

# The Semi-Weekly Sentinel.

VOL. 2.

RALEIGH, N. C., SATURDAY, AUGUST 17, 1867.

NO. 23.

## THE SENTINEL.

WM. E. PELL, PROPRIETOR.

### THE TWO PHASES OF THE FUTURE.

We have before us, in North Carolina, so to speak, two futures, and not many months are to elapse ere it will be determined, at least partially, which is the one that shall govern our destinies—political, moral, social and industrial.

The evidences multiply daily of the dangers that attend the success of the Radical policy. The evils which even its threat and success have already produced are terribly portentous of the effects of its real ascendency. Tennessee stands out, in prominent and frightful relief, as an illustration of what North Carolina will become, if its government should fall into the hands of the bad, vindictive men, who would use that government as an engine of persecution and oppression, instead of making it, what government ought to be, an agent of protection, security and happiness to all the people. Hayti looms up as a terrible example of the anarchy, blood and ruin which have ever resulted, and will ensue, from investing with political supremacy an uneducated, illiterate race, who have but faint conceptions of moral or political obligations, and no idea of the demands of statesmanship, no experience with the theory of government, and no acquaintance with the requirements of enlightened citizenship. Negro rule will be political and material ruin. Radical rule will be nearly, if not quite, as bad, in its application to States where the black element is as numerous and formidable as it is in the South, for the reason that it can only rely upon that element for its perpetuation, and can only exist by arraying classes, by partitioning the passions of the African race and exciting its hostility to the white community. Results are easily foreseen under such a condition of things. There can be no security for society, no stability for property, no basis of public confidence, no assurance of social tranquility, no encouragement to enterprise, no inducements to investment, no certain returns of labor, no hope of immigration. The steadily existing demoralization, which we have so much reason to lament and deplore, will spread and diffuse itself, until it will pervade every ramification of social and every department of trade. "Labeled" men are engaged upon our soil of State, in lieu of the old and honored veterans, emblematic of Peace and Plenty. Such is one of the phases of the future before us—a future which we may surely avert, if all the lovers of the State will throw aside their rancor, apathy and helplessness, and come to the rescue.

Already, men of wisdom and patriotism at the North, who have heretofore closed their eyes to realities, under the promptings and influence of a temporary prejudice, are beginning to open their eyes to the portentous indications of the times. The torch of passion, which threatened to heat us upon the rocks, is melting, and if we are true to our selves in the emergency now staring us in the face, the day will come when we shall be hailed with benedictions, by those who have thus far despised and prospective evils upon us, for resisting, with manly and judicious moderation, their hand and unreasoning efforts to crush out the life of Anglo-Saxon ingenuity, beneath the hoard of negro domination.

Moreover, it is apparent that the great masses of the Union army are becoming justly indignant at the prostration and perversion of the objects for which the war was waged. The rank and file of that great army fought for the preservation of the Union and the maintenance of the national authority,—in one word, they fought to conquer PEACE, on the basis of the Federal Constitution, and not for negro domination. They will never submit to it over themselves, and all the instincts of their manhood and patriotism will revolt, and are revolting, at the idea of its being foisted upon the men of their own race, who have submitted to all the legitimate issues of the war, with a faith as perfect as the courage with which they encountered the shock of battle. We submit it could hardly be the motto of that army in this City, in this State, and throughout the South, whether these things are or no.

The moral of our observations, in this connection, is that every white man in the State, who is privileged to do so, should promptly register his name as a voter, for the purpose of averting the evils to which we have referred, not by any means, with any purpose of opposing or injuring the negro or depriving him of any right, or the contrary, for the benefit and best interests of that race. Notwithstanding the extent of the disfranchisement, we feel well assured that a full registration of the qualified white voters will secure their continued preponderance in North Carolina. There will, doubtless, be exceptional localities, where the colored element will prevail, but the State government, by proper efforts, can be retained in the hands of those who alone are qualified, by experience, intelligence, and other qualities, to administer it and control its destinies for good and beneficent purposes. Who can hesitate, in view of the dangers which surround us? Register, then, and vote for delegates to a Convention, who, while they shall adopt a Constitution that shall come within the literal terms of Congress, will not go beyond the strict requirements of the law to ostracize, oppress and punish the great mass of their fellow citizens,—who will not seek to browbeaten and Africanize the State, as the only hope of perpetuating party as

condemning and satisfying a voracious greed for office!

We would not detract from the colored race one single right or privilege essential to the maintenance of their freedom. But it will be monstrous that an illiterate, uneducated majority should be allowed, by our own supineness, to rule the majority and place them under the ban of inferiority,—should monopolize the powers of a government, which was made for white men and which can only be successfully wielded by white men. We counsel no white man's party, as such, but where the evidence are conclusive that the mass of the colored vote, under the direction and at the command of a few reckless men, is to be arrayed, as in Tennessee, in the interests of that ultra-Radicalism which seeks the degradation of the white man, we advise the most earnest proper efforts to avert the impending peril.

In another number, we will speak of the future that lies before us under a just, wise, stable and benevolent white man's government.

"A CITIZEN." We give place to an article from a thoughtful correspondent, signed "A Citizen," who touches an important matter. We know him to be a friend of the colored race and a friend of the Union. We know nothing of the League, but we are opposed to all secret political associations of any kind. Even if their object be good, and their whole purposes and conduct so, they are suspicious, from the fact that they are all in the interest of one party, and their proceedings are withheld from the public. Were the nation at war, and were there any conflict in the South as to the necessity of early restoration, the members of such a party would be justly regarded as traitors, and their whole people of the South, white and black, are at present, and anxious for Union and for the harmony of all sections and all classes on a just basis, in order to the re-organization of the country and its future peace and prosperity, such a clandestine association, unaccountable to the public, is a source of suspicion, and would not enjoy the confidence of the mass of the white people of the State, to say the least, a cause of doubt and distrust. Many hearts are drawn into the associations with little or no knowledge of their purposes. Should they bear both sides of a question, and then make up their unbiased judgment, untrammelled, no one could blame them for any choice they might make, but where they are drawn in to be made the supporters or dupes of partisans and bad men, no one can tell to what lengths they may be carried. Every reader of his paper knows that, under the pretence of sustaining Liberty, Union and the Constitution, under the name of Liberty, Equality and Fraternity, nations and peoples have found the graves of their own liberties, and bared themselves almost beyond restoration in the gloomy grave of despotism.

STAMMERS. It is surprising that some people evince a disposition to credit the rumor that Emancipation, Tennessee, intends denials to favor universal amnesty in that State and thus remove all obstructions, in future, to the salvage of the people. The idea is so unlikely, that it requires a stretch of credulity to believe it even possible.—Was he, however, to do so, we should regard the act with favor, however little we might approve the motive.

"REGISTER! REGISTER!" We are glad to say, that every paper in the State, whether Conservative or Radical, writes in the daily or weekly warning to our people, to Register! Gen. Sickles may, therefore, felicitate himself that, in North Carolina, there is neither, by official, nor individual, nor associational effort, any obstruction offered to reconstruction.

THE INDIAN WAR IN THE NORTHWEST IS STILL CARRIED ON. The Indians commit frequent attacks upon the workmen on the Pacific Railroad, and upon travelers.

HON. E. JOY MORRIS, Minister to Turkey, is in conference with the Porte, for intercepting his correspondence.

THE SENATORIAL COMMITTEE, which lately investigated the charge of violating the canons of the Episcopal Church, on the part of Rev. Dr. Tyng, is divided in opinion.

INVESTMENTS REQUIRING STAMPS. The following are the instruments to be stamped, and the stamps to be used in ordinary business transactions: Out this out and procure it for reference.

All notes and evidences of debt, five cents on each \$100, or under \$100, five cents, if over \$100, five cents on each additional \$100 or part thereof.

All assignments of estates or of estrays, five cents on each sheet or piece of paper.

## THE MILITARY COMMISSION.

UNITED STATES VS. TOLAR, POWERS AND WATKINS.

Tuesday, Aug. 13, 1867.

Samuel A. Phillips, sworn. Live in Fayetteville, Miss. Massie is not connected with me in any way. Heard of Beebe's attempt on Miss Massie, about 9 o'clock, Monday morning. Heard, during the day, several say he ought to be killed, or hung. Don't recollect who they were. Know of no agreement to kill Beebe. Witness' store is about 125 yards from market house, on Person street. Went to market house, at 10 o'clock, P. M., the day Beebe was killed, about 20 persons there at that time. Had a Remington pistol, exhibited. Witness had told me the trial was to come off at 3 o'clock. Saw Tom Powers, Ed. Powers, Sykes, Capt. Tolar and Ralph Lutterloh there. Beebe was up stairs when I got there. Tolar had on a shirt-tail.

Capt. Tolar was talking with Ralph Lutterloh and Ed. Powers, did not hear what they said. Saw no sign of any mischief at that time. Saw no arms. Witness stood there ten minutes and went back to store, where he stood a short time and returned. On his return there were an hundred or more persons present. Witness saw several persons together. Asked Tom Powers, "if he was Captain of that Co.?" He said "no." Powers appeared very sad. Remained a few moments and returned to store again. Before he left, saw Ed. Powers have a pistol on under his clothes, and "Monk" with a knife, stayed a short time at store and came back. Saw Lutterloh go to the carriage, saw Capt. Tolar go to carriage and speak to them, after several others. Witness was forty or fifty feet from the carriage. Saw Harrie come down stairs, followed by Beebe and Wemiss, who had him tied by the right thumb. Was standing near the steps, saw signs of excitement in the crowd. They were gathered in groups. When Beebe got near the end of Miss Beck's bench, heard some of the crowd say "the prisoner." Harrie said "he is my brother" and "stand back." Three or four demanded the prisoner, one of the men was Tom Powers, witness thinks. The crowd rushed up. Saw several persons grab at the prisoner. Did not see Tom Powers have a pistol on "Monk" had one. The police kept them off. Saw Tolar, Ed. Powers, Ed. Powers and Leggett in the mob, also Hall and Lutterloh. Saw other rifles and guns. There was much confusion. Tom Powers and "Monk" had knives at this time, trying to cut Beebe. Heard a voice cry out, "Barnum! he is not my prisoner." Saw Beebe, Wemiss and Harrie, all, had gathered together on the pavement. Harrie held Beebe by the coat. Harrie was standing a little to the rear and right. Witness did not hear Harrie's testimony. Wemiss was to the left of Beebe. Saw Capt. Tolar raise a pistol and fire, killing Beebe. Saw the pistol immediately before he fired. Witness says he saw Beebe fall, but he did not fire a shot. Tolar's hand falling off his shoulder, attracted witness' attention. There was no great difference between the size of Tolar's pistol and the one he had by witness. Immediately after the shooting, a voice cried out, "If any one strangles any thing about this, he will die the same."

Leggett and Lutterloh told witness that Tolar when he fired, Powers was near to Beebe. Saw a pistol in Ed. Powers' hand a minute afterwards. It was a large pistol. Witness only had one pistol.

Saw John Armstrong near Tolar when he fired, also Calvin Hunter and Simmons. Witness was four or five feet from Tolar, when he fired. Heard some one cry out, "Capt. Tolar shot him." After firing, Tolar turned and went around the end of the market house, and witness lost sight of him. Saw "Monk" trying to cut Beebe's throat after he was shot, but was prevented by Nixon. Immediately after the shot, witness showed his pistol and said aloud, "The negro is shot—see, I did not do it."

Heard some one say, under the market house, before Beebe was shot, "I hope I won't have to shoot, but if I do, I will make a good shot." Did not recognize the voice.

Witness said he had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

(Reported Specially for the Sentinel.)

## THE MILITARY COMMISSION.

UNITED STATES VS. TOLAR, POWERS AND WATKINS.

Tuesday, Aug. 13, 1867.

Samuel A. Phillips, sworn. Live in Fayetteville, Miss. Massie is not connected with me in any way. Heard of Beebe's attempt on Miss Massie, about 9 o'clock, Monday morning. Heard, during the day, several say he ought to be killed, or hung. Don't recollect who they were. Know of no agreement to kill Beebe. Witness' store is about 125 yards from market house, on Person street. Went to market house, at 10 o'clock, P. M., the day Beebe was killed, about 20 persons there at that time. Had a Remington pistol, exhibited. Witness had told me the trial was to come off at 3 o'clock. Saw Tom Powers, Ed. Powers, Sykes, Capt. Tolar and Ralph Lutterloh there. Beebe was up stairs when I got there. Tolar had on a shirt-tail.

Capt. Tolar was talking with Ralph Lutterloh and Ed. Powers, did not hear what they said. Saw no sign of any mischief at that time. Saw no arms. Witness stood there ten minutes and went back to store, where he stood a short time and returned. On his return there were an hundred or more persons present. Witness saw several persons together. Asked Tom Powers, "if he was Captain of that Co.?" He said "no." Powers appeared very sad. Remained a few moments and returned to store again. Before he left, saw Ed. Powers have a pistol on under his clothes, and "Monk" with a knife, stayed a short time at store and came back. Saw Lutterloh go to the carriage, saw Capt. Tolar go to carriage and speak to them, after several others. Witness was forty or fifty feet from the carriage. Saw Harrie come down stairs, followed by Beebe and Wemiss, who had him tied by the right thumb. Was standing near the steps, saw signs of excitement in the crowd. They were gathered in groups. When Beebe got near the end of Miss Beck's bench, heard some of the crowd say "the prisoner." Harrie said "he is my brother" and "stand back." Three or four demanded the prisoner, one of the men was Tom Powers, witness thinks. The crowd rushed up. Saw several persons grab at the prisoner. Did not see Tom Powers have a pistol on "Monk" had one. The police kept them off. Saw Tolar, Ed. Powers, Ed. Powers and Leggett in the mob, also Hall and Lutterloh. Saw other rifles and guns. There was much confusion. Tom Powers and "Monk" had knives at this time, trying to cut Beebe. Heard a voice cry out, "Barnum! he is not my prisoner." Saw Beebe, Wemiss and Harrie, all, had gathered together on the pavement. Harrie held Beebe by the coat. Harrie was standing a little to the rear and right. Witness did not hear Harrie's testimony. Wemiss was to the left of Beebe. Saw Capt. Tolar raise a pistol and fire, killing Beebe. Saw the pistol immediately before he fired. Witness says he saw Beebe fall, but he did not fire a shot. Tolar's hand falling off his shoulder, attracted witness' attention. There was no great difference between the size of Tolar's pistol and the one he had by witness. Immediately after the shooting, a voice cried out, "If any one strangles any thing about this, he will die the same."

Leggett and Lutterloh told witness that Tolar when he fired, Powers was near to Beebe. Saw a pistol in Ed. Powers' hand a minute afterwards. It was a large pistol. Witness only had one pistol.

Saw John Armstrong near Tolar when he fired, also Calvin Hunter and Simmons. Witness was four or five feet from Tolar, when he fired. Heard some one cry out, "Capt. Tolar shot him." After firing, Tolar turned and went around the end of the market house, and witness lost sight of him. Saw "Monk" trying to cut Beebe's throat after he was shot, but was prevented by Nixon. Immediately after the shot, witness showed his pistol and said aloud, "The negro is shot—see, I did not do it."

Heard some one say, under the market house, before Beebe was shot, "I hope I won't have to shoot, but if I do, I will make a good shot." Did not recognize the voice.

Witness said he had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

(Reported Specially for the Sentinel.)

## THE MILITARY COMMISSION.

UNITED STATES VS. TOLAR, POWERS AND WATKINS.

Tuesday, Aug. 13, 1867.

Samuel A. Phillips, sworn. Live in Fayetteville, Miss. Massie is not connected with me in any way. Heard of Beebe's attempt on Miss Massie, about 9 o'clock, Monday morning. Heard, during the day, several say he ought to be killed, or hung. Don't recollect who they were. Know of no agreement to kill Beebe. Witness' store is about 125 yards from market house, on Person street. Went to market house, at 10 o'clock, P. M., the day Beebe was killed, about 20 persons there at that time. Had a Remington pistol, exhibited. Witness had told me the trial was to come off at 3 o'clock. Saw Tom Powers, Ed. Powers, Sykes, Capt. Tolar and Ralph Lutterloh there. Beebe was up stairs when I got there. Tolar had on a shirt-tail.

Capt. Tolar was talking with Ralph Lutterloh and Ed. Powers, did not hear what they said. Saw no sign of any mischief at that time. Saw no arms. Witness stood there ten minutes and went back to store, where he stood a short time and returned. On his return there were an hundred or more persons present. Witness saw several persons together. Asked Tom Powers, "if he was Captain of that Co.?" He said "no." Powers appeared very sad. Remained a few moments and returned to store again. Before he left, saw Ed. Powers have a pistol on under his clothes, and "Monk" with a knife, stayed a short time at store and came back. Saw Lutterloh go to the carriage, saw Capt. Tolar go to carriage and speak to them, after several others. Witness was forty or fifty feet from the carriage. Saw Harrie come down stairs, followed by Beebe and Wemiss, who had him tied by the right thumb. Was standing near the steps, saw signs of excitement in the crowd. They were gathered in groups. When Beebe got near the end of Miss Beck's bench, heard some of the crowd say "the prisoner." Harrie said "he is my brother" and "stand back." Three or four demanded the prisoner, one of the men was Tom Powers, witness thinks. The crowd rushed up. Saw several persons grab at the prisoner. Did not see Tom Powers have a pistol on "Monk" had one. The police kept them off. Saw Tolar, Ed. Powers, Ed. Powers and Leggett in the mob, also Hall and Lutterloh. Saw other rifles and guns. There was much confusion. Tom Powers and "Monk" had knives at this time, trying to cut Beebe. Heard a voice cry out, "Barnum! he is not my prisoner." Saw Beebe, Wemiss and Harrie, all, had gathered together on the pavement. Harrie held Beebe by the coat. Harrie was standing a little to the rear and right. Witness did not hear Harrie's testimony. Wemiss was to the left of Beebe. Saw Capt. Tolar raise a pistol and fire, killing Beebe. Saw the pistol immediately before he fired. Witness says he saw Beebe fall, but he did not fire a shot. Tolar's hand falling off his shoulder, attracted witness' attention. There was no great difference between the size of Tolar's pistol and the one he had by witness. Immediately after the shooting, a voice cried out, "If any one strangles any thing about this, he will die the same."

Leggett and Lutterloh told witness that Tolar when he fired, Powers was near to Beebe. Saw a pistol in Ed. Powers' hand a minute afterwards. It was a large pistol. Witness only had one pistol.

Saw John Armstrong near Tolar when he fired, also Calvin Hunter and Simmons. Witness was four or five feet from Tolar, when he fired. Heard some one cry out, "Capt. Tolar shot him." After firing, Tolar turned and went around the end of the market house, and witness lost sight of him. Saw "Monk" trying to cut Beebe's throat after he was shot, but was prevented by Nixon. Immediately after the shot, witness showed his pistol and said aloud, "The negro is shot—see, I did not do it."

Heard some one say, under the market house, before Beebe was shot, "I hope I won't have to shoot, but if I do, I will make a good shot." Did not recognize the voice.

Witness said he had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

(Reported Specially for the Sentinel.)

## THE MILITARY COMMISSION.

UNITED STATES VS. TOLAR, POWERS AND WATKINS.

Tuesday, Aug. 13, 1867.

Samuel A. Phillips, sworn. Live in Fayetteville, Miss. Massie is not connected with me in any way. Heard of Beebe's attempt on Miss Massie, about 9 o'clock, Monday morning. Heard, during the day, several say he ought to be killed, or hung. Don't recollect who they were. Know of no agreement to kill Beebe. Witness' store is about 125 yards from market house, on Person street. Went to market house, at 10 o'clock, P. M., the day Beebe was killed, about 20 persons there at that time. Had a Remington pistol, exhibited. Witness had told me the trial was to come off at 3 o'clock. Saw Tom Powers, Ed. Powers, Sykes, Capt. Tolar and Ralph Lutterloh there. Beebe was up stairs when I got there. Tolar had on a shirt-tail.

Capt. Tolar was talking with Ralph Lutterloh and Ed. Powers, did not hear what they said. Saw no sign of any mischief at that time. Saw no arms. Witness stood there ten minutes and went back to store, where he stood a short time and returned. On his return there were an hundred or more persons present. Witness saw several persons together. Asked Tom Powers, "if he was Captain of that Co.?" He said "no." Powers appeared very sad. Remained a few moments and returned to store again. Before he left, saw Ed. Powers have a pistol on under his clothes, and "Monk" with a knife, stayed a short time at store and came back. Saw Lutterloh go to the carriage, saw Capt. Tolar go to carriage and speak to them, after several others. Witness was forty or fifty feet from the carriage. Saw Harrie come down stairs, followed by Beebe and Wemiss, who had him tied by the right thumb. Was standing near the steps, saw signs of excitement in the crowd. They were gathered in groups. When Beebe got near the end of Miss Beck's bench, heard some of the crowd say "the prisoner." Harrie said "he is my brother" and "stand back." Three or four demanded the prisoner, one of the men was Tom Powers, witness thinks. The crowd rushed up. Saw several persons grab at the prisoner. Did not see Tom Powers have a pistol on "Monk" had one. The police kept them off. Saw Tolar, Ed. Powers, Ed. Powers and Leggett in the mob, also Hall and Lutterloh. Saw other rifles and guns. There was much confusion. Tom Powers and "Monk" had knives at this time, trying to cut Beebe. Heard a voice cry out, "Barnum! he is not my prisoner." Saw Beebe, Wemiss and Harrie, all, had gathered together on the pavement. Harrie held Beebe by the coat. Harrie was standing a little to the rear and right. Witness did not hear Harrie's testimony. Wemiss was to the left of Beebe. Saw Capt. Tolar raise a pistol and fire, killing Beebe. Saw the pistol immediately before he fired. Witness says he saw Beebe fall, but he did not fire a shot. Tolar's hand falling off his shoulder, attracted witness' attention. There was no great difference between the size of Tolar's pistol and the one he had by witness. Immediately after the shooting, a voice cried out, "If any one strangles any thing about this, he will die the same."

Leggett and Lutterloh told witness that Tolar when he fired, Powers was near to Beebe. Saw a pistol in Ed. Powers' hand a minute afterwards. It was a large pistol. Witness only had one pistol.

Saw John Armstrong near Tolar when he fired, also Calvin Hunter and Simmons. Witness was four or five feet from Tolar, when he fired. Heard some one cry out, "Capt. Tolar shot him." After firing, Tolar turned and went around the end of the market house, and witness lost sight of him. Saw "Monk" trying to cut Beebe's throat after he was shot, but was prevented by Nixon. Immediately after the shot, witness showed his pistol and said aloud, "The negro is shot—see, I did not do it."

Heard some one say, under the market house, before Beebe was shot, "I hope I won't have to shoot, but if I do, I will make a good shot." Did not recognize the voice.

Witness said he had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."

Witness had a pistol when he was shot, held it in one hand, did not think he cocked it or rubbed it. Witness' pistol was larger than Tolar's or Powers'. Tolar drew his pistol from the left side. There were two men between Tolar and Beebe, when Tolar fired, one of which was Tolar. Don't recollect Tolar making any remark. Didn't see him put his left hand on any one. Tolar held left before witness showed his pistol, showed it to Douglas, showed it afterwards at his store. Think Douglas examined it then. Did not recognize the voice which said, before the shooting, "I hope I won't have to shoot, but if I do, I will make a good shot."