. Dr. Royston was permitted to remain in charge.

A KISS FOR $750.—The Chicago Tribune states that a man named Hosley in that city undertook to kiss the wife of an Indian doctor named Brooks, with whom he was on terms of intimacy. The husband hearing of the matter instituted a suit for damages against Hosley, and the jury gave a verdict of $750.

☞On Saturday last 15, 647 bbls flour and 32, 256 bushels of corn arrived at Boston and on Monday 10,000 bushels corn sold at $1 02 per bushel.

☞The American party of the 5th district of North Carolina have nominated John A. Gilmer Esq, for Congress.

☞The Mexican Extraordinary takes decided ground in favor of a totol divorce of church and State througout that republic.

☞The corner-stone of the Henry Clay monument is to be laid at Lexington, Ky., on the 4th of July next.