Evening Telegraph

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MONDAY, OCTOBER 25, 1869.

THE NEW ATTORNEY-GENERAL. GOVERNOR GEARY has tendered to the Hon. F. Carroll Brewster the position of Attorney-General of the Commonwealth, and that gentleman has accepted the position, as will be seen by the following correspondence: -

HARRISHURG, Pa., October 23, 1849. ("Executive Chamber,)

HARRISHURG, Pa., October 23, 1849. ("Hon. F. Carroll Brewster, Philadelphia, Pa.—Sir:—Placing the highest confidence in your friendship, ability and integrity as a man and as a lawyer, I have the honor to tender to you the position of Attorney-General of the Commonwealth of Pennsylvania, vice Hon. Benjamin Harris Brewster.

"Should you determine to accept. I desire that you do so without delay and notify me both by telegram and letter, and at once assume the duties of your office. Very respectfully, "John W. Grary, Governor."

To this proffer of the position, Judge

Brewster responded as follows: "PHILADELPHIA, Oct. 25, 1869.

"Phil addition, Cet. 25, 1869.
"To his Excellency John W. Geary, Governor—
Sir:—Your favor of the 23d inst., tendering to me
the position of Attorney-General of this Commonwealth, has been duly received.
"I accept the appointment with many thanks for
the honor conferred upon me, and for the courteous
terms in which you have been pleased to tender it.
"It shall be my earnest effort to discharge the
dutles of the office to the utmost of my ability. With
the courteous the courteous that the courteous of the courteous that the office to the utmost of my ability. regard, very respectfully yours,

Three years ago, when General Geary first assumed the Governorship, it was his desire to appoinst Judge Brewster to the same position, but, unhappily, through the influence of Simon Cameron, his purpose was defeated, and the Hon. Benjamin H. Brewster given the place. This appointment, at present, will give universal satisfaction to this community, and to the people of the entire State. While the loss to the beach of the Court of Common Pleas will be one not easily repaired, the public will be the gainer by the change which removes Judge Brewster to a field of larger usefulness. Born in 1825, he is now in the very prime of life and in the full vigor of intellect. He thus enjoyed such rare opportunities for the study of his chosen profession, that he was admitted to the bar when but nineteen years of age. From that time to the date of his elevation to the bench. his career at the bar was one of unusual brilliancy and success. In 1862, and again in 1865, he was elected to the important and responsible position of City Solicitor, and in 1866 to that of Associate Judge of the Court of Common Pleas. His career upon the bench has been eminently satisfactory to the public and creditable to himself, more especially the masterly decision in which he recently disposed of the protracted contest over the Row offices in this city. To the discharge of the duties of his new position he brings a thorough and varied culture, a ripe experience, a perfect mastery all the complicated details of the law, a commanding eloquence, and an unblemished reputation.

We understand that the vacancy upon the beach of the Court of Common Pleas which is created by Judge Brewster's acceptance of the Attorney-Generalship will be filled by the appointment by Governor Geary of Edwin M. Paxson, Esq., a prominent lawyer of this city, of sterling worth, who is well known in professional circles, although comparatively a stranger to the public. Mr. Paxson is a native of Bucks county, is now about fortyeight years of age, and has varied his long experience at the bar with the labors of journalism. His appointment will unquestionably prove acceptable to the people when they have once had an opportunity to judge of his indicial ability.

THE BROOKS CASE.

THE jury empanelled in the Brooks case deserve the thanks of every good citizen for their prompt readition of a verdict of guilty against Marrow and Dougherty. The efforts made by the counsel, the friends, and the employers of these villains to defeat justice were as desperate as the crime which startled the entire community on the 6th of September: and it was a matter of the highest public importance that these efforts should not prevail. It was bad enough that any set of men in this city should combine to murder a useful officer on account of his conscientions devotion to duty-bad enough that the basest and dangerous form of crime.

willingness to act assassins, should be developed hired in our midst-bad enough that in the police force which the municipality maintains at a vast expense, these desperadoes should find sympathizers and friends ready to aid them in eluding pursuit and punishment—but it would have been even worse if a verdict of not guilty had shown that all these offenses could be committed with impunity, and that the "dismonds of the bar" could blind the eyes of honest jurymen with their dazzling and de-

ceptive light.

The general expectation that extraordinary means would be adopted to secure the acquittal of the prisoners was fully fulfilled. They formed part of that aristocracy of crime which habitually regards itself as above the reach of law, and this consideration was prohably not forgotten when they consented to sound the very lowest depths of human depravity. It is part of the testimony of the defense that they were applicants for positions on the police force, and it is now but too well known that among the sworn and salaried protectors of municipal peace they found useful allies at every stage of the proceedings. They received the earliest possible tidings that they had fallen under the ban of suspicion, and thus gained the opportunity for their prompt flight to New York. When arrested there, they also received such speedy

| information from this city of the real charge | under which they were held that they were enabled to make an immediate application for release, under a writ of habeas corpus, before Judge McCunn. After McLaughlin had made his original statement against them, and had displayed a strong apparent determination to become an honest ally of the Commonwealth, opportunities were afforded to their friends of perverting his better instincts, and finally, during the trial, one policeman who, in the discharge of his duty, which is in part to observe any unusual or suspicious circumstances in any part of the city, had seen the prisoners get out of McLaughlin's earriage shortly before one o'clock on the day of the attempted assassination, can nowhere be found when he is called to appear on the witness stand. These, and other circumstances of scarcely less significance illustrate the difficulties with which the Mayor and the faithful portion of his force have been compelled to contend, and it is a matter of no small astonishment that a triumph has been gained despite the treasonable defection of those who should have been the

faithful ministers of justice. In the Court of Quarter Sessions, Judge Ludlow, while acting in a strictly impartial manner, displayed a rigid determination to prevent the prisoners' counsel from gatning any undue advantage, and the new District Attorney and his assistant, notwithstanding their want of time to prepare for such a peculiar and momentous trial, and the extraordinary difficulties to which they were subjected by the changed attitude of McLaughlin and the absence of Officer Kelly, did the best that could be done under the circumstances. In a strictly legal sense, the first affidavit of the driver could not be considered testimony. Its sole use was to break the force of the declaration which would otherwise have tended to the acquittal of the defendants, but the remaining testimony offered by Hughes and the victim of the murderous assault was, in view of all the complications by which the case was surrounded, very properly deemed by the jury amply sufficient to justify the verdict of guilty despite the attempt to establish an alibi. In regard to this portion of the defense, it is not necessary to believe that the witnesses who swore that they saw Marrow and Dougherty at Devitt's tavern between 12 and 1 o'clock on the 6th of September, committed perjury. It is possible that the prisoners could have been returned to Devitt's, after the commission of the crime, before 1 o'clock, and a little difference in timepieces or a slight mistake of recollection would easily explain any apparent discrepancy arising from this portion of the theory of the defense. But as the judge properly instructed the jury, "an alibi is either overwhelming or destructive." It "is a defense easily made, and often through bribery and subornation of perjury, and the testimony adduced to sustain it should be subjected to the closest scrutiny. If it is made out it is conclusive, but if it fails it is fatal," We do not doubt that if an alibi could have saved Marrow and Dougherty, a cloud of witnesses to establish it would have been produced by the same agencies that changed McLaughlin's statement and silenced Officer Kelly. But the jury was as impervious to such efforts as to the eloquence of the counsel for the prisoner. In vain did Mr. Mann make his favorite exclamation, "I would that this arm would wither if I would say one word to the jury that I did not believe to be true." His skill as a prosecuting attorney is so well attested, that, even in spite of himself, his zealous efforts in behalf of the prisoners told rather against them than in their favor, and it is extremely doubtful whether the twelve good men and true empanelled to give a just judgment could forget his wanton in-

grant of indulgence to the desperadoes of the whisky ring.

sult to the victim of the assault, despite

his apology. In vain did Mr. Cas-

sidy seek to add new laurels to his fame

as a criminal lawyer by his comments upon

the sensational character of a case which was

necessarily made sensational by the machina-

tions of those he served, by his eulogy of

the praiseworthy liberality of the Moyamen-

sing Hose Company in contributing to the relief of the Avondale sufferers, and by his

asseverations that if the prisoners were not

set free the witnesses called to prove an alibi

would be presumed guilty of perjury. All

these arts failed; and however much the

friends of justice may regret that last Satur-

day was marked by the escape of that noto-

rions defier of the law, Jimmy Haggerty, the

verdict in the Marrow and Dougherty case

proves that the law still finds some faithful

supporters in our midst, who can neither be bullied, bought, betrayed, or deceived into a

AMNESTY FOR THE FENIANS. A SIGNIFICANT demonstration took place in London vesterday. Immense processions marched through the streets, headed by bands of music, and bearing flags and banners inscribed with significant mottoes. We are also told that the procession contained several thousand women, wearing flowers and scarfs of the emerald hue. The grand demonstration culminated at Hyde Park, where fifty thousand people assembled in mass meeting to listen to inflammatory harangues and pass resolutions demanding amnesty for the Fenians now held in ensfody by the Government. It was rumored on Saturday that the Government would interpose to prevent the holding of the meeting in the park, and it was thought the affair would be indefinitely postpored, in view of the anticipated collision. It appears, however, that Mr. Gladstone had the wisdom to let the amnesty agitators alone, and contented himself with

making extensive preparations for suppressing any disturbance that might possibly arise. The great demonstration of yesterday was intended as a counterblast to Mr. Gladstone's declaration, a few days since, that while the members of the Government had carefully considered all the memorials for the release

of the political prisoners which had been presented from time to time, they had unanimously decided that a compliance with these demands would be contrary to their duty as guardians of public security and peace. That the reckless Fenian agitators should coincide in this reasonable view of the situation was not to be expected. The whole movement is manipulated by a clique of demagogues who have no real regard for the permanent welfare of their country, and are incapable of entertaining the sentiment of gratitude towards Mr. Gladstone for what he has already done in behalf of Ireland. By the passage of the bill disestablishing and disendowing the Irish Church, he has remedied one of the most glaring wrongs under which Ireland has been laboring for centuries, and given a pledge for ameliorating the condition of the people of that portion of the British empire as fast as time and the state of public sentiment in England will safely permit. If the Fenians would only rally to the hearty support of the present Liberal Government, and drop all their crazy and dangerous schemes, the cause of Ireland would be immeasurably advanced, and all the political prisoners would soon be set at liberty. A persistence in the present agitation, however, can only damage their cause, and may ultimately result in the restoration of Disraeli to power.

Spain is tranquil, says a cable telegram from Madrid, and then, by way of commentary upon this assertion, follows a notice of the arrest of a Catholic bishop and a number of Protestants in Granada and of a prominent insurrectionist who has been taken to Valencia for trial. But the speech delivered by Marshal Prim in the Cortes on Saturday shows that, despite the anarchy which reigns throughout the country, the Government of the Regent will not retrograde on one important point, "If," said the Minister of War, "the Œeumenical Council should adopt decisions hostile in their operation to the Spanish Constitution, they would be treated by the Government as null and void." Although Spain has not yet received a stable Government in return for the rotten dynasty which she threw off a year ago, she has emancipated herself from the domination of the Church, and in this respect at least has taken a long stride in the right direction.

Some Enemy HATH DONE THIS .- It now appears that Minister Washburne has not asked for \$15,000 in gold to meet his contingent expenses, as was recently telegraphed from Washington. The many friends of Mr. Washburne, who were rejoiced by the manly stand taken by him in the House of Representatives on the subject of economy in the administration of the Government, will be delighted to hear this, and still further to know that he has declined to receive certain allowances until he could satisfy himself that he is legally entitled to them. But at the same time, Minister Washburne's friends cannot but remember that he was of infinitely more use to the country in Congress than he promises to be in Paris.

Ex-Secretary Seward is now in Mexico. But the restoration of order to that distracted country appears to be followed by a general anathy in the volcanic regions of our sister republic. We would therefore advise Mr. Seward to extend his journey as far down the Pacific coast as Southern Peru, where violent earthquakes are of daily occurrence. He can then return and pass the winter at Washington in the endeavor to persuade the Senate to ratify the treaty purchasing the island of St. Thomas. A little experience in the earth quake business will doubtless double his zeal in the annexation policy.

The Harrisburg Patriot comes to the rescue of old Frank Blair, whom it styles "the venerable founder of the Republican party," and in its eagerness expresses the opinion that the huckstering of potatoes without a license is a much more intellectual employment than editing a radical newspaper. If all the radical newspapers in the country were edited in the patriotic style of the Patriot, there would be a show of truth in this assertion.

SPECIAL NOTICES. BOF ACADEMY OF MUSIC THE STAR COURSE OF LECTURES.

THIRD LECTURE. ON MONDAY EVENING, Oct. 25. BY MISS OLIVE LOGAN:

Subject -"GIRLS," ing order:
Oct. 27, R. J. DW CORDOVA; Nov. 28, HON. S. S. COX; Dec. 1, HON. CHARLES SUMNER; Dec. 3, REV. ROBERT COLLYER; Dec. 7, MARK TWAIN; Dec. 9, R. J. DE CORDOVA; Dec. 16, WENDELL PHILLIPS. The remainder of the series will be given in the follow-

PHILLIPS.
Admission to each Lecture, 50c.; Reserved Seats, 75c.; Reserved Seats in Family Circle, 50c.; Amphitheatre, 25c. Tickets for any of the Lectures for sale at Gould's Piano Warerooms, No. 922 Chesnut street. Box Office open daily from 8 A. M. to 6 P. M.
Doors open at 7. Lecture at 8.

OFFICE OF THE LEHIGH VALLEY RAILROAD COMPANY, No. 303 WALNUT PHILADELPHIA, Sept. 18, 1869. The Stockholders of this Company are hereby notified that they will be entitled to subscribe, at par, for ONE SHARE OF NEW STOCK for each eight shares or raction of eight shares of stock that may be standing in their respective names at the closing of the books on the

Subscriptions will be payable in cash, either in full at the time of subscription, or in instalments of twenty-live per cent. each, payable in the months of October, 1869, and January, April, and July, 1870.

block paid for in full by November 1, 1869, will be enti-tled to participate in all dividonds that may be declared ifter that date. On stock not paid in full by November 1 next, interest will be allowed on instalments from date of payment. Subscription Books will be opened October 1 and closed November 1 next.

CHAS. O. LONGSTRETH, Treasurer. THE ANNUAL MEETING OF THE THE ANNUAL MEETING OF THE TOWN AND NORRISTOWN RAILROAD COMPANY will be held at the Office of the Company, northeast, corner of NINTH and GREEN streets, on MONDAY, the first day of November next, at 16 o'clock A. M., and immediately after the adjournment of that meeting an election will be held at the same place for four managers, to serve three years.

A. R. DOUGHERTY, Secretary. THE ANNUAL MEETING OF THE Stockholders of the CLINTON COAL AND IRON COMPANY will be hold on WIEDNISSDAY, Nov. 3, at 10 clock A. M., in Room No. 3 MERICHANTS EXCHANGE, GEO. W. LEHMAN. CHANGE,

COUPONS .- THE COUPONS OF THE FIRST MORTGAGE BONDS of the WILMINGTON AND READING RAILROAD CO., No. 30 S. THIRD Street, Philadolphia. WILLIAM S. HILLES, Secretary and Treasurer.

SPECIAL NOTICES. THE LADIES' FAIR FOR THE HO-CULTURAL HALL from 17th to 30th Nevember. The Lady Managers will meet at the College Building, on FIL-BERT Street, above Eleventh, on Tuesday, at 4 P. M., and invite all interested to attend.

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