

Evening Telegraph

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MONDAY, NOVEMBER 29, 1869.

THE SCHOEPPE MURDER CASE.

The discussion of the Schoeppe murder case is continued by some of our contemporaries, despite the opinion of the Attorney-General sustaining the action of the jury and the Courts, and the subsequent issue of a death-warrant by the Governor. The prisoner has been remarkably successful in attracting the sympathies of a large number of zealous and able defenders, and in exciting a deep interest in quarters where his imputed crime, in itself, is abhorred. German societies have been appealed to for aid in efforts to procure a pardon, because he is a German, and physicians have been summoned to his rescue because his conviction on insufficient evidence might furnish a precedent fraught with danger to innocent M. D.'s. The evidence adduced against Paul Schoeppe is over-powering on every point, except on the question whether Miss Stennecke did not, after all, die a natural death. That he had strong motives for murdering her, and that, if she was poisoned, he alone is the guilty party, is proven beyond all reasonable doubt. The only feature in the case worthy of newspaper comment is whether the evidence was sufficient to justify the belief that poison or poisonous drugs were administered by the man who, under his triple character as lover, heir, and physician, was devoted in his attentions to the woman whose sudden death has given rise to this protracted discussion. The fact should not be forgotten that this question was raised at the trial, professional witnesses pro and con being examined at length, and that after the prisoner's counsel had exhausted their ingenuity in efforts to create a doubt on this point, the jury still brought in an adverse verdict, notwithstanding the declaration of the Judge that "the fact that death occurred from some unnatural cause, and also the specific cause of death, as in this case, that it was caused by poison, must be established and proved to a moral certainty, and beyond a reasonable doubt, by the prosecution."

Few who read the proceedings of the trial will wonder at the action of the jury. The physician called in for consultation with Dr. Schoeppe when the sick woman was lying at the point of death, said the symptoms indicated no natural disease, but induced the belief that she had been overdosed or poisoned. Other physicians who made a post-mortem examination found no traces of a natural disease sufficient to cause death. Subsequently an examination of the stomach and intestines, made by an experienced chemist, furnished, in his opinion, sufficient reasons to justify the belief that poison had been administered. A controversy has grown up since the trial in regard to the correctness of the opinion of the consulting physician, the completeness of the post-mortem examination, and the accuracy of the tests applied by the chemist; but there has been scarcely a point raised in this discussion which was not raised during the trial, and passed upon by the jury, after a full hearing had been granted to both sides. Any success which may attend the present efforts to re-excite doubts in this case will be attributable mainly to a one-sided argument and one-sided statements. If the public heard only the closing speech of the attorneys for the prisoner, they would see little reason, in any murder case, for a conviction.

At the late election in Newfoundland the party opposed to Confederation triumphed by a large majority, and thus, while the Winnipeg insurrection remains unsubdued, new difficulties and disaffections spring up in the regions which a few British statesmen vainly hope to consolidate into a powerful New Dominion. John Bull will soon have more cause than ever to grumble over the efete colonial policy which has ceased to be useful, but continues to be an endless source of annoyance and expense.

It is said that Denmark has postponed the ratification of the treaty for the sale of St. Thomas to the United States for six months. She may as well postpone it for sixty years, for the American people are in no mood to sanction the last and worst of Mr. Seward's bad bargains.

MISSISSIPPI AND TEXAS.

[No apology for the length of the following article is needed, when the vital importance of the subject is considered. It has been prepared with great care, presenting in the briefest possible space a history of the progress of Reconstruction in Mississippi and Texas, and will well repay perusal.]

To-morrow is the day fixed by the proclamations of the President for the commencement of elections in Mississippi and Texas which are to determine whether the people of those States are now ready to resume their normal relations to the Union, or prefer to remain under the direct control of the military power of the General Government. The election in Mississippi will occupy two days, while in Texas four days will be allowed, in consequence of the sparseness of the population in many districts, and the consequent time and difficulty required for all the legal voters to reach the polls. In each State a vote will be taken upon the Constitution framed in pursuance of the Reconstruction acts of Congress, and at the same time State officers and members of Congress will be voted for, in order that, if the constitutions are accepted by the people, there may be no further delay in the full and complete restoration of these two States to all their rights, privileges, and duties under the Federal Constitution.

The first steps towards the rehabilitation of Mississippi were taken early in the administration of Andrew Johnson, and were based on that functionary's peculiar notions of the most effective way for rendering treason odious and punishing traitors. On the 29th of May, 1865, President Johnson appointed William L. Sharkey Provisional Governor of the State, and that official at once set himself about the task of reconstruction on the Johnsonian policy. A convention elected by the still unrepentant Rebel population met on the 14th of August following, and passed ordinances abolishing slavery in the State, and declaring null and void the ordinance of secession. An election for State officers was held in October, there being three candidates for Governor, the votes for whom were respectively as follows:—Benjamin G. Humphries, 19,036; E. S. Fisher, 11,551; and W. S. Patton, 10,329. The total vote thus reached but 44,916, while at the Presidential election in 1860 it had aggregated 69,120. A full Congressional delegation and all the customary State and county officers were elected at the same time. On the 16th of October the State Legislature assembled, and on the 17th, Humphreys, who had served as a Brigadier-General in the Confederate army with some distinction, was inaugurated as Governor. But the Legislature soon gave the country a substantial proof of its reactionary spirit by refusing, on the 27th of November, to ratify the proposed anti-slavery amendment to the Federal Constitution.

When Congress assembled in December, 1865, the Mississippi delegation to the House of Representatives, in common with the Johnson delegations from the other States, were refused their seats, and the supreme law-making power of the land proceeded to the task of laying down a reconstruction programme in accordance with the sentiments of the loyal people of the country. It is unnecessary to recapitulate in this connection the progress of the Congressional policy, which culminated in the passage of the supplemental Reconstruction act of March 23, 1867. Mississippi became a part of the Fourth Military District, under the successive commands of General Ord, who first assumed command on the 28th of March, 1867, General Gillem, General McDowell, and General Ames. Governor Humphreys, however, was permitted to remain undisturbed in his position as the chief civil magistrate of the State, and continued to be recognized by the Federal Government as Provisional Governor until June 16, 1868, when General McDowell ordered his removal and placed General Ames in the position of Provisional Governor, the latter finding it necessary to resort to a show of force to eject Humphreys.

Meanwhile, the Johnsonized State government made a desperate effort to prevent the inauguration of the Congressional reconstruction policy in the State by applying to the Supreme Court for an injunction restraining the President and the district commander from attempting to execute the provisions of the Reconstruction acts. But the application was refused by Chief Justice Chase on the 15th of April, 1867, his decision basing the refusal upon "the impropriety of such interference," which, said the Chief Justice, "will clearly be seen upon consideration of its probable consequences," enumerated in substance as follows:—If the President should refuse obedience, the Court is without power to enforce its process; and if the President should comply, the House of Representatives might impeach him for refusing to execute the acts of Congress. In this way the Chief Justice got rid of passing directly upon the constitutionality of the Reconstruction acts, and the Congressional policy proceeded without interruption.

The first step under the Congressional policy was the registration of voters, which took place in the fall of 1867, and reached an aggregate of about 140,000, a large majority of those registered being colored. An election was then held to decide upon the question of holding a convention for revising the Constitution of the State, and 69,739 votes, nearly all of them colored, were cast in favor of a convention, with but 6277 against it. The order of General Ord announcing the result was dated December 5, 1867, and in that order the 7th of January, 1868, was designated as the day for the assembling, at Jackson, the State capital, of the Convention. By the 15th of May the draft of a Constitution was ready for the signatures of the members, and on the 18th the Convention, having fully completed its labors, adjourned. The Constitution which was the result of the labors of this Convention contains several proscriptive provisions, which, although not in conflict with the letter of the Reconstruction acts, is opposed to the liberal spirit which at present animates the great majority of the loyal people of the country. It encountered a violent opposition when the people were called upon to vote upon the question of its ratification, and at the election, which was held on the 22d of June, 1868, but 56,231 votes were cast in its favor, while 63,860—a majority of 7629—were thrown against it, and reconstruction in Mississippi was brought to a standstill for the time. An election for State officers, held on the same day, resulted in 63,321 votes being polled for the Rebel General Humphreys, who had been ejected from the Governorship by General Ames, and 55,250 for Beriah B. Eggleston, his radical opponent. Subsequent to the election, an effort was made to secure Congressional approval of the Constitution and the restoration of the State to representation in Congress, notwithstanding the adverse result of the election; but only the more extreme of the Republicans entered into this scheme, and, although it secured the endorsement of the State Convention held in November last, and it was claimed that a recounting of the vote and the rejection of certain counties in which the election had been irregular, showed that the constitution had received a clear and fair majority, the project encountered the defeat which it merited.

The election which commences to-morrow is held in pursuance of the act of Congress passed at the extra session, held immediately after President Grant's inauguration. In pursuance of the provisions of this act, several clauses in the Constitution which was defeated in June, 1868, are submitted to a separate vote, as was done in the case of Virginia, and the chances are that, while these clauses will be again defeated, the remainder of the document will receive the approval of the people. Both the radicals and conservatives are confident of the election of their State tickets, but as the President has thrown the weight of his official influence against his brother-in-law, Judge Dent, the conservative candidate, and the radical candidate, Judge Alcorn, is sustained by the whole administration influence, it is quite probable that there will be no material split in the Republican ranks, and that the conservative ticket, which also claims to be the representative of the true Republican party of the country, will encounter defeat. In the State of Texas the progress of the reconstruction movement has been much slower than in any other of the States which entered into the Rebellion. President Johnson appointed General A. J. Hamilton Provisional Governor in July, 1865. A convention was soon after held, which annulled the ordinance of secession, decreed the abolition of slavery, and repudiated the Rebel debt. Amendments to the State Constitution bringing it into harmony with the new state of affairs were also submitted to the people at an election held in the summer of 1866, the vote standing 28,119 for, to 29,400 against them. At the same time an election for State officers was held, J. W. Throckmorton, the Johnson candidate, receiving 18,631 votes, and E. M. Pease, his loyal opponent, but 12,051 votes. On the 15th of October following, an election for members of Congress was held, but the Republicans took no part in it, and the Rebels had everything their own way. Throckmorton, meanwhile, was inaugurated, and an out-and-out Democratic Legislature commenced operations by rejecting, by an almost unanimous vote, the proposed anti-slavery amendment to the Federal Constitution, the Senate containing but two members who favored its ratification and the House of Representatives only five. When the Reconstruction policy of Congress was fully enunciated, General Sheridan became commander of the Fifth Military District, in which Texas was embraced, and on the 30th of July, 1867, he issued an order removing Throckmorton, who had been recognized as Provisional Governor since his inauguration, appointing Mr. Pease to the position thus vacated. The latter continued to hold this office until about the 1st of October of this year, when he resigned to become an active canvasser in favor of the conservative ticket. In the troubles which led to President Johnson's removal of General Sheridan from the command of the Fifth Military District Texas had but little share, the time of the people being principally occupied with shooting each other, and rendering the State generally about the most uncomfortable place to live in on the face of the earth. 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The Constitutional Convention reassembled on the 7th of December, 1868, the date to which it had adjourned, and completed its labors by submitting to the people of the State a Constitution of such a liberal character that the President did not think it necessary to designate any clauses for separate votes, under the act of Congress of April 10, 1869. It contains no disqualifying or test-oath provisions that will affect the participants in the Rebellion, and will unquestionably be ratified by an overwhelming vote. There are three candidates in the field for Governor, two of them, Generals Davis and Hamilton, claiming to be in harmony with the administration and the great Republican party of the North. Hamilton, who was the leader of the original loyal party in the State, depends, however, chiefly upon the Rebel element of the population for support, and will receive every Rebel vote that is not cast for Stuart, the extreme Democratic candidate, who opposes the new Constitution and the new order of things generally. Such is a succinct account of the progress of reconstruction and the situation of affairs on the eve of the elections which commence to-morrow, in the two States which have not yet been restored to their rightful position in the Union. The result of the elections in both States will be awaited with absorbing interest throughout the country, in the confident hope that the people of neither State will consent to take a backward step.

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FIFTH EDITION

THE LATEST NEWS.

The Gunboat Question—A Motion to Discharge the Vessels from Custody.

FROM NEW YORK.

The Latest Turn in the Spanish Business. Dispatch to The Evening Telegraph. New York, Nov. 29.—A motion to discharge the Spanish gunboats from custody on the ground that there is no war existing between the United States and Peru, and that there is no proof of their being intended to act offensively against Peru, will be argued before Judge Blatchford on Thursday in the U. S. District Court. District Attorney Pierrepont gives it as his opinion that the motion will be denied, he having no faith in the grounds on which the motion is made. Counsel for the claimants have notified the District Attorney that in no case will any motion be made to honor the vessels, but in the event of the motion to discharge being denied, they desire an early trial on the merits, to which the District Attorney will make no opposition.

Another Railroad Accident at Mast Hope. New York, Nov. 29.—On Saturday last, through the carelessness of its engineer and conductor, it is said that extra freight train No. 39 ran into extra freight train No. 26, at Mast Hope station, on the Erie Railroad, the scene of several fatal accidents, and that twenty freight cars were demolished. No person is reported to have been injured this time.

FROM NEW ENGLAND.

Troubles of a Race Course. Boston, Nov. 29.—Application has been made to the Massachusetts Supreme Court to enjoin John A. Sawyer and others from establishing a race course at Riverside Park, Brighton, on the ground that such establishments are declared nuisances by statute, unless licensed by the Selectmen. The Court declined to hear the case pending the action of a town meeting called to meet with the Selectmen in regard to licensing the track.

SPECIAL NOTICES.

GENTLEMEN WISHING A Coat in the highest style, and made up with every embellishment of Silk Facings, Velvet Collars, Quilled Lapels, etc., can get it best, either ready-made or to order, at Nos. 818 and 820 CHESNUT STREET.

ANY GENTLEMAN WISHING whether plain or nobby, made of fancy Cassimere or Heavy Cloths, artistically cut, warranted to fit well, can get the best, either ready-made or to order, at Nos. 818 and 820 CHESNUT STREET.

ANY GENTLEMAN WISHING a Vest cut high or low, made of Velvet, Silk, or any other fine material, can satisfy himself best in the Custom Department or Ready-made Department of Nos. 818 and 820 CHESNUT STREET.

THE CHESNUT STREET CLOTHING ESTABLISHMENT, OF JOHN WANAMAKER, Nos. 818 AND 820 CHESNUT STREET.

OVERCOATS. OVERCOATS. OVERCOATS. JOHN B. GOUGH AT THE ACADEMY OF MUSIC, MONDAY EVENING, DECEMBER 6, Subject—"CIRCUMSTANCES."

MONDAY EVENING, DECEMBER 13, Subject—"HART." HENRY WARD BEECHER, Subject not yet announced, TUESDAY EVENING, FEBRUARY 1, HORACE GREELLY, "THE WOMAN QUESTION," TUESDAY EVENING, FEBRUARY 22.

These Lectures will be delivered in the Academy of Music, on the days named, for the benefit of the Young Men's Christian Association of Philadelphia. Tickets for the course of four lectures will be sold at Danfield Ashmead's Bookstore, No. 724 Chesnut street, on Tuesday, November 30. Single Tickets on Wednesday, December 1. Reserved Seats—Course Tickets, \$2.50; Single Tickets, 75c.; Family Circle, 50c. (11 29 24 37 29)

ACADEMY OF MUSIC. THE STAR COURSE OF LECTURES. FIFTH LECTURE ON MONDAY EVENING, Nov. 29, 11 29 24 37 29. Subject—"Progress in Spain." (Prepared expressly for this occasion.)

WEDNESDAY EVENING, Dec. 1, HON. CHARLES SUMNER, Subject—"The Question of Gates." FRIDAY EVENING, Dec. 3, REV. ROBERT COLLYER, D. D., Subject—"Clear Grit." Dec. 7—MARK TWAIN, Dec. 9—DOBROVA, Dec. 12—WENDELL PHILLIPS.

Admission, 50c. Reserved seats, 75c. Tickets for sale at GOULD'S Piano Warerooms, No. 822 CHESNUT STREET, and at the Academy on the evening of the Lectures. Orchestral Prelude at 7 1/2 o'clock. 11 29 24

MERCANTILE LIBRARY NOTICE.—On and after January 1, 1870, the dues will be as follows:—To stockholders, \$4; to subscribers, 95c per annum; or \$4 for six months. What better Christmas present can be given than a share of this stock? Price, \$10; or a life membership, free of dues, price \$50. (11 29 24 11 29 24 37 29) T. MORRIS PEROT, President.

THE HAHNEMANN WREATH, Prepared by Miss McKean to surround the portraits of the Professors of the College, will be exhibited THIS EVENING, at the Fair in HORTICULTURAL HALL.

CLOTHING. GET YOUR SCISSORS And Cut this Advertisement Out, SO AS TO REMIND YOU TO CALL At the Great Brown Hall.

THE LARGEST ASSORTMENT OF FINE CLOTHING. WONDERFUL VARIETY OF STYLES. IMMENSE PREPARATION OF WINTER BUSINESS. DETERMINED TO PLEASE EVERYBODY. WE CAN FIT ALL SIZES AND ALL SHAPES. GOOD CLOTHES FOR GOOD MEN. EXCELLENT CLOTHES FOR EXCELLENT BOYS. Clothes to work in. Clothes to study in. Clothes to go to school in. Clothes to go to Church in. Clothes to go to weddings in. Clothes to stay at home in. Never so cheap as at ROCKHILL & WILSON'S Great Brown Hall, Nos. 803 and 686 CHESNUT STREET, PHILADELPHIA. 11 29 24 37 29

ROCKHILL & WILSON'S