The New-Orleans Bee.

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TERMS OF THE BEE.

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The New-Orleans Daily Bee.

Wednesday Morning, April 3, 1850.

☞ Copies of the new city charter, in pamphlet form, can be obtained at this office.

☞ For Legislative matter see THIRD PAGE.

☞ The Northern Mail arrived through yesterday, with the latest dates.

A CONTRAST.

The conviction of Dr. WEBSTER by a Boston jury, despite the high position of the criminal and the exclusive circumstantial character of the evidence, is a striking proof of the unwavering honesty and rigid sense of justice that prevail among the burghers of that enlightened city. The jury were morally convinced of the guilt of the prisoner, and being constituted of those judges of the law and facts, they hesitated not to record their belief by a definite verdict. What a contrast is presented between the conduct of these upright and fearless dispensers of justice, and the recent proceedings of another jury ensheltered in Shelby county, Kentucky, for the trial of an individual accused of attempting to poison a citizen of that county, with a view of enjoying unobstructed criminal intercourse with the victim's wife. The case in that of the Commonwealth of Kentucky against Dr. MITCHESON, and the facts are briefly these:—MITCHESON was the medical attendant of the family. He seduced Mrs. GUTHRIE, who was a feeble and foolish woman, and whose mind and further debilitated by ill-health, was completely under the control of MITCHESON. The latter enhanced the atrocity of his scoundrelism, by professing the deepest reverence for religion, and so completely did his infernal arts operate upon the intellect and passions of his misguided paramour, that he seems to have persuaded her of her saving grace, through the influence of a "saving grace," whatever might be the load of crime and infamy which burdened her soul.

We learn from the Louisville *Journal*, that the confession of the guilty pair was laid before the court. MITCHESON proposed in his letters in the most unmistakable terms, the removal of GUTHRIE out of the way, setting forth in view of the religious character of Mr. GUTHRIE and Mrs. MITCHESON, that there would be no both a great guilt, being a little earlier than a natural removal to a blessed world. This holy, saintly physician, in view of the reluctance that Mrs. GUTHRIE might have to engage in the murder of her husband, urged upon her the great consolatory fact of the New Testament—"it any one sin, we have an advocate with the Father." MITCHESON also pressed upon his guilty associate the doctrine of her creed, "the final perseverance of the saints." He said that one fatal evidence that she was a Christian, and her belief was that no Christian could act so as to effect her final ruin in the world of retribution.

In order to prove how perfect and unbroken was the damning chain of evidence adduced against MITCHESON, we quote the following passages from the *Journal*:

"His most hypocrisy and the most infernal perseverance of cruelty and nightshade are, the wretch has need to wish during the whole spirit of Mrs. GUTHRIE's conscience, overwhelm her in despair, of the deepest and most damning accuracy, and goading her to the earliest possible execution of the hellish deed. Each letter is filled with expressions of the tenderest affection, and all of his appeals are rather to her vanity or pity. MITCHESON's first letter, in the Eugenia Burgess correspondence, is addressed to "Mrs. Martha M. Burgess—as such she is."

Mrs. GUTHRIE's letters indicate the condemnation of a fiend in such precocious and weak-hearted mind. They convey no terrible power to the lurid spirit that was darkening its intimacy with her as her family friends, and to secure a management as promising to treat physical degradation as superior to heroes—the stormy conscience, and the consuming spell which is dragging her within reach of his fangs—he shudders at the thought of standing by the dying bed of a presumed husband, and declares that if the life of her husband is to be taken, let MITCHESON, must do the deed." One of the letters, convincing all these indications, commences: "With an aching heart and a trembling hand" and she implores, in one passage, whether, if the proposed scheme is executed, "the Lord will ever have mercy on us again;" and, in answer to MITCHESON's assurance of safety on the ground of the final perseverance of the saints, she says, she "does not find it so clear that a Christian could not fall from grace, though it looks mighty like it in our case, *if we ever reached it*." These quotations are to memory.

The Rev. Mr. Willard, an able analytical counsel, was before the court as a witness, and his testimony was unequivocal to the fact that the powders furnished by MITCHESON, to be given to Guthrie, were strychnine. These were some yellow powders which the latter were not submitted to chemical analysis; they were in the hands of the prosecuting Attorney. As there are good reasons for believing that the poisonous article in these powders was strychnine, Mr. Willard proposed to the Commonwealth's Attorney to give some of this yellow powder to a dog. A small dog was procured, and shortly like half of one of the powders was given him on some shavings of meat, in the presence of several persons. In about five minutes he showed symptoms of vertigo and spasm—soon passed into *tetanus* and frothing at the mouth, with convulsions and dyspnea and died in a few minutes.

The reader will be amazed at being told that with such proofs, as clear as holy writ, a Kentucky jury *acquitted the prisoner!* with the handwriting of the criminal before them; with his own written admissions that he prepared and furnished Mrs GUTHRIE with a deadly poison to administer to her husband—a Kentucky jury absolved the wretch, and sent him forth scathless and free, to join the world with his presence. The ground of his acquittal was a legal technicality—one of those base quibbles that so often supply loop-holes to felons and enable them to slink from retribution. It seems that the statute of the State requires that, in order to convict a prisoner of the crime of "aiding and counselling" in an effort at poison, it is not only made necessary that the aid and counsel shall be proved, but it must be established that the intended victim swallowed some portion of the poison. Acting upon this hint, MITCHESON's lawyers played upon the jury with such consummate craft, that while entirely satisfied of the prisoner's guilt, they yet did not dare to award to the wretch the penalty due his crime, but let the poisoner, the seducer and the blasphemer go unsmitten of justice.

What a contrast between a Massachusetts and a Kentucky jury!

☞ WEATHER.—Yesterday was a mixed up affair. In the morning the rain came down in torrents, but it cleared up towards mid-day, after which the sun shone forth gloriously. In the afternoon, again, *Jupiter Pluvius* had the upper hand, and treated us to a regular dampen, with accompaniments of thunder and lightning.—Real April weather this.

MYSTERIOUS MURDER.—At daylight yesterday morning the body of a man was discovered in the Levee, opposite Conti street, lying between two molasses bbls, and quite dead.—For some time no clue to his identity could be found, but subsequently it was ascertained to be one McBean, who acted as bar-keeper on the steamer Vesta last summer. He had received a mortal wound in the neck with a sharp instrument, besides two or three cuts in the chest. The Coroner held an inquest on the remains, and returned a verdict accordingly. The police is in possession of all the facts, but thus far there is no trace of the murderer.

POLICE ITEMS.—Yesterday was a quiet day in the Recorders Courts. Nothing of any importance came up before Recorder Genois, and in the Second Municipality two individuals named J. Sweeney and Jas. Que, were committed before the First District Court on a charge of larceny.

NEW SCIENTIFIC THEORY.—This evening, at Armory Hall, Mr. Fiske will explain his new theory of the circulation of the blood, and will then give his amusing and instructive experiments. The ladies' class in this science, will be formed at 10 o'clock this morning.

CONGRESS.

In the SENATE on the 25th ult., Mr. Douglas of Illinois, reported a bill providing for the admission of California with her present limits; and another which establishes a territorial Government for the new Mormon Territory of Utah, prescribing specific limits for said territory, and also a territorial Government for New Mexico, which is to embrace all the territory required from Mexico, except California and Utah. It contains no provision in relation to slavery, leaving the question with the people of those Territories. The bill also contains a provision for the settlement of the Texan boundary, by a pecuniary compensation to Texas; in consideration of the release of her claim to the territory in dispute between herself and New Mexico.

The Senate resumed the consideration of the California message, and Mr. HUNTER of Va. made a speech embracing the opinions and arguments of the South on the slavery question. The subject was then postponed till Monday.

In the House the deficiency bill was discussed, the amendments all concurred in and the bill passed by a vote of 140 to 44.

The House then resumed the consideration of bill to admit California as a State into the Union, when Mr. THURSTON, delegate from Oregon, spoke in favor of the admission of California. The debate was continued by Mr. BRECK, of Ky., after which the House adjourned.

The St. Louis papers contain the following summary of the proceedings of the House of Representatives on the 26th ult:—

WASHINGTON, March 26—7 P. M.

Mr. PRESTON KING asked leave to offer a resolution to close all debate in Committee of the Whole on the bill for the admission of California. The Speaker decided the resolution not to be in order.

Mr. KING said it was his desire to get a vote on the bill by the House.

Mr. Inge asked whether it was in order to debate.

The Speaker said it was a question of privilege.

Mr. KING, in attempting to speak, was several times called to order.

The Speaker said that the resolution was not debateable.

Mr. KING claimed the question of privilege.

Mr. MCLANE—What is the point of order?

Mr. KING—The decision of the Speaker is an aristocratic, and designed to accomplish a certain purpose.

Mr. Inge—That is not a question of privilege; I insist on the order of business.

Mr. KING—My object in offering the resolutions was two-fold. First, to indicate my willingness to vote for the admission of California, independent of other questions.

Mr. Stevens, of Georgia, called the gentleman to order.

Speaker—The gentleman from New York has stated no question of privilege, and is not in order.

Mr. KING, I charge that the journal of the House has been mutilated on the 13th inst. I offered a resolution similar to the one this morning; I simply requested the Clerk to fill up the blank to close debate on the California bill.

Mr. Stevens—I call on the gentleman to state wherein the journal has been mutilated; the gentleman must say the charge against some person.

Mr. KING—I will state what I have heard.

Mr. Inge—Object to that.

Speaker—The gentleman will submit his charge against the proper person.

Mr. KING—I was informed by the subordinate clerks that it was done by directions of the Speaker.

Mr. Inge—The gentleman then charges that the Speaker of the House has mutilated the journal. The gentleman will please put his charge in order.

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Mr. KING said down to write—members were breathlessly silent. Mr. KING sent his charge to the table, which read as follows: "I charge that the journal of the House, on the 13th inst., has been mutilated by erasing a motion which I made, and interlining one which I did not make."

The Speaker interposed: "The gentleman will please incorporate the name of the person charged."

Mr. KING.—I was told that it was done by the direction of the Speaker.

Mr. C. hereupon calling up Mr. Winthrop to the chair, resigned him to preside, and he (the Speaker) took his seat among the members.

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