

BY TELEGRAPH.

AMERICAN.

NEW YORK, 8.

The *Sun* says: The first election in California under the new constitution has resulted, on the whole, rather disastrously for the friends of that instrument. The success of Perkins, for Governor, is a triumph for the Central Pacific Railroad ring, and did more than anything else to provoke the uprising of the people and the radical amendment of the organic law of the State.

The Governor and State officers of California will be bound by the provisions of the new constitution, not less than if they were its friends, but in view of the importance of the experiment that is to be worked out in California during the next few years, it is to be regretted that the administration of affairs has been put at the outset into the hands of those who will do their utmost to nullify its purposes. The test of the law, good or bad, is its faithful execution. The long and short of the election of the republican State ticket and a republican legislature is, that the power of the money of the organization, of its unscrupulous methods, and of its extensive political experience, has availed against the divided opposition. In the vote of last May there were only two parties, for the new constitution and against it. In this election the monopolists have held all forces which they had then, and acting in the name of the republican party, have had to deal with an enemy split into factions by the greed of office.

The *Herald* says: The best news from Memphis is that the fever is believed to have reached its climax.

Mr. McCormick, commissioner general to the Paris Exposition, has received the medals and diplomas awarded to American exhibitors, and will distribute them this week. The President, Mrs. Hayes, Gen. Sheridan and Webb Hayes, left Washington, to-day, for Cincinnati. The President expects to make a speech in that city on Wednesday.

ALBANY, N.Y., 8.—W. H. Mayer, bookkeeper in the Niagara Co. Bank, Lockport, was arrested here on a charge of stealing \$8,000 in bonds.

DE KALB, Miss., 8.—The hearing of evidence in the trial of Henry J. Gully, for the murder of Cornelia Chisholm, April 29th, 1877, has begun. Seventy witnesses, 32 for the prosecution and 38 for the defence, were sworn, and excluded from the court room.

Mrs. Chisholm was the first witness. She testified that an excited crowd of men entered De Kalb on the evening of April 28, 1877. It was largely increased on the following morning. Sinclair, then sheriff, arrested her husband on the morning of the 29th. Her husband asked that he be placed under guard at his own house, and he sought an instant investigation of the charges against him. Armed men kept coming around the house. Sheriff Sinclair conversed with them, and then talked to Chisholm. Chisholm told the crowd, "You cowardly scoundrels, you will kill me before evening, but before you do it, I will make some of you bite the dust." Sinclair came to my husband at about 11 o'clock, and said, "They say you must go to jail." McClellan, myself, my sons Clay, Johnnie and Willie, and my daughter Cornelia, accompanied my husband to jail. We were clinging to him to shield his body. Mr. Mosely and Mr. Overstreet went inside the jail with the party, and the door of the lower floor of the jail was locked behind them. The family went up stairs and the door was locked on the inside. I was sent home by my husband on an errand. Heard firing as I came back toward the jail. Saw old man McClellan fall, pierced by several buckshot, behind the jail. Rushed inside the jail and found the stairway crowded with men. Rosser was at the top of the stairs, and he and Gully went to break the lock off the upper door with axes. My daughter Cornelia, son Johnnie and Mr. Overstreet were holding the door on the inside. My daughter's face was bleeding. Rosser said to my daughter, "D—n your soul, I will blow your brains out if you don't get out of the way." Rosser fired the first shot through the broken lock, which severed my son's hand from his arm. The

door was here broken open, and my little boy fell, shot through the heart. Some one inside fired and Rosser fell dead. Two men caught him by the heels and dragged him down stairs. My husband was bewildered at the death of Johnnie. I and my son Clay carried the dead boy down stairs. Cornelia and her father also came down. Henry J. Gully came up and raised his gun. I closed the grated door at the bottom of the stairway. My daughter clasped my husband around the neck. Gully fired through the grates in the door. My daughter screamed, "I am shot!" Judge Chisholm opened the door, and as he stepped out, Henry J. Gully came out of an adjoining room, with another gun, fired at him and he fell. Clay and I assisted my husband in reaching home. My daughter was bleeding in the face. Her eyes were blackened by the blows. She was shot in the wrist, in the ankle and heels, and she was shot by Henry J. Gully. She died on the 15th of May. She died from the effects of the wounds.

Mrs. Chisholm produced Cornelia's bracelet which was broken and driven into her arm. Also five buckshot, taken out of her body.

Cross-examined—She stated that she begged Rosser, by the God that made him, and the mother who bore him, and the wife whom he loved, to be satisfied with the blood of Gilmer and McClellan. He replied that John Gully had a wife, and he would shoot any woman who stood between himself and Chisholm.

Defense asked witness, Did she not know that Cornelia died from the effect of an operation? Witness said she did not know. In relating the scene connected with the death of her son Johnnie, Mrs. Chisholm fainted. When asked if Sheriff Sinclair was not overpowered by the mob, she said she could not tell whether the sheriff commanded the mob, or the mob commanded the sheriff.

Dr. Chamberlin, who waited on Cornelia Chisholm, testified that she died from the effects of her wounds. That one of the bones of her leg was broken, and two of the bones of her arm, by buckshot. That she was wounded in the face by some blunt instrument, and that no treatment could have saved her life.

Chase Rosenbaum testified that he came to town with Gilmer, in the custody of Deputy Sheriff Britton. They were followed to town by eight armed men. Saw many others in town with guns as they walked toward the jail. Saw Virgil Gully shoot Gilmer in the back. Gilmer holloed, "Oh, Lordy, I'm killed!" and ran down, where he was followed and dispatched by the shotgun of Virgil Gully. Rosenbaum corroborates the statement of Mrs. Chisholm as to the scenes in the jail at the alarm of fire. Witness ran out of the jail and did not see the shooting of Chisholm and his daughter.

CHICAGO, 8.—The *Tribune's* Fondulac, Wisconsin, special says: At 9 o'clock, to-night, a fire broke out in Gibson's grocery store, which destroyed a number of wooden buildings causing a loss of \$20,000. Mr. Gibson's eldest daughter was burned to death.

SEALSKIN, Ohio, 8.—David Benjamin, minister of the Christian Union Church, was beaten to death by his son-in-law, Jno. F. Sharp, this morning. Sharp was beating his wife and child with a stick of stove wood, when Benjamin interfered, whereupon Sharp turned on the latter and struck him on the head, knocking him down, and then kicking him in the stomach. Benjamin lived but two hours afterwards. Sharp escaped. His wife and daughter are both severely injured.

NEW ORLEANS, 8.—Vicksburg has quarantined against Delta, Louisiana, on account of Delta allowing boats from New Orleans to land.

Washington, 8.—There has been one death in Morgan City, Louisiana, from yellow fever, and the town is pervaded by the stench arising from the bodies of fish left on shore by the flood and of cattle drowned during the recent storm.

Memphis, 8.—Twenty-five new cases to-day. Two deaths.

SAN FRANCISCO, 8.—The official count of the votes in the city is now going on, and differs in some cases widely, from the figures published in the city journals, and is likely to change the result in certain instances. Returns from all

the counties in the third congressional district, give McKenna, republican, 271 majority over Berry, democrat. Some of the counties are partly estimated, and full returns are expected to increase McKenna's majority.

PORTLAND, 9.—The city's vote corrected gives Davis 3,919; Garcelon, 1,207; Smith, 1,294, scattering, 67. Two hundred and four towns give Davis 46,372; Garcelon 14,041; Smith, 28,201; scattering 53. Some towns last year gave Connor 38,292; Garcelon, 18,658; Smith, 24,129; scattering, 24. The republican majority is 3,077, against an opposition majority last year of 4,519. Two hundred and nine towns give Davis 46,795, Garcelon, 14,192; Smith, 29,621; scattering, 53. The same towns last year, gave Connor 38,666; Garcelon, 18,839; Smith, 24,533; scattering, 24. The republican majority in these towns is 2,929, against 4,734 opposition majority last year. The towns to be heard from gave last year. republicans, 17,887; Garcelon, 9,359; Smith, 15,033. If they come in like the others, the total should stand—Republicans, 68,500; democrats, 21,000; greenbackers, 50,090. Davis will lack 2,500 of election.

In Cumberland, the republican county ticket is all elected. Fifteen out of 20 representatives are elected, a gain of 7. Reports from other counties indicate that the contest in both House and Senate is very close, and can only be decided by further returns. Up to the present, the returns indicate republican gains throughout the entire State.

AUGUSTA, Me., 9.—Senator Blaine has sent the following dispatch to Senator Allison, of Iowa: "The result of to day's election may be briefly summed thus: We have carried by a large majority, the house representatives, and have a majority in the senate, apparently, though not certainly. We have given our candidate for governor a plurality of more than 20,000 votes over the greenback candidate, and 40,000 over the democratic candidate. Whether we have given him an absolute majority over both will only be determined by further returns, and possibly by the official count. On joint ballot in the legislature, we shall have a large majority, thus controlling the executive council and the election of all State officers. The majority against us last year was over 13,000, equivalent to 60,000 majority in Illinois; to 80,000 in Pennsylvania, or 100,000 in New York. To overcome this enormous majority in an 'off year,' with no general election pending, was, of course, a difficult task, and the republicans feel that they have made a splendid fight with the most gratifying results.

(Signed) J. G. BLAINE, Chairman, Republican State Committee."

New York, 9.—The *World* has the following: Conceding to the republicans everything that they claim, the situation is this: They have failed to carry, after exertions unapproached in any previous campaign, and with the help of all the great guns of their party, a State which, for nearly a generation, has been easily won, by republican majorities ranging from 10,000 to 13,000, and even higher. So much for Blaine. Now let the democrats of New York press home on Conkling and Vice-President Wheeler.

The North Carolina papers state that the Mormons, preaching in Cherokee County, made so many converts that sober-minded residents became alarmed. The preachers were soundly whipped and the converts were tickled with hickory twigs.

MEMPHIS, 9.—The following has been received:

To the Associated Press agent: Please send the following:

"To all Federal Soldiers:

"Again we call for help. Let us not starve. The Howards do not provide for us, nor does the city government. We need money provisions and blankets. The fever will not subside before frost. All business is stopped. Will not reopen till winter.

(Signed) A. F. HILL, Captain 9th Ill., Cavalry, chairman of relief association.

F. B. MILLARD, Secy, 42 North Court St."

Ten cases reported this morning. Eight interments have been reported. Weather cool and cloudy.

SAN FRANCISCO, 9.—Arrived, the steamer *City of New York* from

Sydney via Honolulu, bringing the British mails.

Sydney, Aug. 14.—Windeyer, attorney general, is appointed temporary judge of the supreme court. Wisdom, barrister, member of the assembly, succeeds Windeyer.

The reception of Lord Loftus was most enthusiastic. On landing, he was met by the premier, ministers, mayor of Sydney and leading citizens. The mayor presented an address from the corporation, his excellency's levee, the following day, was very largely attended, and a number addresses of welcome, from public bodies, were presented.

The exhibition building is being rapidly completed. The opening was fixed for Sept. 17. Representatives from all the Australian colonies, Ceylon, Straits, India, Belgium, Japan, Germany, Austria, Holland and France have arrived, together with large quantities of exhibits.

Representative Hanlan's rowing club from Toronto, has arrived in Sydney, and issued a challenge on behalf of Hanlan, to row with Trickett for the championship and £2,000 a side. Trickett signified his willingness to make the match if he defeats Laycock in the forthcoming match. A meeting of persons interested in a quatics decided to take up the challenge in behalf of either Trickett or Laycock, provided £500 a side is deposited before the 18th.

FOREIGN.

LONDON, 8.—The Viceroy of India telegraphs as follows: "Advices from Ali Kheyl, dated Saturday last, say that Badschah Khan saw the corpses of Major Cavanaugh and the members of his staff and escort. The party made a very stubborn defence. The number of rioters killed in the fight is estimated at over 100.

Bodshah Khan's adhesion to the British cause is valuable, as removing what might have been a serious obstacle to the advance from Kuram to Cabul.

The fact that the insurgents did not wait till the winter snows had blocked the passes, or even until the British had evacuated Candahar, indicates that the rising was wholly unpremeditated.

The Kooram column, which will be the first to move on Cabul, is in excellent condition, not having suffered from cholera. It consists of the second battalion of the Eighth Regiment, six of the Seventh Regiment, 72nd and 92nd Highlanders, two mountain and two field batteries, one battery of horse artillery, three of cavalry, and one regiment of pioneers.

The movement by the Kyber Pass is intended to support the main advance by way of Peiwar Pass.

The Kyber column is not expected to advance at present, as all available means for transportation will be sent to the Kurnum force.

The insurgents have sent messengers to all the tribes, calling on the whole country to rise in arms. It is believed that a Herate's regiment has left Cabul for Herat, to induce that city to join Cabul in the revolt.

The Pope has written an autograph letter to the Emperor of Germany summing up the result of the late negotiations, and suggesting the Emperor's direct intervention in the way of clemency, as the only way to re-establish harmony. It is reported that Bismarck knew and approved of this step beforehand.

Berlin newspapers mention rumors of a coming meeting of Bismarck and Gortschakoff.

The Greek members of the Turco-Greek frontier commission have drawn up a note to the ambassadors insisting that the fulfillment of the 13th protocol of the Berlin treaty is obligatory upon the Porte. The Turkish commissioners intend to maintain that the protocol merely recommends that the Porte agree to the delimitation therein suggested. It is reported that if the negotiations fail, a European conference will assemble for the purpose of settling the Greek and other questions.

Eighty-four young persons, sentenced to hard labor and deportation to Siberia, for political offences, have left Moscow under an armed escort.

A dispatch from Geneva announces that the harvest in western Switzerland and in the departments of Savoy and Ain in France, have been successfully garnered. They are abundant and excellent. It is calculated that Switzerland

will require 500,000 double centners of foreign corn less than last year.

The *North German Gazette*, Berlin, says: Gen. Manteufel was the bearer of an answer from the Emperor to the letter from the Czar.

There are rumors that the Russian violent language of the Roman press against Germany was due to Count Miliutine, minister of war, and not to Prince Gortschakoff.

Captain Goldsmith and wife, crew of the miniature boat *Sam*, from Boston for Europe, arrived at Liverpool in a launch which picked them up. In that Mrs. Goldsmith, at the commencement of the voyage, suffered from sea sickness. Her illness, after a few days, assumed a serious character and threatened inflammation of the bowels. The constant fullness of Captain Goldsmith's stomach thus made necessary. On the 1st of August, when off Newfoundland, a tremendous gale was encountered, and sail was shortened. The crew feared the boat would swamp, and Captain Goldsmith stood, knife in hand, ready to cut away the halyard. In consequence of the boat shipping heavy water, Captain Goldsmith finally lay down with two drags over the bow, tried to take rest. A tremendous sea almost filled the place where he was resting, and his wife was floating in water up to her shoulders. After bailing out the water, he found that the drags and provisions, except the meats, were destroyed.

Smith was growing rapidly ill, and her husband, on the night of the 16th of August, began to consider the desirability of returning to Newfoundland. The gale continued on the 17th and 18th, fastenings but one of the masts sheets having given way. At three o'clock on the afternoon of the 19th, after 72 hours of wakefulness, Captain Goldsmith lay down to sleep, but was awakened by shock of heavy sea. He saw a large bark and chased it for an hour, finally coming up with it, and Mrs. Goldsmith was hoisted aboard with a rope. A vessel in the *Uncle Sam* was lost, boat was scuttled.

Diplomatic intercourse between the Burmese court and the British have virtually ceased. The outbreak will probably encounter King Shebau to create an rupture with England.

LONDON, 9.—Sir Stafford Northcote, Chancellor of the Exchequer, speaking at Exeter, yesterday the outbreak at Cabul appears to be unpremeditated, so far as can be judged. The Ameer is entirely true to the British. It was certain that the assault implied would not be successful. There seemed to be great doubt, said, whether a prompt action was possible.

News received from Afghanistan through reliable source, give evidence that General Roberts is at Cabul in a fortnight. It is in military circles in India, 9th of October is the probability of the commencement of a forward movement because of the deficiency of wheeled transportation.

Correspondence.

Judges Boreman and Van Zile the Grand Jury.

BEAVER CITY, U. T. Sept. 8.

Editors Deseret News:

As the sequel in the case shows not only a just decision both in law and but a freedom from religion on the part of Chief Justice and Associate Justice Edwards, trust we shall have a rest, for a season, from these religious, judicial proceedings, so far as the Supreme Court is concerned. As to Judge Boreman, while ruling in the contempt case something else (probably the spect of the pay that has given nurse for the last six years) makes him more crestfallen than I ever saw him. He, with the aid of Van Zile seem to be making a (political) death struggle in their feet upon the "Mormon" The strongest effort to pack a jury that has ever been made in this district is now in progress, what success remains to be seen. There seems little doubt that they would be glad to have someone knock the chip off their shoulders.