

NEW YORK HERALD

BROADWAY AND ANN STREET.

JAMES GORDON BENNETT, PROPRIETOR.

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AMUSEMENTS THIS EVENING.

- OLYMPIC THEATRE, Broadway.—HUMPHY DEMENT, WITH NEW FEATURES.
BROADWAY THEATRE, Broadway.—SOLON SINGLE—LIVE INDIAN.
BOOTH'S THEATRE, Twenty-third st., between 8th and 10th avs.—ROMEO AND JULIET.
NEW YORK THEATRE, Broadway.—MORAN BUCKLEAS AN O'RIELLA.
NIBLO'S GARDEN, Broadway.—THE BURGESS EXTRAORDINARY OF THE FORTY THIEVES.
BOWERY THEATRE, Bowery.—SHAKESPEARE'S TRAGEDY OF MACBETH—JOCKO.
GRAND OPERA HOUSE, corner of Eighth avenue and 82d street.—OPERA AIX ENFERA.
FRENCH THEATRE, Fourteenth street and Sixth avenue.—PLACE DE THE.
ACADEMY OF MUSIC, Fourteenth street.—ITALIAN OPERA—NORMA.
WALLACK'S THEATRE, Broadway and 13th street.—MUCH ADO ABOUT NOTHING.
BROUGHAM'S THEATRE, Twenty-fourth st.—AN IRISH STEW—DRAMATIC REVIEW FOR 1868.
WOOD'S MUSEUM AND THEATRE, Thirtieth street and Broadway.—AFTERNOON AND EVENING PERFORMANCES.
THE TAMMANY, Fourteenth street.—THE RIBBY JAPANESE TROUPE, &c.
MRS. F. B. CONWAY'S PARK THEATRE, Brooklyn.—THE LOVE CHASE—THE CHILL OF THE REGIMENT.
BROOKLYN ACADEMY OF MUSIC.—GRAND CONCERT.
THEATRE COMIQUE, 514 Broadway.—COMIC SKETCHES AND LIVING STATUES—FLUCIO.
SAN FRANCISCO MINSTRELS, 455 Broadway.—ETHIOPIAN ENTERTAINMENTS, SINGING, DANCING, &c.
TONY PASTOR'S OPERA HOUSE, 231 Bowery.—COMIC VOCALISM, NEGRO MINSTRELS, &c.
NEW YORK CIRCUS, Fourteenth street.—EQUESTRIAN AND GYMNASTIC ENTERTAINMENT.
ROOLEY'S OPERA HOUSE, Brooklyn.—ROOLEY'S MINSTRELS—AFTER LIGHT, &c.
NEW YORK MUSEUM OF ANATOMY, 63 Broadway.—SCIENCE AND ART.

TRIPLE SHEET.

New York, Friday, February 12, 1869.

Notice to Herald Carriers and News Dealers. HERALD carriers and news dealers are informed that they can now procure the requisite number of copies direct from this office without delay.
All complaints of "short counts" and spoiled sheets must be made to the Superintendent in the counting-room of the HERALD establishment.
Newsmen who have received spoiled papers from the HERALD office, are requested to return the same, with proof that they were obtained from here direct, and have their money refunded. Spoiled sheets must not be sold to readers of the HERALD.

MONTHLY SUBSCRIPTIONS. The DAILY HERALD will be sent to subscribers for one dollar a month.
The postage being only thirty-five cents a quarter, country subscribers by this arrangement can receive the HERALD at the same price it is furnished in the city.

THE NEWS.

Europe. The cable telegrams are dated February 11.
The Spanish Constituent Cortes met yesterday. A number of the members are strongly in favor of Ferdinand, father of the reigning King of Portugal. If he refuses Montpensier will probably be chosen. The Carlists are active in the Basque provinces.
A despatch from Portugal mentions the revival of the Iberian Union project.
Twenty eight Carlists were arrested by the French Corps of Observation on the 10th inst., while attempting to cross the French frontier.
The English House of Lords met yesterday and adjourned until the 16th inst.
Reverend Johnson was entertained by the Corporation of Glasgow on the 10th inst. by a public dinner.
Cuba. The leaders of the revolution in Cienfuegos, Villa Clara and Trinidad are said to be two brothers, named Cayana, both of whom were, until very recently, American Vice Consuls at Cienfuegos and Trinidad. Adelle was colonel of a Philadelphia regiment of Zouaves during our war. Telegraphic communication between Havana and Villa Clara has been restored.

Congress. In the Senate yesterday Mr. Morgan reported the House bill making the East River bridge a post road, with amendments that it shall not obstruct navigation and the plans for it shall be approved by the Secretary of War. Mr. Davis offered a resolution censuring Mr. Butler, of the House, for his action of Wednesday during the counting of the electoral votes, but objection being made it went over under the rule. Mr. Sherman's currency bill was then taken up, and it was generally debated. In the evening session the River and Harbor Appropriation bill was discussed.
In the House Mr. Colfax stated the first business in order to be the discussion of the question of privilege raised by Mr. Butler relative to the vote of Georgia, and then vacated his chair in favor of Mr. Davis, who acted as Speaker pro tem. Mr. Shellabarger opened the debate in opposition to Mr. Butler's question of privilege. He was followed by others, and Mr. Butler, after some time, managed to get in a scathing reply. Quite an acrimonious debate ensued between him and Mr. Eingham. Mr. Colfax also had the floor and some discussion of a lively character ensued between him and Mr. Schenck relative to his decisive calling of the elements on Wednesday by calling in the services of the Foreign-Arms. No business whatever was transacted and the question of privilege went over until to-day at the adjournment.
The Legislature. In the Senate bills were introduced to amend the Code of Procedure; to authorize the Board of Education to establish a nautical school in New York and to incorporate a passenger transit company between New York and Brooklyn.
In the Assembly bills were passed to incorporate the Andrew Johnson Club of New York, and for numerous other purposes of a private or local nature. Bills were introduced to protect the civil and religious rights of minors; to promote the safety of travelers on railroads; to reorganize the Fire Department in Brooklyn, and to establish an industrial school on Hart's Island. A resolution requiring the Erie Railroad Company to report the amount of the funded and floating debt of the company was tabled.
Miscellaneous. The Reconstruction Committee seems inclined to favor a recall of the Mississippi Convention for the purpose of forming a new State constitution, and the Senate Committee on the Judiciary are said to have determined to report in favor of a modification of the Virginia constitution as suggested by the committee of prominent Virginians. The House Committee on Elections have determined to report against the claims both of Colonel Hunt and Mr. Menard, the colored member, &c. from the Second district of

Louisiana. The Congressional Committee on Ways and Means have decided to recommence the opening of negotiation with Canada in reference to a commercial treaty, and the exemption of the old Russian telegraph cable from import duty.
Mr. L. N. Morris, of Quincy, Ill., heretofore alluded to as a probable recipient of a Cabinet office, is in Washington and said to be with General Grant every day. The two are warm friends, and Mr. Morris is said to be unsparing in his denunciation of the radical party.
General Grant and Speaker Colfax are to be officially notified of their election on Saturday.
A crazy woman was discovered in one of the corridors of the White House, yesterday, with an old-fashioned pistol in her possession. She said that she had been sent by Almighty God to defend the President in the impending war. She was handed over to the police.
A nolle prosequi was formally entered in the United States Circuit Court at Richmond yesterday, in the cases of Jeff Davis, Breckenridge, Lee, Early, Wise and thirty other prominent rebels, and the ball-bond surties were discharged.
Dr. Mudd's pardon has been signed by the President and will probably reach the doctor about the middle of next week. It was recommended by thirty-nine Senators and Representatives, and 300 officers and soldiers serving in the Dry Tortugas.
Whalen, charged with the murder of Darcy McGee, was executed at Ottawa, Canada, yesterday. The trial of George W. Thorne, and others his associates, for alleged internal revenue frauds, was commenced in the United States District Court, at Trenton, N. J., yesterday. Thorne was revenue collector for New Jersey, and the charges on which he is now arraigned, with his associates, involves over \$100,000.
Thomas Lafon, Jr., who has been on trial for some time for the Hebring homicide in Newark, N. J., was yesterday found guilty and recommended to mercy. Sentence was deferred.
The suburban citizens of Cincinnati have held a meeting to appoint a vigilance committee.
A block of marble weighing ten tons fell on two persons from a height of fifty feet, in a quarry near Rutland, Vt., on Wednesday, killing them instantly and injuring two others.
John Mitchell, of Sutton, N. H., has been arrested on a charge of attempting to kill his wife by setting fire to her with kerosene oil.

The City. At about half-past four o'clock yesterday morning a young German named Bamberger shot his betrothed at her door, at No. 361 West Sixteenth street, and then shot himself. The two, in company with another party living in the same house, had just returned from a ball. A letter in the pocket of Bamberger shows that the attempted suicide at least was premeditated. Bamberger died in the afternoon, but the girl is still living. One Bord, the stepfather of the girl, was arrested, but the Coroner's jury charged the murderers attempt at Bamberger's hands, and Bord was released.
The body of Mrs. Gamble, who was supposed to have been poisoned some time in last August and whose husband was examined at the time on a charge of committing the deed, has been in the Morgue in this city since the close of judicial proceedings awaiting a certificate of burial. Coroner Schirmer yesterday held an investigation, wherein the remains were fully identified, and directed the jury to render a verdict of death from unknown causes. The body was given to her relatives.
The funeral services of James T. Brady took place yesterday, with impressive ceremonies. The services were performed at the Cathedral, on Mot street, and the remains were deposited in the family vault, in the yard adjoining.
The friends of John C. Braine, the alleged Chesapeake pirate, are using their utmost endeavors to have him released. He is confined in the county jail in Brooklyn and has become a mere wreck of his former self, being afflicted by disease and compelled to go about on a crutch.
The steamship City of Baltimore, Captain Delamotte, of the Inman line, will sail from pier No. 45 North river, at one P. M. to-morrow (Saturday), for Queenstown and Liverpool. The European mails will close at the Post Office at twelve M., 13th inst.
The National line steamship The Queen, Captain Grogan, will leave pier No. 47 North river at three P. M. to-morrow for Liverpool, calling at Queenstown to land passengers, &c.
The Anchor line steamship Europa, Captain Craig, will sail on Saturday, 13th inst., at twelve o'clock M., from pier No. 20 North river, for Glasgow, touching at London prior to land passengers.
The steamship Crescent City, Captain Holmes, of the Merchants' line, for New Orleans direct, will leave pier No. 12 North river, at three o'clock on Saturday afternoon, 13th inst.
The Black Star line steamship Montgomery, Captain Lyon, will leave pier No. 15 North river, at three o'clock to-morrow afternoon, for Savannah, Ga.

Prominent Arrivals in this City. General Saxon, of Salem, Mass.; General G. T. Bachelder, of Albany, and Congressman John Lynch, of Maine, are at the St. Nicholas Hotel.
S. M. Clark, of Washington; Thomas L. Scott, of Albany, and Lafayette Wilson, of St. Louis, are at the Metropolitan Hotel.
M. Batazzi, of the Turkish Legation at Washington; H. Hocking, of China; Colonel R. C. Banks, of Albany, and Jose Gaivez, of New Haven, are at the Clarendon Hotel.
Count de Wierzbicki, and Count Henri Conrad Izinkiski, of Paris, France; Colonel George D. Hill, of the United States Army; General K. J. Jackson, of Philadelphia, and General P. Adams Ames, of Boston, are at the Hoffman House.

The Senate and the President Elect.—What Does It Want? There remains less than three weeks longer for the Senate to decide what position it will assume with reference to the new executive power it has been instrumental in calling into existence. In the decision it may make we shall be enabled to judge if it urged the election of General Grant with the idea of making him a mere tool, or with the desire to again restore the government to a lawful condition. Much of the action of the Senate upon this question doubtless rests upon that of Grant in the selection of his Cabinet. If the Cabinet is formed of men who may be to the Senatorial liking, then General Grant will be well supported by the "Conscript Fathers," who will imagine that they can control the situation and carry their influence in whatever direction they may deem necessary. It is pertinent to ask what does the Senate desire? It is difficult to answer this question without blushing for legislation in the United States. The facts are patent that the Senate is to-day the great ring which controls the fortunes of many thousands of leeches upon the public purse. Whiskey, railroad, revenue, frontier and other contractors swarm and buzz about Senatorial ears, with a cry like a pack of wounded wolves, because they fear that the incoming administration will let loose the hounds of justice upon them. They fear that they will be driven from their prey; that the magnificent wealth of the United States Treasury will no longer remain in their hands to manipulate to the national discredit; that the government will not descend to the low level of Wall street and try to make its "corner" like a petty speculator; that the laws will cease to administer to the wealth of those who choose to defraud; that brainless and ignorant men will not be permitted to burlesque republicanism by holding offices to the public disgrace; that foreign ministers shall no longer be sent abroad on account of their gastronomic, bacchanalian, jobbing, filibustering, revolutionary or blasting powers; that appointments for all offices will cease to be given to those who wade through the largest amount of political filth for the benefit of the "Conscript Fathers." All this they fear, and

the Senate is but the echo of these fears if it dare not place itself right before the people by restoring the three branches of the government to their full functions.
On the other hand, what are the wants of the President elect? He is the choice of the people of the United States to fill the position of executive officer of our government, and we, the people, did not elect him for any other or smaller purpose. We did not elect him to be principal page to the Senate, and will not support him as such. He is one of the three branches of the government, and is responsible to us for the proper management of that branch. The people expect him to assume all its duties and to the full measure of his ability administer the executive power, free from the control of the Senate or Judiciary, which are distinctly marked, and like his own branch, not subject to the dictation of either of the other two. The people have full faith that General Grant can truly represent them, and therefore when we state the wants of Grant we state the wants of the people. Therefore we, the people, through our President elect, ask that the Senate repeal the obnoxious Tenure of Office bill. Let it follow the lead of the House of Representatives, which has, quicker than the Senate—because nearer to the people—had the good sense to see our will upon this vital governmental question and bend to it in true republican form. We ask that this and all else be done that may tend to make our government worthy of our civilization. The whole country, the House of Representatives, the President whom we have elected—all look to-day at the Senate as the power which can cut us aloof from the evils which we see around us—as the power which can restore our finances to a healthful condition, destroy the rings that absorb our revenues, and make us respect ourselves, that we may be also respected abroad. Let the Senators think of what we here present to them. Let them remember that this is a representative government—purely representative—and that we elected them to do our bidding, not to shape legislation to the interests of rings which have been bequeathed to us by the natural misfortunes of war, but which we have now determined have had their day.

LET THERE BE NO DELAY.—Judge Barnard has made public declaration of what appears to be the opinion of the authorities—that the murderer of Mr. Rogers is now in custody. If the authorities really have the man and such testimony as can show this, what are they waiting for? Do they not know that they cannot by any other means do so much to awe the ruffians among us as would be done if the murderer of Rogers were hanged before this month of February is out?
"MORAL SUASION."—An excellent remedy against murderers was applied yesterday to Whalen, the murderer of McGee. The philanthropists say that hanging leads to murder, and we shall now have a chance to see this tried in Canada. But we do not believe there will be any more murders of that class in Canada for one year.

Mexico and the Foreign Powers. Late European telegraphic news informs us that the "opposition" in the French Corps Legislatif demand a restoration of diplomatic relations with Mexico. They ask this under the plea that French interests will suffer if there is a longer interruption. Thus the "opposition" never fail to make a hit at the disasters of the Mexican expedition whenever opportunity offers. The fact is, moreover, that the reopening of diplomatic relations with Mexico is really necessary. French dreams in that direction were rudely broken; but French interests are not so easily trodden upon. There are very many French subjects who were resident in Mexico at the date of the intervention and who were obliged to fly from the country. The Mexican government has made a most sweeping confiscation of all their property without regard to their political sentiments, and doubtless these are disposed to make an effort to have it returned to them. Moreover, France has a large debt against Mexico at the date of the intervention, not including the infamous Jecker fraud or the unfortunate acknowledged investment of over two hundred and fifty-two millions of dollars in the royal filibustering expedition of Maximilian. The entire European debts of Mexico at the date of the intervention were about ninety-five millions of dollars, of which sixty-six millions are claimed by England.
England as well as France appears anxious to resume diplomatic relations with the Mexicans, and the British Premier lately stated that England was ready to do this "when Mexico asked for it"—a very foolish thing to state, considering the fact that Mexico is so disgusted with herself and the whole of humanity that she feels more exclusive than China and would by far prefer never to see another foreign diplomat upon her soil. When she asks England to send a minister to her capital it will be when she is under an American protectorate. We advise France to wait for this same moment before she undertakes to accredit any Frenchman to Mexico. There is no settling of this vexed Mexican question in any way but the natural one. If Europe will wait a little while, say from six months to a year, for us to get our new administration at work, we will give them a final and satisfactory solution of the whole problem.

A ROTTEN JOKE FROM GARRETT DAVIS.—His resolution in the Senate yesterday against Benjamin F. Butler, of Massachusetts, as being "noisy and disorderly." Davis is the noisy man of the Senate.
GOOD SERVICE.—Much summary and satisfactory justice has been done against the teen-ling crime of our city within a few days past, and that was not the least satisfactory that was done in the Court of Oyer and Terminer on Wednesday, when a murderer was brought into court to the commencement of his trial and went out sentenced to death. There was only one defect. The execution should have been appointed for next Friday instead of next April. Speedy punishment is the greatest element of terror to wrongdoers in a community whose jails are organized as ours are.

FILLING UP.—There are over fourteen hundred convicts now in the Sing Sing State Prison, and "still they come." Let them come.

Congress.—Ben Butler Continued. In the Senate yesterday nothing deserving of special notice occurred, excepting the resolution of Mr. Davis, of Kentucky, which lies over, denouncing Representative B. F. Butler, of Massachusetts, and others, as "noisy and disorderly" and guilty of "a wrong and an insult to the people of the United States" in impeding the counting of the votes for President and Vice President on Wednesday last. The resolution will probably not come up again in the Senate, but we guess that Butler, in the House, will be very apt to give Davis a piece of his mind this morning.
In the House yesterday, it will be seen from our Congressional reports, that the debate on Georgia, or rather on the conduct of "Old Ben Wade," in admitting the electoral vote of Georgia against the protest of the House, was the exciting topic of the day's profound but preposterous debate. Butler, at all events, was in his element. He rejoiced in a parliamentary middle of legal technicalities, and is equal to any emergency, except the patriarchal stupidity of "Old Ben Wade."

How We Do Justice. Three burglars, convicted and sentenced to nearly five years each, in the presence no doubt of a court-room full of their friends, were sent from the court to the Tombs in the charge of one man, and that man a deputy sheriff. The designation deputy sheriff means, in this city, as most men know, a half-way rough and second rate politician. Here, then, was what looks very much like a deliberately put up "job" to cheat the jail of its due. The deputy sheriff conducting his three convicts through one of the worst wards of the city finds that he is suddenly surrounded by men brandishing knives. More than this, the handcuffs suddenly seem converted to pincers. One convict freed from the cuff starts on a run; the deputy sheriff leaving the other two in charge of "citizens" (some of those with the knives, we fancy), starts after the fugitive and overtakes him, to find on his return that the others are gone. Now, in view of the antecedents of the Sheriff himself, and in view of the class of men from whom persons about the Sheriff's office are habitually taken, all this is fishy, and the case will stand an investigation on several points—first, as to whether the handcuffs were arranged with a view to easy opening; next, as to the propriety of tempting fortune by sending convicts through the streets with such highly culpable negligence, and further, as to whether the chances for escape are among the favors that city officials are expected to extend to the "dangerous classes" in exchange for support at the polls.

ALL THE ENEMIES OF ORDER MOVE TOGETHER.—It is almost necessary that popular indignation should ring what the firemen call a "general alarm" when such events as the rescue in Centre street can occur. If all the ruffians have turned out in general league against law it is clear that the guardians of public peace are inadequate to exercise such repression as the case demands.
Amend the Game Laws. Year after year the sportsmen of our State apply to the Legislature at Albany to obtain a proper statute for the protection of game; year after year they study and prepare the appropriate enactments; year after year the stupidity or inexperience of our legislative Solons proves too much for them, and they come back no happier than they went. A new game law has become a regular thing at Albany. Its arrival is expected as certainly as that of the tax levy or the Broadway railroad charter, or a wharf and pier bill; but as "there is nothing in it" the members are offered "no reasons" why it should pass, and the sportsmen having little political influence, it is cast aside, neglected or mutilated. There are annual changes made in the time for killing woodcock or catching trout or bagging quail; there is such a swapping round of dates and limitations that experienced sportsmen should also be experienced lawyers to understand whether they are enjoying their sport in season or out of season; and other men would have to carry with them a half-dozen quarto volumes, bound in calf, of the New York "Statutes at Large," and carefully study each section before they dare pull trigger on a bevy of quail or cast fly over a speckled trout.

In olden times woodcock shooting commenced on the 4th of July, the national birthday; then it was postponed till August 1, when there are no woodcock to shoot; next it was delayed till September. Last year a glorious muddle was made by a division of the State into a district that was washed by the tide and one that was not, and now some wisecracker has hit upon what he considers a happy mean—mean enough in the view of those who understand the subject—and proposes to allow poachers to kill woodcock until the third week in July, when honest sportsmen are to commence, provided the game is not all used up. So with trout. In ancient times they could not be angled for after the 1st of September nor before the 1st of February; then the month of February was lopped off, which was right, but last year the month of September was added. As for partridges, the periods of their protection were continually altered and confused, until at last it was provided that they might be killed on the third day of July, at a season when the young are hardly fledged, in all counties of the State, where, unfortunately for them, the tide happened to ebb and flow—a curious distinction, which would never have entered the brain of any one but an Albany legislator, who alone can explain what effect the ebb and flow of the tide have on partridges, their habits or their times of incubation.

What sportsmen want is very simple; what they can get may be another question. They want fixed times, no particular matter what, provided they are not to be regulated by the ebb and flow of the tide during which game can be killed. They want a special provision that after a certain period game neither be killed nor sold in the markets, nor, as the law expresses it, had in possession, by any one. They want to stop the sale, knowing that by so doing they will stop the killing. If poachers cannot dispose of their birds or fish they will no longer kill them. The vulnerable point in game protection is the market, and the supporters of poaching are the marketmen, even when (as they often are) they are innocent of the intention of so doing. Under an absurd provision of the statute game killed before the law is up may be sold afterwards. Amid all

the changes of the law this has been retained. Everything else might fall, but this damaging provision remained.
By the aid of this exception, which seems so innocent on its face, there has never been the least restraint on selling most species of game, especially quail and partridges, which are killed in cold weather. Neither of these birds can be legally shot after the 1st day of January, and yet they are openly sold at the poultryers' and hawked round the streets by the hundred and thousand under the specious plea that they were killed before the law was up. And they will continue to be sold, and bought, and eaten, and, as every reasonable man knows, killed, too, under the sheltering shield of this ridiculous enactment, through February, March and April, and even perhaps in May and June.
The impropriety of this has become so flagrant that even the marketmen have consented on fixing a final and peremptory closing time. The sportsmen wanted the 1st of February as the final day. They contended that one month was time enough in which to dispose of surplus stock, and insisted that game lost its flavor by being kept in a refrigerated condition for any great length of time. They wanted to clear our markets of all sorts and kinds of game for the one month of February; but the marketmen, who first claimed until April, finally compromised on the 1st of March, agreeing that quail and partridges should go out as trout came in. Now it only remains for the Legislature to carry into effect this arrangement by the proper laws, and the first step towards the protection of game will at last have been taken. Then it will not only be discreditable, as it is at present, for vulgar dinner givers to supply their tables with the prohibited food after the 1st of March, but it will be a punishable offence; and public restaurants, and private club houses will be longer dare to offer it as an especial delicacy to their ignorant patrons.

COMING UP IN ANOTHER PLACE.—Popular indignation has awakened our courts, and criminals cannot get through them without heavy sentences. Popular attention has been turned to the readiness with which men escape from Sing Sing, and that is likely to prove a tight place for some time to come. So the heavily sentenced convict must take some other chance, and he turns his attention to that point in his career when he is between the court and the prison and in the hands of the Sheriff. Another place for popular attention to be turned to, therefore, is the Sheriff's office.

The Spanish Cortes and Its Labors. The constituent Cortes of Spain met yesterday for organization, and the eyes of every European Cabinet are anxiously watching the result of their deliberations. The two important questions to be decided are—first, what shall be the form of government to replace the banished rule of the Bourbons; and second, to whom shall be confided the executive power of that government. The elections which have recently taken place in the Spanish peninsula have resulted largely in favor of the candidates put forward by the existing provisional government, and its members will hold seats in virtue of their election by the capital. The choice of the presiding officer will indicate in some degree the temper of the body, but not the final result, as very active diplomatic intrigues are on foot in every circle in Madrid to influence the question of the dynasty. Señor Rivero is named in our cable despatches as almost certain to be the President of the Cortes.

This body comprises in reality three political elements, neither of which holds a majority of the Cabinet. General Serrano represents the old liberal union party which so long endeavored to modify by peaceful means the policy of the ex-Queen, and carries great weight for his announced preference for a monarchy. General Prim is the leader of the progressiva party, and as commander of the army, as well as from his strong personal character, enjoys a wide influence. Señor Ayala, Minister of Grace and Justice, represents in the Cabinet the democratic progressias. The admitted organ of the provisional government has announced that the Cabinet has settled upon its choice for the throne, but the name has not been given to the public. Ramon has stated the government candidate to be the Duke of Aosta, second son of the King of Italy, and supposed to be the preference of the French Emperor; but from yesterday's complexion of things at Madrid, it appears that a majority of the Cortes are in favor of Ferdinand, the father of the present King of Portugal; and next to him stands the Duke de Montpensier. Meantime the project has been revived in Portugal of an Iberian union, which may be the secret of the strength of the Portuguese Royal House in Madrid. The wishes of Louis Napoleon will undoubtedly have great influence in the discussions in Madrid; but it does not follow that they will control the choice of the nation. The Spaniards are a proud and warlike people, and very sensitive to any appearance of foreign influence in their domestic affairs. The First Napoleon found nothing but disaster to his designs in Spain. His successor may be more successful. At this moment the movements in Madrid constitute the most important event in European politics, and will be contemplated with interest everywhere.

DR. MUDD PARDONED.—The President has pardoned Dr. Mudd, convicted as one of the Lincoln assassination conspirators, and sentenced by the Military Commission of 1865 to imprisonment for life at the Dry Tortugas. Dr. Mudd, at the time of President Lincoln's assassination, lived away down in Maryland, on Booth's route of escape, and he was charged with being a confederate of Booth in this—that the doctor, knowing the crime of Booth, gave him shelter, doctored his broken leg, and then helped him to resume his flight. The evidence, however, admits of reasonable doubts in Mudd's behalf, and as he has suffered over three years at the Dry Tortugas we dare say that public opinion will not demur against his release.
THE VOTE OF GEORGIA.—The vote of Georgia was to be counted if it was not wanted, and not to be counted if it was worth while to count it. Old Ben Wade got this idea into his head and it filled him up, so that the size of the idea shows exactly the capacity of the President of the Senate. Butler exhausted even tilt-hammer tactics in his effort to drive in another idea, but it was of no use.

Real the Murderer—A Word to the Governor. There were some very remarkable circumstances connected with the trial the other day of Real, the murderer of the police officer John Smedlek. It was a most deliberate, remorseless and shocking murder, and the evidence against the assassin was overwhelming. The life of one of those city guardians upon whom all peaceable citizens directly depend for the protection of their lives and property had been taken away to satisfy the revenge of a worthless vagabond. Here, then, was a case calling for justice, without unnecessary delay, and against all efforts of mock philanthropy, evasion, postponement or intimidation. The case came on in the morning, and before midnight it was closed with the sentence of death upon the murderer. This was quick and effective work. From the remarks of Judge Barnard on the occasion our readers have been informed of the fearful gathering of roughs—birds of a feather with the prisoner, square-headed savages—in the court room for purposes of intimidation against witnesses, judge and jury. We apprehend that the inclination of the jury to mercy was from fear of those terrible roughs and their mysterious warnings. We understand, however, that in addition to these elements of terrorism a strong political influence behind the scenes was brought to bear upon the Court in behalf of the prisoner. The officiating Judge, therefore, in his decisive course in this remarkable case, cannot be too much commended by our law-abiding citizens. He has fearlessly and faithfully discharged a grave public duty, and we can tell all other officials concerned that the universal feeling of this community is that the condemned murderer in this case must be punished.

We cannot suppose that there is any other court here that will undertake to provide, through the loopholes and meshes of the law, a chance of escape to this daring and remorseless murderer, Real. We infer that his only possible chance is the chance of an Executive pardon or commutation. We have, then, a word of advice for Governor Hoffman, and it is this—that mercy to this merciless criminal will be cruelty to our guardians of life and property and to all our peaceable citizens. And we say the same of various other felons sent up from the Oyer and Terminer, the City Judge and the Recorder. We have had, Governor, too much Executive clemency in behalf of murderers and robbers, and incendiaries and swindlers, of late years, and we want, now, a few examples of the terrors of the law. Humanity now calls first for safety to the lives of our unarmed citizens against gangs of prowling outlaws, bristling with weapons of death.

Smuggling—Seizure of the Steamer Cuba. The seizure of the steamer Cuba, of the Baltimore and New Orleans line via Havana, by order of the Commissioner of the Customs, on account of a large lot of smuggled cigars—concealed in boxes, manifested as coming from New Orleans to Baltimore, but which left that port empty and were filled with cigars at Havana—affords a glimpse into a vast and mysterious system of smuggling by which millions of United States revenue are "confiscated" to the benefit of illegal speculators. Frauds on so immense a scale will gradually necessitate a corresponding increase of burdensome taxes. No doubt the high duties on foreign importations virtually offer a direct premium on smuggling. But as the tariff laws cannot at once be changed the next best remedies against this growing evil must be adopted. Honest men must be substituted for those high officials whose collusion with these frauds is more than suspected. It is to be hoped that, with or without the repeal of the Tenure of Office law, President Grant will not hesitate to take the responsibility of turning out of office all those who are guilty of conniving or of winking at frauds which inflict damning disgrace, as well as serious injury, upon the United States government.

VERY FUNNY.—The spectacle of old, stupid, blunder-headed Ben Wade getting the better of the shrewd and capable Butler and throwing him into a fury of ill-temper by mere stolid, stupid persistency in ignorant raving.

The Southern Press Convention. We notice that the Southern Press Association is called to meet on the 17th instant in convention at Mobile. During the rebellion the Southern press had an effective organization, which did good to its members, but since the surrender they seem to have lost all vitality. If the coming convention at Mobile can restore some of the old rebellious vigor to its Association it will do the journals good service and lay the foundation of better results in the future. To do this they must beware of the too close embrace of other Associations, which was the pit the Southern Association fell into at Atlanta two years ago. Since then it has never thrived. If they wish to prosper they must have their business done by their own officers, and insist upon dealing as a body, and not as individual journals, with the New York association. By adopting this course, and electing a president and a superintendent who understand their business and will attend to it, the Southern Press Association can become a respectable body. Without these it is simply a gathering of worldly gentlemen, who pass a set of resolutions and expect these to become self-executive, which is a fallacy that will not work.

THE GERMANS ON THE REVISION OF THE NATURALIZATION LAWS. The sub-committee of conference of the German Republican Central and Democratic General committees of this city and county for the purpose of taking remedial measures in regard to the revision of the naturalization laws, as proposed in Congress, held a joint meeting at Mr. Schenker's Germania Hall, No. 150 Third avenue, on Monday last. The sub-committees were composed of the following gentlemen:—Democrats—Magnus Gross, Henry Schiel, Coroner, Dr. Will an, Seaman, Hermann Schroter, John Henry Sapp, Adam Stock, Republicans:—Dr. Hartwig Gercke, Dr. Herman Muir, Mr. Marcus Oberburger, Arnold Benson, General Francis Siegel, Andrew Wilmann. It was resolved to appoint a special committee, consisting of the following members of the two sub-committees:—Mr. Gross, Mr. Oberburger, Dr. Schirmer and General Seigel, to draw a memorial to Congress about the abbreviation of the naturalization term, the selection of the courts before which naturalization ought to take place, and the avoiding of the election frauds, as far as naturalization is concerned, and to submit the memorial to the sub-committee.

Yesterday evening another joint meeting was held on the part of both sub-committees, in which a memorial was spread before them and discussed at some length. The resolutions contained in the memorial will be laid before the German Republican Central Committee and the German Democratic General Committee for discussion and adoption. When the resolutions are approved by the latter committee it is proposed to hold a German mass meeting, in order to have the memorial signed, and send it to Congress signed by 50,000 Germans of this city, and as the sense of the German population of this country.

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