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EVENING BULLETIN.

Tuesday, July 16, 1867.

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FRANCE AND MEXICO.

A living man and a dead man, of foreign birth, remain in Mexico, whose removal is demanded by one of the great European powers. Austria wants the remains of the poor victim of French intermeddling, the Archduke Maximilian, and she sends for it to Vera Cruz a fleet commanded by the victor of Lissa, Admiral Tegethoff. France wants her ex-minister to the court of the late so-called Emperor, M. Alphonse Dano, and to obtain him she is also to send a fleet to Vera Cruz. If these unhappy legacies of the foreign Empire are not given up when demanded, there may be trouble and Vera Cruz may be shelled. But the shelling process has been endured by that port so often, that its repetition will not create any great sensation; and France and Austria have suffered so badly on their war carried into the interior, that they are not likely to undertake a second.

In regard to the body of Maximilian, the latest report is that Juarez refuses to give it up on a demand, but intimates that its surrender may be brought about by a treaty. Of course he wants to secure pledges from France and Austria that there shall be no more enterprises against the Republic of Mexico under their auspices. Perhaps, also, the giving up of M. Dano may be made a stipulation, under conditions, of a treaty of amity between France and Mexico. This M. Dano was in Mexico when it was decided by the Council of War, on the 1st of June, after the execution of Maximilian, Miramon and Mejia, and the surrender of the city, he demanded his passports of the Juarez government. They were promised, and after two days' consideration, it was decided that the French Minister should go to Vera Cruz along with the foreign soldiers liberated by the Day. Nevertheless, on the 27th of June the passports were peremptorily refused, and M. Dano said he had to have been informed that he could not leave under any pretext; that Mexico has an account to settle with France on account of the intervention, and for the persons killed and property destroyed; and that if prompt reparation was not made, the Mexican government would seize the property of French citizens throughout the Republic, and thus try to recover a portion of what is due to it.

This is a new phase of the French-Mexican difficulty. Not satisfied with having the bogus Empire extinguished, and the debt to France cancelled, Mexico also intends to ask indemnity for her losses by the war. Doubtless all these circumstances were detailed in the long thirteen thousand dollars despatch sent by the cable to the French Emperor a few days ago, and they have been the cause of the determination arrived at on Saturday by the Imperial cabinet, to send a strong squadron to Vera Cruz, to demand the delivery of M. Dano, and to avenge any affront that may have been offered to him. Will Juarez and his advisers yield to these demands and threats? In their present temper, probably not. They have just recovered their lost position, after inexhaustible suffering and sacrifice, and they are in no mood to be coerced to the powers that brought all the trouble on them. But the whole world is tired of these Mexican difficulties and deprecates all new complications. The so-called Empire is as dead as are the so-called Confederate States. Maximilian and his chief leaders have suffered. The pacification of Mexico and the reconsolidation of the Republic should be the chief aim of every well-wisher of the country; and these are certainly not likely to be promoted by provoking a new war and sending to give up a living Frenchman, who is as powerless for injury to Mexico as is the dead Austrian whose body she also wishes to retain.

THE PRESIDENT'S MESSAGE.

Mr. Johnson is one of the most industriously mischievous politicians that ever lived. From the moment that the assassin's pistol made him President, he has manifested the most extraordinary restlessness about the affairs of state, and seems to be possessed with a feverish desire to keep himself before the country at all hazards. So far as this end is concerned, he certainly succeeds well; but it is almost impossible to imagine the mental and moral condition of a man who does not prefer the deepest obscurity to the sort of prominence in which Mr. Johnson keeps himself. Each new phase of his character which he proceeds to exhibit, increases the contempt and disgust of those who have thus far clung to his fallen fortunes, sinks him lower in the estimation of those whose eye have long been upon him in his true character, and drives new nails into his political coffin.

The gratuitous message which the President has just sent into Congress, is one of the most remarkable documents which has yet emanated from him. In reply to a call for certain information from the Senate, Mr. Johnson throws out the suggestion that Congress is making the country liable for the debts incurred by the rebel States, by extending the military power of the United States over their civil governments. This suggestion is, perhaps, worthy of a politician of Andrew Johnson's build, but it would be more worthy of the first respectable of all his predecessors. It is palpably a mere shallow trick, bunglingly designed to create party capital against the Republican party, by means of a panic which the President hoped to start among the capitalists and the masses of holders of the public securities. The President knows, as well as every one else knows, that the Reconstruction Acts do not abolish or depose the State governments at the South. They are simply placed under the control of the United States, until legal and constitutional governments are organized; and the continuance of civil governments in each of the rebel States is expressly provided for by these very laws, which Mr. Johnson affects to believe are designed to depose and abolish them. So far from such a state of affairs as he indicates being the true one, there is not a civil officer of any of the rebel States who will be disturbed in his functions, until his successor is lawfully elected, if he will make no attempt to behave as every loyal citizen of the United States should, and not use his office as an instrument for impeding the work of restoring his State to its "practical relations to the Union."

Aside from this wilful distortion of the meaning and operation of the reconstruction laws, the President well knows that neither Congress nor the people of the United States will ever, under any circumstances, assume one cent of the obligations of the Rebel States, incurred either before or during the war. His pretended solicitude on the subject is the most transparent and discreditable sham, and will be received by respectable men of all parties. The reception it met with in the Senate, yesterday, proves this. Without respect to party, this brilliant piece of Presidential strategy was repulsated by every Senator who referred to it. Mr. Howard called it "an unmeaning, designed for party purposes." Mr. Hendricks, of course, more guarded in his language, dissented from the President's theory. Mr. Sumner condemned it as an impertinent act. Mr. Henderson rebuked his namesake for throwing out such an idea to a people "so sensitive on the subject of public credit." Mr. Fessenden regarded the suggestion as "entirely fallacious." Mr. Wilson considered it as "in perfect keeping with the actions of the President during the last two years." Mr. Wilkinson declared he was glad that this message met with no response or indorsement in the Senate. He regretted that the President had seen in such a subject matter. It might have a bad effect were it not that all intelligent people would see through its fallacies." Mr. Buckalew, who has now spoken twice in our session, made a feeble apology for the President, providing the real issue and denying that the President *promoted* the assumption of the rebel debt. Mr. Thayer condemned the position of the President as "another attempt to throw obstacles in the way of reconstruction," and recommended that it be treated with the utmost indifference.

Mr. Johnson has failed signally in his attempt to alarm the Senate and to make an excitement in the country. Every schoolboy can see through the transparent trick, and the only effect that it will produce will be in the revival of his hopeless unpopularity. Each new move of the President upon the political chess-board, only serves to multiply the game in a more hopeless entanglement and to expose his weakness and position to the attacks of his enemies. His own party, which consists of Mr. Doolittle, is absent in Europe, and it would seem to be the only possible policy which he can adopt, to maintain a masterly inactivity and to desist from further attacks upon the peace of the country and position of the great Republican party, at least until the other half of the Johnson party gets home from his foreign travels.

THE CASE OF WINNEMORE.

Justice Thompson, of the Supreme Court, yesterday refused to grant the writ of error applied for by the counsel of George W. Winnemore, convicted of the murder of Mrs. Magilton, and all hope of obtaining a new trial for the accused is consequently at an end. The grounds relied upon for procuring the writ were few, and weak to the last degree. First came the complaint of a hasty trial, but this went for nothing in the face of the fact that the Commonwealth had no more time for preparation than was afforded the accused, and that all the processes of the Court were at the disposal of the prisoner to procure the attendance of witnesses. Another allegation was the incompetency of one of the jurors, which proved by the fact that he did not know the date of his birth, and that his reading was principally confined to newspapers. If there have been some pretty shrewd men who were unable to give the date of their birth; and as to the reading of newspapers alone being a disqualification, we have a notable instance in a man who has made his mark in the political world, who could not read at all until his wife taught him to do so, and whose opinions of opinion may exist as to Mr. Andrew Johnson's fitness to occupy the Presidential chair, there are few who will deny him the necessary intelligence to fill a seat in a jury-box. Mr. Johnson was unable to read or write until he had arrived at the years of manhood.

In cases of life and death the counsel for the prisoner are expected to make every possible effort for their client. If there are not life-supporting planks within reach, they will catch at straws, and the reasons thus far referred to for a new trial in Winnemore's case were straws of the flimsiest description. But there was one reason urged by his counsel that seems outside of the pale of the most extreme license of the advocate, and far removed from the instincts of common humanity and the demands of simple justice. This was an attack on the credibility of Adam Magilton, the husband of the murdered woman, on the ground of his religious belief. The witness undoubtedly had peculiar views of religious subjects, but they were not such as to excite any honest doubt of his fitness to testify. The old gentleman narrated his story in a simple, straightforward manner that carried conviction with it, and in every possible point he was corroborated by other witnesses. Messrs. Kilgore and Warriner must have known when they attacked his evidence on the ground of a quibble, that they were told nothing but the simple, honest truth, and the zeal of the advocate seeking for loop-holes for the escape of his criminal client scarcely excuses the expedient of throwing discredit upon a perfectly truthful witness by raising up a bugbear of religious heterodoxy. Justice Thompson in touching upon this portion of the subject said:

"As in a Christian land the presumption is in favor of a competent religious faith, the want of it may be clearly established in order to overthrow the normal order of witnesses. Were defects were openly avowed by him in court, or if a Chinaman in one unshaken chain showed it, the court would be bound to reject the witness The presumption would be overthrown and the fact of unbelief established. But where there is a contrariety of testimony on the point a court must of necessity refer it to the jury to go to the credibility of the witness. There would be no safety otherwise, and the truth of this would be more keenly felt when an opposite course might come to be applied to witnesses in favor of a prisoner than when against him."

This was precisely the course that was pursued in the trial of Winnemore, and there could have been no fair man either in or out of the jury box, who heard the testimony, who did not honestly believe the evidence of the stricken husband. Counsel would do well to bear in mind that in their efforts to save the guilty it is not right to attack the innocent. Such a course can scarcely be justified by the loosest code of professional ethics.

END OF DEATH TRAPS.

We are indebted to our ingenious townsman, William Wharton, Jr., for having at last overcome all risk or danger of accident from misplaced switches. Switches are the bugbear which has engaged the attention of railroad men since the introduction of steam-roads, but which has never before been accomplished. The switches hitherto used on railroads have necessitated the breaking of the main track; and the lives of passengers have been at the mercy of switch-tenders, through whose carelessness or drunkenness thousands have been slaughtered or maimed for life, to say nothing of the wreck of cars and locomotives, to the detriment of stockholders.

By Mr. Wharton's plan the main track is unbroken, and trains can pass from city to city, with lightning speed, without the slightest possibility of damage or danger from misplaced switches. At the same time, it is desirable to move a train from the main track it is accomplished with entire safety in the simplest manner. The Philadelphia and Reading Railroad, after testing the patent for eighteen months, have purchased the right to use it on their road, and are now removing the old switches and introducing Mr. Wharton's patent as fast as possible. Our intention in this article is to call the attention of railroadmen, as well as the public, to this invention, so that we may no longer have to record the loss of human life and destruction of property through misplaced switches.

COPPERHEAD TACTICS.

The Copperhead newspapers of the State do not admire Judge Williams, the Republican candidate for the Supreme bench. This was to be expected, for Judge Williams stood firmly by the country during the war, and made decisions upon test questions which were free from the hair-splitting tenderness for rebels and traitors that distinguished the course of some of the Democratic Judges who were upon the bench during the great struggle, and who were always ready and anxious to help traitors. One of our country cotemporaries in speaking of Judge W. indulges in the following outburst: "He is simply a bigoted, calculating, close-fisted, fanatical, curly-headed, sour-faced adventurer from Yankee land, &c., &c." These peculiarities of hair and countenance, though of course fatal to his success and no lover of his country should be expected to vote for a judge who is a "calculating" man or who has curly hair.

The manner in which the Democratic organs are opening the fall campaign contrasts strongly with the course of the Republican newspapers, not one of which, so far as we have seen, has made an unkind or a disrespectful reference to Judge Sharswood, the Democratic candidate for the Supreme Court. Judge Sharswood may well exclaim "Save me from my friends" for this system of tactics does him vastly more harm than the one possibly inflict upon Judge Williams.

It is credibly reported that the venerable vagabond Santa Anna, having failed to induce the United States with Juarez by allowing the irregularity of his arrest, and despairing of intervention in his behalf from any other power, has determined to become his own deliverer and purchase a ransom from his captivity. There was a rumor of this description afloat in regard to Maximilian, and it was said that he was to pay as high as one million dollars, which would readily have been paid if the Mexicans had been willing to accept it. Whether Santa Anna's arrangement for ransoming himself will turn out as the rumor has to be seen; but there will be even fewer tears shed in his case than there were in that of Maximilian. But we hope the Juarists will accept his offer, if it has been made, not only for humanity's sake, but because there would be a certain poetic justice about it. Santa Anna is fairly laden with the spoils of office accumulated in Mexico, and there is reason to believe that in relieving him of his burden, the Mexicans would merely be getting their own. At any rate it will not hurt him, for he is a rich old man, whose wealth has rendered him ambitious of power and place, on the very verge of the grave. Reduce him to poverty, and he may then stand a better chance of entering the Kingdom of Heaven, a place he seems very unlikely to reach at present.

If the Government fails to convict John H. Surratt of complicity in the assassination of President Lincoln, the counsel for the defence are demonstrating most unmistakably that he is a consummate young scoundrel. They, yesterday, offered to prove that he was not only a traitor during the war, but that he was a spy, in the pay of the enemy, drawing sketches of our military works, gaining information and giving information concerning the strength of our forces, and selling his intelligence to his Richmond employers, or to their agents in Canada. It will be hard to make the world believe that such a scoundrel as this, the intimate associate of Booth, and the companion of Payne, Atzerodt and Harold, had no part in the tragedy which cost the four assassins their lives.

Berezowski, the Pole, who tried to kill the Czar of Russia in Paris, has been tried and found "guilty, with extenuating circumstances," and has been sentenced to imprisonment at hard labor for life. It is difficult to imagine what the extenuating circumstances were. But it must be remembered that one of the first requests made to the Emperor by the Czar, after the attempt, was that the assassin should not be executed, and the Emperor promised that he should not be. This was, probably, the all-sufficient extenuating circumstance.

New York introduced a novelty in criminal practice, the other day, which will probably serve as an example for Philadelphia. A distiller of illicit whisky has just been convicted and sentenced to the penitentiary for ten years. Illicit distillers there are in this city in unknown quantities, but while we hear of constant arrests, seizures of stills and whisky, and thrilling adventures of government officials, we very rarely hear of a conviction, or even the trial of a case. There is a great deal of what reporters call "mysterious disappearance" in this matter, unless Government officers exhaust their energies in finding the criminals out, or the latter have remarkable powers of moral or other suasion to induce the officers to let the matter quietly drop. In the meantime the business goes on at a fearful rate, demoralizing the community, ruining men's stomachs, and breaking up the honest distillers. A few convictions under the law might do some good, at least it should be tried, but the true remedy is to repeal or reduce the tax, and take away the overpowering temptation to fraud and rascality.

There was a balloon marriage a couple of years ago at the Central Park, New York, and as there never was a simpleton back that could not find a dunce to fall in love with, the fool of a Roland that could not be matched with an essential donkey of an Oliver, the balloon marriage mania has been inflicted on Pittsburgh. Two simpletons of the Smoky City perpetrated matrimony in a balloon on a recent occasion, taking a knot-tying Alderman aloft with them in the balloon, and they plighted their troth to each other at the height of a hundred feet or so above *terra firma*. The balloon descended safely to earth by a cord during the ceremony, and the knot having been satisfactorily tied, the gaseous machine was let down, the Alderman was landed safely on terra firma, the newly married couple went off upon a bridal trip of a mile or two above the clouds. If this mighty knot should prove to be a tight knot was about being made, and the marriage party, including the marrying alderman, had gone off "sailing to the lunar regions and Cloud-land there, they would have been just three fools less upon earth.

Bierstadt's great landscape, "The Rocky Mountains," which was exhibited at the Philadelphia Sanitary Fair, has been splendidly engraved on steel, by James Smillie, and is published by Edward Bierstadt, of New York. The size of the plate is 17 by 28 inches, requiring a frame 26 by 36 inches. The engraver has succeeded most happily in reproducing the chief effects of the glorious landscape. The lofty peak of Mt. Lander, with its glaciers, the mountain torrents, the sun-illumined lake and all the interesting details of this picture of grandeur are very faithfully portrayed. The engraving is altogether one of finest representations on steel of a modern landscape that we have ever seen. Copies can be obtained only by subscription at the following prices: Proofs, $20; Proofs before Letters, $30; Proofs with Letters, $20; Plain Proofs, $10.

THE NEW STATE LOAN.—The rapidity with which the State Loan has been sold by Messrs. Jay Cooke & Co., Drexel & Co., and E. W. Clark & Co. has been a banking curiosity. Of the huge lump secured by these houses, $16,000,000 in all, there now remains but a mere fraction. The last day a million has been sold to our own people, and the small balance will be disposed of in a very few days. The rapidity of the transaction is as strong and sure as the loyalty and energy of her people.

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