AMERICAN CITIZEN.

"Let us have Faith that Right makes Might; and in that Faith let us, to the end, dare to do our duty as we understand it" -- A. LUNCOLN

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BUTLER, BUTLER COUNTY, PENN'A, WEDNESDAY, MAY 8, 1867.

NUMBER 21.

THE ADLINGTON HOMICIDE. MOTION FOR NEW TRIAL.

Tuesday, April 23, 1867.

The Court met pursuant to adjournment. John B. Adlington was brought into Court by the Sheriff, at 1½ p. m. Gen. J. N. Purviance, on behalf of defendant, said it seldom happens that we are called upon to argue a motion for new trial where the consequences are a new trial where the consequences are a new trial where the consequences are of such magnitude as they are in the present one. We had occupied two weeks time in the examination of witnesses; and there were so many questions in regard to the admission of the testimony of present one. We had occupied two weeks time in the examination of witnesses; and there were so many questions in regard to the admission of the testimony of some fifty witnesses, that the degrees of homicide was almost entirely lost sight. The community, who had read the evidence carefully and calmly, were shocked at the verdict of the jury. No one anticipated such a verdict as was rendered. The offence was committed during a general fight, in hot and angry blood, and not with that deliberation necessary to warrant a jury in rendering a verdict of guilty of marder in the first degree.

che fight, and were the prime cause of their own deaths. Oliver, as a landlord, had the right, and it was his duty enter the sitting room at the timb the fight was in progress, for the purpose of quelling the disturbance. He was instartly knocked down by Cunningham and the fight became general. During its progress—within three or four minutes—the two men, Cunningham and Teeple, received their death wounds. The time was too short in which to deliberate and determine to commit murder in the first degree. It could not have been more than manslaughter. Homicide committed in the prevention of an attrocious erime is justifiable. It Teeple and Cunningham were killed in preventing them from murdering John Oliver, or others, the erime would not be murder in the first degree. If the killing occurred in the heat of blood upon a sudden quarrel, when the whole party had been at tacked, it would not be murder in the first degree. The whole evidence in this scase went against the presumption that there was deliberate malice. The whole party was any they had raised. The defendant's wife was at the party, and the insults and menaces of the deceased against the ladies and gentlemen of the entire party, tended to exaperate Addington as well as others against them. This fact should destroy the presumption of deliberate malice and reduce the grade of the crime. A them too far in cases of this kind. Some thirty years ago he (Purviance) was present for under in the first degree. The state of counsel sometimes carried them too far in cases of this kind. Some thirty years ago he (Purviance) was present for under the theory and had pressed the conviction of a defendant, in a much stronger the present of the case, and the minute and wiso principles of law as applicable to a casporate of the case, and the human cases of the scase of this kind. Some thirty years ago he (Purviance) was present for the first degree, the facts only warrant a conviction of a defendant, in a much stronger than the first degree. It the first degree is the facts

the first degree; the facts only warrant a conviction in the second; the jury will find him guilty in the first, and the responsibility will rest on you." The jury found the defendant guilty in the second degree, and I think they were right. May not the counsel for the Commonwealth in this ceso have gone too far in urging a conviction for murder in the first degree? We think they have.

Mr. Purviance cited the following authorities, and commented fully upon them:

others without cause, from a spirit of revenge; unprovoked malignity or spite.

Prepense.—preconceived, premeditated—aforethought. Malice prepense is necessary to constitute murder.—(Bl.)

Premeditate.—To think, consider, or

revolve in the mind beforehand; to deliberate; to have formed in the mind by

erate; to have formed in the mind by previous thought or meditation."

He knew their honors would consider well the grave question presented for their consideration, and which duty requires them to decide. In every view of the evidence, and applying it to the principles of law referred to he submitted ples of law referred to, he submitted whether it was possible to sustain the werdict, for the testimony in its worst aspect for the prisoner reduces the offence to manslaughter or murder in the second degree. Their honors had but to keep of homicide to see that, in this case, it was not murder in the first de-gree. To constitute the crime in its highest grade, it must have been committed wilfully and deliberately, and upon pre-meditation and with malice aforethought All the evidence establishes the fact clearly, and beyond a doubt, that the de ceased was the aggressor—that he (Cunhe aggressor—that he (Cun-agan the fight; that a general

tent, and in its highest degree—seized the minds of all when Bowder and Oliver were bleeding upon the floor. Under such circumstances they (counsel for defence) held that no one of the party assembled was in a condition of mind to coolly and deliberately form a design to take life, such as in law would amount to murder in the first degree. There was no enmity of heart, no nealignity of feeling, or spite, existing on the part of any one of the party assaulted toward the decased. Strangers to each other, who had never met before; no old grudge, or previous quarrel, to excite provecation or malice, could or did exist. And it is a fact worthy of consideration that the defence of the law of the could or did exist. And it is a fact worthy of consideration that the defence or new tools and the party to the party by their violence, and in the heat of the cause of the party by their violence, and in the heat of the cause of the party by their violence, and in the heat of the cause of the party by their violence, and in the heat of blood which they had stirred up to furious anger, the unfortunate blows were struck whi h reculted in death. There also did not feel more or less that he was implicated in the crime, and the law of self preservation would prompt him to make love as strong a case against the prisoner as strong a case against the prisoner as strong a case against the prisoner as there is not a single fact disclosed upon the stabled Cunningham and Teeple Committed the own there is not a single fact disclosed that there is not a single fact disclosed the committed the town. They were powerful men. They were powerful men. They exasperated the party by their violence, and in the heat of the case would not be likely to one back into the circumstance, we are now asking the Count of the case will not warrant such a verdict. The persons or person what str tent, and in its highest degree—seized the minds of all when Bowder and Oliver

r five minutes.

Murder in the second degree is where degree.

Cunningham and Teeple commenced the fight, and were the prime cause of their own deaths. Oliver, as a landlord, had the right, and it was his duty to enable the sitting room at the time the fight.

Murder in the second degree is whether the fight death ensues from a mortal wound indicated with malice and upon sudden provocation; and manuslaughter is defined to be wherever death ensue from sudden the succession of the fight death ensue from sudden the succession of the fight death ensues from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death ensue from a mortal wound in the fight death e

of a similar character in the second degree.

The counsel for the prisoner had all confidence in the second degree.

The counsel for the prisoner had all confidence in the wisdom, justice and humanty of the Court, and confidently relied upon their wisdom to save the life of a human being, which has not been forfeited, as we believe, by the laws of the country. They cast no reflection on the jury. They were good men, said of Mr. P., but we believe if there had been a more full discussion of the degrees of homicide, there might have been a different verdict rendered.

The counsel without witcosses; unassisted by the advocate of his choice, were forced on to the trial.

Mr. Thompson spoke with great force and feeling. He took up the different motions from the record which counsel for the defendant had thought it their duty to make, and which the court had ever ruled, and remarked upon the difficulties under which counsel of defendants labored in being driven to trial at that time. They were over ruled in almost the degrees of the country.

murder in the first degree. He claimed to be a man of strong nerves; but he felt bound to say this verdict shocked them. He felt prostrated, in consideration of the magnitude of the consequences of the verdict to the prisoner. All the members of the profession to which he belongs; all the intelligent persons who had read or heard the evidence, were dumb founded at the verdict. They had expected the Defendant would have been trumphantly acquisted. The great mass. riumphantly acquitted. - The great mass — in fact, the entire body—of the evidence showed that it was a fight brought on by the outrageous conduct of those on by the outrageous conduct of those who were killed, in assaulting the party.
The blows were struck in repelling the ferocious assault upon the party. There was no no evidence that J. B. Adlington

ruck the blow.

Mr. McCandless—said, when this case went to the jury, we believed; and all believed; that on their return to the Court, the prison doors would be thrown open, and the Defendant would have been set free. When the bell tolled, on that terrible night, there was scarcely one who thought other than that he would have been acquitted; but strange, and beyond grater provocation. No one saw them precedent in the jurisprudence of christick with a knife. No one saw Adtendon, under such a state of facts as lington strike with a knife. One of the ceased was the aggressor—that he (Cunningham) began the fight; that a general affray was the consequence, and existed in the room; that many were engaged in it, and no one more conspicuous in the bloody fight than the decensed; that passion and excitement—to an alarming ex.

precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the jurisprudence of christics with a knife. No one saw Adnot precedent in the strike with a knife. No one saw Adnot precedent in the strike with a knife. No one saw Adnot precedent in the precedent in the strike with a knife. No one saw Adnot precedent in the strike with a knife. No one saw Adnot precedent in the endor, under such a state of facts as lington strike with a knife. No one saw Adnot precedent in the endor, under such a state of facts as lington strike with a knife. No one saw Adnot precedent in the endor, under such a state of facts as lington strike with a knife. No one saw Adnot precedent in the endor, under such a state of facts as lington strike with a knife. No one saw Adnot precedent in the endor.

bing; but the jury have said it was the Defendant. He did not reflect upon the jury—they were good men selected from the body of the county—but it shows the discretionary power of the Court in the granting of a new trial to the defendant. Mr. Thompson, for defendant, said he had but little to add to what had already

been said by his colleagues. We have duties to perform from which we dare not shrink, neither counsel nor Court.—
May it not be that the neglect, or overight of some small matter by counsel has placed us in our present position with a verdict of guilty of murder in the first degree hanging over the defedant? May not have been caused by some slight rfor in the rulings of the Court? He nade the remark with due respect for he ability, integrity and impartiality of heir honors. He had moved for a post ponement of the trial when it first came before the Court, on the ground of a deep before the Court, on the ground of a deep seated and all pervading prejudice which had forestalled public opinion, and a lack of means and opportunity on the pert of the prisoner to procure counsel and the attendance of witnesses. The unfortunate defendant had sworn in open Court, before the Majesty of high Heav en, that he did not think he could safely o to trial for these reasons. We so know with what horror the mass of com munity look upon the erime of murder in a peacetul neighborhood; and it is natural it should be so. We know how sudden the public mind jumps to the conviction of the guilt of a person charged with its perpetration; and how difficult, and in some instances impossible, it is to prevent their taking the law in their own hands and instantly punishing the unfortunate victim, without trial. Addingon was without funds; was a stranger and procure their attendance at the trial. He had no counsel except those picked up on the eve of trial. He would here up on the eve of trial. He would here state in reference to this matter, a fact that he had uttered to no human being. On the night when your honors ruled the On the night when your honors ruled the cause shown legally insufficient for a postponement of the trial, the prisoner's wife—the mother of his children—left my office, at ten o'clock in the night, and traveled through the wintry snows to an adjoining county to procure the assistance of able counsel; but she returned dispersional this counsel without re-

them:

Crown Circuit Companion, pages 441, 442, 446; Smith's Laws, Pa., vol. 3, p. 187, sec. 3; American Criminal Law, p. 483, 4 Blackstone's commentaries, pp. 14, 180, 183, 184, 190, 191, 198; Am Crim. L., 3d edition, p. 248, 489, 440, 441, 442, 448, 444, 445, 448, 444, 445, 448, 440, 461; 4 Barr, 266; Am. Crim. L., 5 edition, pp. 710, 711, 932, 949, 966, 971, 987, 989.

Webster's definitions:

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"Malice.—Extreme emity of heart, or malevolence; a disposition to injure others without cause, from mere personal gratification, or from a spirit of revenge; gratification, or spite.

"a more full discussion of the daft of the law, bhomed been a different verdict rendered.

Mr. McCarthy, for Defendant, followed time. They were over ruled in almost every step of the case. He had read over the testimony—as farely reported in the papers—carefully since the trial, and he was unable to find sufficient to warrant such a verdict as had been rendered by the jury to whom the facts had been submitted. The intelligence and moral sense of the community was shocked by that verdict. On the ringing of the byll, on the night that the jury had agreed, as if by a common impulse, a large portion of the people of this bornough filled this Court room to repletion of the people of this bornough filled this Court room to repletion of the people distance of the defendant to trial beyond the dever when the case. He had read over the testimony—as farely reported in the papers—carefully since the trial, and he was unable to find sufficient to warrant such a verdict as had been read over the testimony—as farely reported in the papers—carefully since the trial, and he was unable to find sufficient to warrant such a verdict as had been read over the testimony—as farely reported in the papers—as farely reported over the testimon

The Commonwealth was bound to have had those witnesses present on the trial, that they might have been questioned as to the transaction. He said that if the stabbing might have been done by any other person in the room, then the law says the jury should have found that John B. Adlington did not do it. There were others in the room who might have done the deed, and who had greater provoca-tion to do it The landlord, and every one who was knocked down by the de-ceased, might have done it, and had

our unfortunate client upon his safe de did not feel mere or less that he was im-

Mr. Thompson remarked upon the tes timony at some length, and argued from it that no jury could weave such a con-nected chain as would warrant them lebe dody of the county—but it shows the mutability and error of human judgment. The evidence was entirely circumstantial, no one could say who it was struck the blow; yet, the jury found that it was the Defendant. He believed the community, where the offence was committed; all who had read the trial; would be satisfied with a verdict of guilty of manslaughter. He had taken pains to ascertain the sense of the community, and this seems to be its judgment. He appealed very eloquently for the exercise of the discretionary power of the Court in the discretionary power of the defendant. county, in the event a new trial should be granted, in a case where life is concerned, ought not to weigh with the court. New trials are often granted in cases of mere dollars and cents. Of how much greater consequence is life? If a reasonable doubt of the prisoner's guilt legally arises from all the evidence—and your hours are now to decide near that residence. honors are now to decide upon that point among others—the moral sense of the community and impartial justice demand that the defendant should have a new It would be better that ten thou sand guilty persons should go unpunisher than that one innocent man should suffer Thompson made a powerful appea for the exercise of the discretic power of the court in granting a new trial to John B. Adlington.

The District Attorney, Mr. Riddle,

said so far as the Commonwealth was concerned they would submit the motion to the Court without argument. Court adjourned till 9 a. m. to-morrow.

WEDNESDAY, April 24, 1867. Court met in pursuance of adjournmen-John B. Aadlington was brought into

ourt by the Sheriff.

Mr Mitchell, for Commonwealth, said Mr Mitchell, for Commonwealth, said he did not conceive it to be the duty of the counsel for the Commonwealth to in-terpose especially against the argument for a new trial in a case involving the consequences which this did; yet in jus-tice to the court and to his colleagues he thought same him should be said. Retice to the court and to his colleagues he thought some hing should be said. Remarks had been made by counsel for defence in reference to the zeal of the counsel of the Commonwealth for a verdict of guilty of murder in the first degree. They had not stepped beyond the strict line of their duty, nor would they do so under any circumstances. It had been alleged there were persons present at the lamon. there were persons present at the lamen-table affray at Oliver's, and that the prostable affray at Onver's, and that the pros-ceution had been remiss in not bringing them here to testify. They had procur-ed all the testimony they could; they had dragged the country as with a net, to ob-tain all the evidence they could hear of. If any witnesses were absent whose testi mony would have been important, it was because they could not be obtained. He should not argue the case at length for the purpose of objecting to the granting of a new trial. They had done nothing, beyond their imperative duty. They had not pressed the reception of a particle of testimony which they did not think le gitimate; that where there was the slights est doubt of the legality of the evidence they had asked the Court to rule in favor

of the prisoner.

The Court had sustaind the array of earnestly to the jury for an acquittal of any crime, and had measurably over-looked the importance of commenting on the degrees of guilt. It was not the duty of counsel for the Commonwealth to press manslaughter. It may be that by granting a new trial to the defendant the exne penalty of the law may be avoided, substantial justice done him. It may be that the defendant did not in-tend to kill, but only to commit bodily injury. If such be the fact, then it would not be murder in the first degree. He recommended, on behalf the Common. wealth that the Court should exercis discretion with clemency, and afford prisoner an opportunity to avoid the ortunity to avoid the xtreme penalty

yully to a lesser grade of crime.

The Court said they were divided in ppinion. Their responsibility was great, and they keenly appreciated it. They would hold the motion under considera-tion until the June Court, when they

-Snooks says the reason he does not get married is, that his house is not large enough to contain the con-

THE REAL COMMERCIAL DOCKS.

A SIGN OF THE TIMES.

The departure of Senator Wilson upon political tour through the Southern States is one of the little events which express his views of public affairs to est officers of the Government, such was government. As we look back upon that every body did not perceive that a ively aimed at the strongest weapon of liberty. For there is no chain so strong that the tongue can not melt it: no abuse se reverend that the tongue can not right it. Perfect liberty of speech is the cardinal security of free institutions; and every Jefferson's doctrine, that no error is to be

cure the purpose of his visit. A plain man of the people, of profound political and moral convictions, he instinctively appeals to the popular heart and sympa thy. His reasoning is simple, his state ments are lucid, and his tact admirable Then he has the wisdom of long politica experience. He understands the neces sity of parties and how to organize and wield them. In a word, he knows human nature. The fact of his going first among the conspicuous Republican leaders shows his sagacity. He knows that all the advantages of party organization at the South lie with his opponents. He knows how skillful the Southern leaders are, and that they will not fail to turn every thing to account in order to obtain the control of the new vote in their States He has read, the speeches of Wade Hampton, Herschel V. Johnson, Gover nor Orr, and the rest, and he sees in them all a harmony of tone which is very sug gestive. He knows that the new voter will hear nothing from such speakers which is favorable or even just to the party which controls Congress and the country. It will be represented to them as designing, avaricious, and unjust. The orators will appeal to the love of home and birth-place; to familiar associations; to community of interest. With an adroitness inconceivable in any but the most accomplished of politicians, they will say with Herschel V. Johnson a Augusta, "At any rate give to the race against whom it is sought to array you a fair trial." Can we believe that this is a Southern master speaking to the slaves of yesterday?
This is all in accordance with the the

ory of President Johnson and many others, that the new vote will be entirely controlled by the late masters. But Senator Wilson knows that a very few words will state the case as it really is, yet that unless those words are spoken every where and often the voters will be grievously misled. There are two parties in the country, he will tell them, and which of them is your friend? Is it the one that the Blackfeet, Sioux, Cheyennes, which has always striven for equal rights, Arrapahoes, and Comanches, had formed or that which has denied them? Is it the one which clung to slavery, and made to wage a bloody war against the whites. It consists in warning off European powwar to extend and perpetuate it, or that They report, also, that some of the more ers from this continent. When France which condemned slavery, and by the northern tribes have banded together for came, therefore, we told her that we war abolished it? Now that the war is a similar purpose.

General Hancock has with him a little over and slavery gone, who are your wisest political allies? Those who enfranchised Indian boy six years of age, whom he is you, or those who acquiesce in your enfranchisement because they can not help themselves? "Governor Johnson," Mr. | the return of this child. Wilson might say to the new voters in since the First Colorado Volunteers, un-Augusta, "asks you to try him and his der Col. Chivington, attacked a party of friends. Have you not already tried Indians at Sand Creek. Of over three them? If Governor Johnson could have hundred Indians attacked this child, then had his way, would you have had political, or even civil, rights? If the United vor, he having been saved and carried off States forces were removed, and the State by a soldier. The little boy is particu were left to organize herself, would be and larly bright and intelligent, and is hearthis friends recognize your equality as broken at the thought of being given over citizens? He and his friends have hith to the Indians, though he can form but erto always had the power to emancipate a very faint conception of the hardship you. Did you ever hear of their propost in store for him. The child has evident there was a semote possibility that your incident which occurred at Fort Leaven late descendants might somehow legally Johnson and his friends? They tried to rage. A few days since, while a party of

Senator Wilson will also make himself equainted with the colored leaders of the South, who will really control the new vote, and he will make no ungenerous no unfair use of his opportunity. His mark great changes. Seven years ago it opening speech at Orange Court House is safe to say that the Senator's life would shows that he will not claim political symhave been in danger had he attempted to pathy for his party upon any plea les worthy than that of equal rights, and of udiences in the region in which he is its steady efforts to secure them. We now traveling. Although a citizen of hope sincerely that some of the more con the United States, and one of the high- spicuous of the Southern orators who are disposed to accept the new order of things the condition of public sentiment that will meet him in debate, to show if they the could not have safely claimed the most fundamental right of every man in a free in their States, who really believe in the fundamental principles of popular govthose days the wonder is not that there ernment, should repudiate the party has been so fierce and long a war, but which is identified with its assertion, and support a party which has opposed it to tremendous war was inevitable. When slavery struck at the tongue it indistincts is truly friendly to the Southern States is truly friendly to the Southern States it is that party which has always frankly opposed in debate the Southern theory of society and of the Union, which ac cepted the war when it came, which won the victory, and which will unquestiona bly secure the legitimate results of that man who heartily believes in them echces victory. There is no other way of na tional tranquility; and as the Republican feared so long as truth is left perfectly
free to combat it.

Senator Wilson is especially fitted to now that peace is to be confirmed — Hor. now that peace is to be confirmed .- Har

Gen. Hancock's Indian Expedition

The Government, aroused at last to the cessity of doing something to prevent a repetition of the massacre at Fort Phil ip Kearney, has sent an expedition to the Plains under Major General Winfield S Hancock. The command reached For Harker on the first of April, and wen into camp on the "Smoky Bottom," just just west of the post; from which camp it moved on the third of April, go ing to Fort Larned on the Arkansas Riv er, distant from Harker about 80 miles The troops are under command of Gen A. J. Smith. They number about 2,000 men, and consist of the Seventh United States Cavalry, Col. Custer; Thirty-seventh United States Infantry, Capt. John Rziha; Battery B, Fourth United States Artillery, Captain Parsons; and an Engineer Corps commanded by Lieutenan Micah Brown. General J. W. Davidson accompanies the expedition as Inspector-General. "Wild Bill," who, since the publication of his exploits in the February Number of Harper's Magazine, has had greatness thrust upon him, is attached as a scout; and quite a number of Delaware Indians accompany the command in the capacity of scouts, guides

hunters, and interpreters.

As the command drags its slow length along over the plains, "horses, foot, and dragoons," artillery, pontoon, baggage, and supply trains present a most formid able appearance; and it is probable that the "moral effect" will be to awe the red men into good behavior for a time. A grand "pow-wow," will be held near Ft Larned, and arrangements will be effect ed, it is hoped, which will afford security and safety to those whose business compels them to either travel through or re side in the valley of the Smoky Hill. A consultation was held at Fort Dodge recently with the Kiowas, which tribe pro fessed friendship for the whites, but said Arrapahoes, and Comanches, had formed a confederation, and were determined to

carrying to restore to his people, they having by a recent treaty stipulated for a babe of three years, is the only surving to do it? On the other hand, when ly had good care taken of him, and an worth has led the whole command to reecover their lost manhood, what did Mr. gard his return to the savages as an outdestroy that possibility by destroying the gentlemen were dining at Fort Leaven-They have misused their worth, one of them, a Major General con political power in the past; what see nected with the command, felt himself curity do they give you that they touched on the arm, and looking around, will not abuse it in the fature? You saw this little Cheyenne standing beside ought not to cherish revengeful memories; him. The General had been very kind still less ought you to allow yourselves to to this little fellow, and had won his af-

be deceived. Equal citizens with the fections completely.

"Don't drink that," said the child, rest of us you must know all the facts, and then decide, "Don't drink that," said the pointing to the glass on the table.

"Why not, my boy?" said the General, laying his hand kindly on the boy's head-"why not?"

"It is bad," said the child.

"Oh no," said the soldier : "this is wine—this is not whiskey.
"But it is bad," said the little savage;

"it will make you drunk, and then you will fight, and it is bad for men to fight."

With such precocious ideas of virtue

this little fellow, were he older, might be a missionary to his people; but his infan-cy leaves us little hope that the truths which have germinated so early in him will not be plucked up or choked by the barbarism to which the Government is about to consign him; it is more likely that the Indians will barbarize him than that "a little child shall lead them."-General Hancock manifests a great interest in this child, keeps him at his quarters, and is very kind to him. It is to be hoped that the savages may be prevailed upon to leave the boy with his present friends, that he may be properly cared for and educated

OUR NEIGHBOR MEXICO.

A friendla offer of mediation in wars always honorable, and at the last monent of the late extra session of the Senate Messrs. Sumner, Henderson, and Johnson proposed a friendly mediation to terminate the civil war upon terms honorable to both sides, and to procure for Maximilian and his followers, upon ondition of his abdication, the treatment of civilized warfare. This mediation has been sought by Austria, for the Austrian Government, knowing probably how it would be likely to deal with foreign pretenders to the Austrian throne has evidently suspected that there might be summary work with the Archduke if he fell into victorious Mexican hands; and therefore, through its Minister in Washington, asked our Government to nterfere for mercy.

Mr. Morton is reported to have opposed the proposition, when offered to excutive session, upon the ground that Maximilian was a mere filibuster in Mexco, like William Walker in Nicaragua; that he came to Mexico in defiance of our known policy, and at a time when we could not wisely protest; and that the object of his coming was the erection of an empire under auspices hostile to this Government. It was for him, therefore, to count the cost of such an enterprise; and to intercede for him would be a reflostion upon the humanity and sagacity of the Mexican Republic, which must be supposed capable of dealing-with pi-rates of every degree. If, indeed—for such is the scope of Mr. Morton's argument—we propose to ask England not to be severe with convicted Fenians, then we may consistently ask Mexico to be gentle with Maximilian.

It is argued on the other side that we have virtually taken Mexico under our guardianship, and that our moral resistance to the French and Austrian invasion led to its failure; that having practically destroyed the imperial government, it is our duty to establish the republic; that our diplomacy and moral aid, and even a loan and our army, should be employed to restore order and law.

But this would clearly be a departure from the celebrated Monroe doctrine, upon which our entire Mexican policy is founded. That doctrine distinctly repus diates all internal interference whatever. more stringently until she retired. Then our duties under the celebrated Monroe doctrine were at an end. For thirty years Mexico has been boiling and bub. bling, and we have held our peace. The celebrated Monroe doctrine does not require us to keep order in Mexico, and certainly no other international law or custom demands it.

It is very plain, therefore, that we nust resolve either to manage Mexico as we choose, or to let her manage herself, To do the first is to do just what we have denounced France for doing; to do the last is to treat Mexico precisely as we treat all other independent natious .-There is no middle course. Upon proper occasions, indeed, as now, we may respectfully request her Government to favor this or that policy; but if there be any menace in the request it is merely a first act of aggre pon. It may be very doubtful what will be the result of the present situation in Mexico. It may fall again into the anarchy with which it has been so long familiar. But if it becomes necessary that we should undertake the police of that country, it is desirable that we should do a great deal more .- Har.

-What more would you want?