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Marysville Daily Herald, Number 41, 23 September 1853 — The Stockton Journal. [ARTICLE]

The Stockton Journal.

few days since we published a

A few days since, we published several reasons assigned by the editor of the *Stockton Journal* why he refused to fight a duel. Among the reasons assigned was the following :

"Suppose some old fogey of a Whig should seize upon our chair, and for two or three months dose the *Journal* to death with ghostly stories of his childhoods recollection! The very idea is enough to run a reasonable man crazy, and we should never recover our health or our influence."

This was the pith of his reasons, though he advanced other good and sensible ones, either of which was sufficient as we thought.

To-day we received the San Joaquin Republican of the 20th inst., in which we find the following card. We insert it as an offset to the above quotation, and to keep our readers posted :

[A CARD.]

JOHN TABOR.

To the high way robber or midnight assassin, who waylays his unsuspecting foe, may be attributed a motive,—the hope of gain. But he who willfully, maliciously and falsely maligns the character of an innocent man, knows no motive, justifies no end, but the panderings of a malicious and corrupt heart. Such a man is John Tabor, and such a course has he pursued towards me during the late canvass; identifying me with certain cliques, associating me with the vile and corrupt. Yet, on account of the position he occupied, as editor of a *Journal*—not on account of the individual—I felt willing to respect that position, and demanded satisfaction of him as a gen-

and demanded satisfaction of him as a gentleman. In this too, I was mistaken, and I now therefore, publicly, with a full knowledge of his past course towards me, proclaim him a malicious, corrupt and perjured scoundrel, a vile slanderer, and a consummate puppy. A. F. RUDLER.

Stockton, Sept. 18, 1853.

 We call special attention to the *Express* card of F. Rumrill & Co., in this evening's *Herald*. It will be seen that they have established an Express line from this city to Downieville, and all the intermediate points; also to Gibsonville, St. Louis, Chandlerville, Pine Grove, &c.—Persons sending packages to either of the above places, will find Rumrill & Co., just the men to convey them in the quickest possible time, and for small consideration.

 We are glad to announce to our citizens that amongst the other additions and improvements going on in our city, a new and fashionable boot store is to make its appearance on Monday next, in one of the recently erected bricks on First st.

[For the Daily Evening Herald.]

MR. ED:—A writer in yesterday morning's *Express*, who signs himself Leonidas, makes sorry work in answering the well-put queries of your correspondent "Enquirer."

In regard to the manner in which the county Clerk came in possession of the returns from the 2d Ward, he seems to be quite explicit. But his show of fairness is all on the surface. Since he evidently thinks he is apt at answering questions, perhaps he is able to tell the community what agency Mr. Lindley had, in securing the Poll Book and other documents from the 2d Ward. Perhaps he can tell us whether those documents were safely kept in the custody of the officers of that Precinct and were returned in proper time and manner to the Clerk's office, and if they were not so

Clerk's office—and if they were not so kept and returned, perhaps Leonidas can tell us whether the county Clerk left his office, and hunted for them, and finally found them in the hands of a person who had no business with them—and perhaps he can tell us who this last mentioned person was—and then, if he can, perhaps he will tell us how the county Clerk looked up the officers and had them make what appeared to be a proper return of the once lost, but now found, documents.

If Leonidas will reply to these queries, he will satisfy several anxious seekers after truth.

In answering the query concerning the citizenship of the Inspector of the 2d Ward, Leonidas shows, as he thinks, considerable smartness. But why does he avoid the question so plainly put?—Why not say yes or no? It ought to be an easy matter for the Inspector or his friend Leonidas, to prove the fact of the citizenship of the officer spoken of, and we call upon them both to do it.

Dr. McCurdy has sought the nomination to places of honor and profit in our county, and at the late election occupied a very responsible position to which he was appointed by the county Judge.—If he is a citizen, it is all right that he seek place and preferment, if he wants them, and that he hold office when properly appointed to it. But if he is not a citizen, it is a piece of brazen impudence and an imposition on public justice, that he, a foreigner, should sit as Judge of the purity of an election held by American citizens.

The Inspector, and Leonidas his champion, owe it to themselves and to the community, to clear this matter up.—Show us the documents and meet the question fairly and squarely, for we are not willing to have *this query* answered by references which are as foolish and pointless as they are untruthful.

We are informed, that the Inspector acted honorably and properly in his position. This is right, and as it should be; but honest and impartial as he was,

if he be not a citizen, he was out of his place, and that election a sham. Of this there can be no doubt.

In answer to the query as to the reason of the selection of the Little Eagle for an election precinct, Leonidas is sorely at fault. The place was not a fit and proper one, and though it may be uncharitable to say that *an end was to be served* by its selection, it looks very much as if this was the case. During a great part of the day on which the election was held, the vicinity of the ballot-box was thronged by bullies and blackguards, who made the place so offensive by their vulgarity, and so dangerous by their pugilistic demonstrations, that many quiet and peaceable citizens preferred to stay away from the polls, rather than subject themselves to such insults and annoyances. It is true there was a *slight clearing out* of these ruffians towards night; but for the credit of our City, we hope that at the next election, any barn or stable in the Ward, will be preferred to this Little Eagle.

Come, Mr. Leonidas, walk up and answer our queries! QUID NUNC.

MORE EVIDENCE OF THE ILLEGALITY OF ELECTION RETURNS.—A gentleman at Foster's Bar writes us under date of Sept. 21, as follows:

"Seeing that the vote between Fall and Stebbins is so near equal, I am constrained to furnish the following facts and leave the matter to your investigation. Mr. — informed — that the vote of *Missouri Bar*, which gave some 17 democratic majority, was handed to a man who was neither Inspector, Judge or Clerk of the election, and was *by him, conveyed to this place, and here mailed for Marysville*. It is Judge Bliss's opinion that the manner of conveying the poll book to the Clerk was *illegal*.

Surely the opinion of Judge Bliss, especially where it would injure him 17 votes, is worth something.

Would it not be well to investigate

these matters thoroughly? We, up here, think it would, and will willingly lend a helping hand to do it.

I regret the necessity of communicating to you the sad intelligence of the death of William A. H. Gill, a worthy and respected citizen of this Bar. He died this morning (Sept. 21,) at 6 o'clock of Small Pox, after an illness of two weeks. He leaves a wife and one child in—I believe—Kentucky, to mourn his loss. Yours, truly, S.

We withhold the names of the parties spoken of in the first paragraph of the letter, but will give them if necessary.—

ED. HERALD.

For the Daily Evening Herald.

EDITORS HERALD:—It seems my queries, in yesterday's Herald, are likely to remain unanswered, for it seems that I was grossly mistaken in fixing the author of *Leonidas* on "Charles Lindley, Esq., County Clerk of Yuba County." Well,

"'Tis true, 'tis pity! pity 'tis, 'tis true,"

And can't be no *tiser*.

This all comes of being "unreasonable" in my "pursuit of knowledge under difficulties," and not observing a "strict regime," and keeping "aloof from everything of an exciting character."

"A little learning makes a man mad," they say; too much learning sets a man crazy. As I have neither too much or too little, but am "in pursuit" of some "under difficulties," I will wait a day or two for further answers to my queries, when if none are given, I will either attempt answers myself or propound other queries for the consideration of my darling friend *Leonidas*. ENQUIRY.

Wells, Fargo & Co., were a little ahead in the delivery of the Yreka Herald this morning. From it we extract the following interesting correspondence from Rogue River country:

JACKSONVILLE, Sept. 14, 1853.

MESSRS. EDITORS : Having just returned from an expedition that set out to fight the Indians on Applegate, commanded by Capt. Bob Williams, Rifle Rangers, on Sept. 4th, I have thought proper to give you the details of the expedition.

Arriving on Applegate, we proceeded to obtain information relative to the whereabouts of the Indians. We scouted on the different creeks and tributaries emptying on the west side of Applegate, and on the morning of the 7th struck their trail and fresh signs crossing Applegate twelve or fourteen miles below the fort, at the junction of Jacksonville trail with Applegate. At noon we came upon the Indians, but they were so far up the mountain side, among brush, that it was impossible to attack them with success. However, in manoeuvring and despatching small parties in different directions, to keep concealed, we succeeded in capturing a prisoner in the evening who proved to be a chief, "Jim Taylor," notorious as a leader in many murders and depredations committed against our fellow citizens. The Indians were careful to keep on the mountain sides, and on the morning of the 8th, finding it impracticable to drive the enemy from their position with success, we concluded to take our prisoner to Holstead's ferry to obtain conclusive evidence of his implication in various murders, &c., perpetrated in that vicinity. On his trial he pointedly admitted his guilt, whereon he was executed by a detail of six men, on Sept. 9th.

THE FIGHT.—About 3½ or 4 P. M. yesterday, 13th, we came upon them—they firing upon us, concealed in the brush (probably an ambush.) Our men spread out as skirmishers, taking refuge behind trees, &c. After a pretty hot fire of thirty minutes one of our men, named Thomas Phillips, fell mortally wounded, being shot through the groin. Capt. Williams attempted to out-flank them with a party of ten men, but did not succeed from the density of the thicket, and the danger of being shot by his

et, and the danger of being shot by his own men if he attempted to charge the thicket. The firing gradually ceased, on the part of the enemy, at about an hour of sunset, but our men remained at their posts, firing at intervals where an Indian was seen, until dark, when the enemy ceased firing entirely. The captain called us from our posts, placing pickets a considerable distance from our 'caballada' of horses, to consult whether to charge them at daylight or march for the fort to obtain provisions—the latter was thought best, as the enemy had undoubtedly moved off from the fact of a cessation of firing.

Our wounded comrade being dead, we conveyed his body to the fort and there buried him with honors of war. Thos. Phillips was a native of Chester Co. Pa. Rennett Square Township.

The loss of the Indians, as near as could be ascertained, was twelve killed and wounded—probably much more, as the men are excellent shots and behaved with great coolness and decision.

Yours truly,

WM. S. MENDENHALL.

Squibob receives a letter from the Resident Physician at Stockton and is much delighted :

STATE LUNATIC ASYLUM, }
Stockton, Cal., August 18, 1853. }

Mr. Editor.—Will you be kind enough to furnish the Insane Asylum at this place with a copy of your valuable paper? I am desirous of forming a reading room and library for the benefit and improvement of the patients, and oblige yours truly,

ROBERT R. REED,
Resident Physician.

Number of patients, 100.

Now, this is encouraging. After laboring two weeks with unremitting ardor to establish for this paper a literary character secondary to none in the Union, we at last have our exertions rewarded, by the addition to our subscription list of a whole lunatic asylum!—number of patients, one hundred! Oh, such an evidence of appreciation is quite overpowering. "Here's rich-

tion is quite overpowering. "Here's richness," as Squeers would remark—"Oh! certainly, Doctor, we place your asylum on our list with gratitude and delight.—Perhaps the interesting frequenters of your reading room would like *two* copies? If so, tell us, and they shall be forwarded immediately. But Doctor, allow us to ask you one question—Did the inmates of the asylum suggest to you the request that you have made us, since the commencement of the Phoenix dynasty? or in other words, had they seen a copy of the *Herald* for the last two weeks before requesting that it might be sent regularly to them. If so, they're "sensible to the last," "there's method in their madness" and they ought immediately to be discharged, every mother's son of them. No man, who coolly and calmly, in a serious manner, expresses a wish to read the last two numbers of the *Herald*, can be disordered in his intellect.

"No, by Heaven! No! they're not mad!"

NOTABLES.—A cow, named Mrs. Franklin Pierce, in Johnsonville, Pa., in seven days gave 375 quarts of milk, from which fourteen pounds of butter was churned.

Ex.

J. Q. Adams now keeps the hotel at Matawamkeag, Me.—*Boston Post*.

Benjamin Franklin cleans old clothes, and washed dirty towels for the printers in this city.—*N. Y. Paper*.

George Washington washes windows and shakes carpets in this city.—*N. Y. Paper*.

John Smith drives a clam cart, and opens oysters in Brooklyn.—*Washington (Pa.) Commonwealth*.

Henry Clay drives a mud cart for six dollars a month, and John Hancock is a bell-boy at a hotel in this city.—*Forest City*.

Professor Longfellow is now a roller-boy in this office.

A COSTLY MAN.—Bonaparte, by his wars, was the means, as is estimated, of destroying a million of lives. Probably his wars cost a billion of dollars. Keeping him a prisoner on the island of Helena

ing him a prisoner on the island of Helena cost the British Government a million of pounds sterling. He died and was buried and in 1840 his remains were taken to France, at a cost of one million of dollars.

A NEW INVENTION.—One of the hand-somest sticks of Pine timber ever seen in Detroit, was bought in Lapeer county, lately. It was ninety feet long, three feet and six inches in diameter at the butt and but sixteen inches at the top end, and straight as an arrow. While a number of citizens were inspecting, one of them observed that it would be a grand thing to dress and send to the World's Fair, as a specimen of Michigan timber. To which a wag replied that it would stand no chance down there, as a yankee had invented a machine for *melting* saw dust and running it into any desired size.

We should like to see him run one like the big tree of Caliveras. We'd have the "dead wood" on him there—sure.

AN INTELLIGENT HORSE.—Some years ago the citizens of Centreville, Indiana, were often amused by the conduct of a horse, when with others, he was turned into the barn-yard to be watered. One day, approaching the trough, and finding it empty, he seized the pump-handle, to the surprise of the witnesses, between his teeth, and pumped water sufficient for himself and the other horses. Having thus begun, he was allowed, when so inclined, to wait upon himself and companions afterwards. But it was observed that he always drove the other horses away until he had quenched his thirst, after which he pumped for the rest.

Dogged REFUSAL.—"One of the sovereigns" was requested during the late election, at the 8th ward polls, to vote a certain ticket. "Ef I duz, I duz; but ef I duz, I'm darned," "why not, Jim," asked his suppliant? "Bekase you never glve me me that 'ere puppy you promised me, out ov de last litter!" Reader, this is a fact. Sun

is a fact.—*Sun.*

It is rumored that on Tuesday next a marriage will be consummated at San Francisco between a gentleman of considerable wealth and distinction, and the beautiful and accomplished sister of a celebrated and highly talented actress.

Adams & Co. made the first delivery of down river papers to-day. To the same we are also indebted for the Nevada Journal.