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PHILADELPHIA, FRIDAY, FEBRUARY 16, 1866.

DOUBLE SHEET-THREE CENTS.

EUROPE.

Archbishop Cullen's Last Anti-Irish Anathema-The Chillan Pirates-Royal Christening-France and America - Queer Things from the "Yellow Book," Etc. Etc.

The Siege of Madrid to be Raised, It is removed that the state of siege in Madrid

will be raised on January 30.
Several vessels bearing Chilian colors have appeared at Valencia, and given chase to some Spanish coasting brigs. It is asserted that the pursuess are not Chilian cruisers, but simply

pirates ander cover of the Chil an flag.

A telegram from St. Nazatre, of January 20, easy the Spanish minister of Peru, and the Spanish Count at Callao, are among the passengers by the French mail packet, arrived here today. Intelligence from Lima, of December 11, announces that diplomatic relations have been interrupled between Spain and Feru,

FRANCE.

Relations with the United States. A despatch from Paris, of January 29, says:-

"The official Yellow Book, containing the dip omade corressondence of the remain Government wat Forcess Powers, was last on the table at the Corrs Legislatii to day. The depatch's exchanged between France and the United states on the subject of Mexico are in conformity with the declara-tions made in the Emperor's speech at the opening of the session, and is the expose of the condition of the Empire."

A despatch from M. Drouyn de Lhuys to the Marquis de Montholon, dated January 9, reply-ing to a communication from Mr. Seward, dated December 16, after announcing that this realy had been submitted to the Emperor, expresses the conviction that

"The divergence of view between the two Cabinets is the result of an erroneous appreciation of the intentions of France."

M. Drouyn de Lhuys proceeds to state that France seeks the realization of no ambitious ideas, and says:-

"Now that there is a regular Government in Mexico, the legitimate object of our expedition will be attained. We are endeavoring, while satisfying our interests and our dignity, to make arrangements which will enable us to consider the mission of our army in Mexico as terminated '

Another despatch of M. Drouyn de Lhuys dated January 25, 1866, to the French Minister at Washington, relates a conversation of the former with Mr. Bigelow. On that occasion M. Drouyn de Lhuys declined all official controupon the measures taken by the Emperor Maximilian, stating that he could only receive Mr. Bigelow's communications on that subject as simple information. This reservation esta-blished, the French Minister observed in the course of conversation that the measures pointed out were of a purely admin strative order. and did not appear to him to constitute any of those exceptional derogations that might per-haps sometimes justify a Government in intervening in the interior affairs of a neighboring State. He could not admit that the Federal Government, not wishing to recognize as legitimate the de facto Government of Maximilian, and considering it illusive to address itself to Juarez, had any ground to apply to France, in order to escape from this embarrassment, and request explanations from her relative to acts emanating from the sovereign authority of a foreign Government. M. Drouyn de Lhuys con-

"We return to the principle of non-intervention, and from the mement we accept it as our rule of conduct, our interest and honor require us to de-mand its equal application by all. Relying upon the equitable spirit of the Washington Cabinet, we expect from it the assurance teat the American people will conform to the law of non-lutervention, which they myoke, by mainta ning a strict neutrality with regard to Mexico. When you shall have informed me of the resolution of the American Government in this matter, I shall be in a position to acquaint you with the result of our negotiations with the Emperor Maximilian for the return of our troops.'

The documents referring to Mexico have been sent to press. They will form a supplementary pamphlet to the Yellow Book, and will immedi ately follow the distribution of the latter among Senators and Deputies. The Government has issue these documents in consequence of the publication of the American

The Paris Bourse was quiet, and Rentes closed on Monday evening at 68f. 55 centimes.

Archbishop Cutten Beneaucing the

Fenians. A Pastoral from the Most Reverend Dr. Cullen was read from the altars throughout Dublin on Sunday, in the course of which he thus deals with the Femans and the subject of Femanism:-You will allow me, reverend brethren, to beg of you to caution your flocks, again and again against the dangers of secret and illegal societies, and to make incessant exertions to root out every vestige of the last development which these societies have taken, under the name of Fenianism. I know you have been most active in preventing the growth of this noxious polsonous plant, and your labors merited for you the approbation of heaven and earth. For the past, you have preserved the great mass of the peo-ple of this diocese from the evils with which they were menseed; and now you have to congratulate yourselves that very few. it any, of those committed to your pastoral care have been doomed to undergo the horrors of a long penal servitude. If your exertions be continued in the same prudent and laudable way as for the past, you may confidently hope that soon there will be no more leaven among us to corrupt the mass, and that the unfortunate spirit of anarchy and irreligion with which we were hreatened shall be completely extinguished Having written to you on this subject a shor time ago, all I have now to and is, that after al the revelations which have been made within the last few weeks, and especially after the documentary evidence that has been published, everman who does not wish to shut his eyes against the truth must fully understand that Fenian ism is not, indeed, a dangerous or powerful but, indeed, a foolish and wicked conspiracy against the existing civil authorities, and still more against the divinely constituted authority of the Church of God. Its effects have been most injurious to the country, turning away the minds of the people from heir legitimate occupations to wicked, wild, and impracticable projects, disturbing the course of trade, inter-rupting business, and giving a pretext to the Orange lodges to arm all their members, and even reckless boys, to the great risk of the public peace, and to excite a bitter persecu sion against poor Catholics who had no con nection whatever with the Fenians or their

The War Againt chili-Popular Feeling -Privateering - Admiral Pinzon to Command the Pacific Squadron-The Royal Christening, Ftc.

Madrid, (Jan. 27.) Correspondence London Times.

The great paroxysm of wrath with which the Spanish people received the tidings of their disaster in the Pacine is beginning to abate. They look upon the affair in its true aspect, and in a place, they are not quite easy on the score of consequences of too free an indulgence o their evil passions. Vengeance may be sweet but only when it is sure and safe. Now, if a the naval forces of the country are sent round Cape Horn, who is to stay at home to secure the Spanish coasts from the outrages of priva-

teers? I have already told you that the Government here have been—I am not quite sure whether I should say hearing or dreaming, of iron-clads, rams, and other monsters, constructed either in English or American docks, carrying Chilian colors, and roam-ing Spanish waters. The alarm was a few days ago spread in Cadiz; it has more lately been caught in Valencia. "Five pirate vessels under the Chilian flag," we are told by the local organs there, "have been seen on our coast, and give chase to our small coasting craft, to gain possession of their cargoes. The necessary orders have been issued to our coastguard ships to redouble their vigilance, and indict condign pun-ishment on these unwelcome strangers." That great uneasiness begins to prevail among the

merchart navy at all the great Spanish ports is a fact, however, not to be denied. I am inclined to think that the Spanish Government are perhaps less eager for the war than they were when the people showed no ardor and no hurry for it, and when the great European and American powers strove to avert it by their offers of arbiration, of mediation, and friendly

The command of the squadron of the Pacific is to be given, according to some authorities, to Admiral Pinzon; according to others to General Herrers; though many deem it probable that the officer who was left in charge of the Spanish forces in the Pacific by the death of Admiral Pareja, Don Casto Mendez Nuuez, may receive a permanent appointment to the supreme com-

The royal infant, who was born on Wednesday night, was christened with the greatest solemnity vesterday morning in the chapel of the Queen's Palace. The god-parents were the King and Queen of the Belgians, represented for the occasion by the Belgian Minister and the Princess Royal, Maria Isabel of Spain. The Papal Funcio officiated, and the water sprinkled on the child's head was carried for the purpose from the Jor-dan. All the dignitaries of the State and the foreign diplomacy attended the ceremony. infant has received at the font one hundred and twelve names, "comprehending," as the official papers inform us, "all the invocations of the Most Holy Virgin." The first and real name, however, is that of the blessed Francisco de

The Mormons in Illinois - "The Prophet " A correspondent of the Albany Argus, who has

recently visited the Mormons in Illinois, over whom Joseph Smith presides, gives this descrip-

"I had not imagined the Mormons of the Jo. Smith party were so numerous. I am told there are not less than ten thousand, of whom the majority are in Illinois, and the rest in neighboring States. The most considerable settlement is at Plane, a thriving village, situated about fifty miles west of Chicago. Here resides Joseph Smith, 'Prophet, Priest, and King.' of the 'Latter Day Saints, by virtue of the laying on of hands of his notable father, Joseph Smith, the martyr,' as he is called by the faithful. By-the-by, there is no doubt that the assassination of the Mormon prophet gave a powerful impulse to the advance ment of this new and strange religion. 'The blood of the martyrs is the seed of the church,' as well for herestarchy as for the hierarchy. The proof that Joseph Smith, Jr., is the lawful successor of his sire in the apostleship of the Mormon sect is very ably set forth in a late number of a weekly newspaper, now lying before me, entitled The True Latter Day Saints' Herald. This paper is edited by the prophet himself, and published at Plano, and bears for its mot'o:—'Hearken to the record of the Lord: for there shall not any man among you have save it be one wife; and concu-bines he shall have none.'—Book of Mormon.

"And on this point mainly hangs the differ ence of creed between the rival parties. Smith and his followers say that Young and his disciples have not 'hearkened to the word of the but falling into the sin of polygamy and defending the same, are thereby heretical and accur-ed.

"Joseph Smith is not a rich man; and, indeed by way of testimony against the wealth and worldliness of Brigham Young, bears himself with an ostentatious poverty of apparel and equipage. He dresses almost shabbily, and is a man of no pretension to scholarship or refine ment. His manners are simple, hearty, and unaffected, and his popularity with his followers is unbounded. The community here at Plano is well spoken of by the 'Gentiles' as moral, orderly, ndustrious, and in their quiet demeanor and friendliness very much resemble a society of Quakers.

"It is mentioned as a remarkable fact that while the Mormons of Utah are, to a largeextent, importations from Europe, those of Illi, nois are, almost exclusively, native Americans and of a higher intelligence than the saints of Salt Lake.'

DEATH OF AN EDITOR .- John B. Jones, Esq. ied at Burlington, N. J., on the 4th instant, aged fifty-six years. He was a native of Acco-mac county, Va. During President Tyler's ad-ministration he was sole editor and proprietor of The Mudisonian, at that time the President's organ, and the leading editorials of that able journal were from his vigorous and facile pen. He was, during the whole of that administration, upon the most intimate and confidential relations with Mr. Webster, Mr. Upshur, Mr. Spencer, and Mr. Ewing, of Mr. Tyler's Cabinet, and was frequently invited to, and participated in, the consultations of the leading men of the country. For some time previous to the break ing out of the late civil war, Mr. Jones resided in Burlington, and edited a weekly journal, which was published in Philadelphia, styled The Southern Monitor.

Death of Rev. Elisha Lord Cleveland. New Haven, February 16 .- Rev. Elisha Lord Cleveland, D. D., for thirty-three years pastor of the Third Congregational Church of this city, died this morning at 3 o'clock.

AN ADMIRER OF "THE LIGHT FANTAS-TIC" ON A SPREE.—Richard Dillon has been get-ting into trouble. It appears that an individual belonging to New York has such a penchant for attending balls that he came on all the way from that city to attend the splendid affair Good-Will Engme, at the Academy. After enjoying himself there he felt like keeping it up, and, after various peregrinations, turned up slightly elevated in the neighborhood of Sixth and Shippen streets. There he tell a prey to the proclivities of Dillon, who, taking advantage of his whiskyish condtion, stole from him a handsome diamond ring, valued at \$500. Dillon did not have an opportunity of enjoying the proceeds of his theft, for he was soon afterwards, strested, and committed to prison by Alderman Tittermary this morning.

ROBBERY .- About 12 o'clock last night a man named James W. Connor was arrested by Officer Mc Calley, charged with attempting to rob a cigar store, at No. 904 Vine street. The store was entered by breaking open the back door. The fire-proof was blown open, but nething taken therefrom. Conner was arrested in the back yard, and had in his possession a "limmy" and dark lantern. Alderman Jones committed him this morning in default of \$3000 bail.

THE EFFECTS OF GETTING TIPSY .-Thomas Graham last evening got too much bad whisky aboard, and acting under its influence amused himself by smashing a show-case at Long's Varieties, Third street, below German. In order to prevent him from committing any more acts of vandalism of that description, Alderman Tittermary had him locked up in Moyamensing Prison.

-General William Belkuap, of the late Rebel army, has been admitted to practise at the bat

WASHINGTON.

Special Correspondence of The Evening Telegraph. WARBINGTON, February 16.

The Tax upon Millioers Upon consultation among the appropriate Congressional Committees, in conjunction with the Commissional of Internal Revenue, it has been settled that a reduction will be made in the tax and duties upon milliners and milliners manufactured goods. To what extent this reduc-

tion will be made the committees have not yet determined fully, but it will certainly be a liberal

Post Office Appropriations. Among the items in the Post Office Appropria, tion bill, reported yesterday, are \$150,000 for steamship service to Brazil; for such service between San Francisco, Japan, and China, \$250,000; for overland transportation between Atchison and Folsom, and marine transportation to California, \$900,000. The bill also suthorizes the Postmaster-General to employ sailing vessels

compensation not exceeding the sea postage accruing on the mails so conveyed, Our Minister to Mexico.

for mail transportation to any foreign port,

Hon, L. D. Campbell, recently appointed Min ster to Mexico, arrived here yesterday from his home in Ohio, and had an interview with the President this evening. Mr. Campbell's visit has no relation to his official position. He visits Washington upon private business, and will re turn to Ohio in a few days, there to remain until the Senate shall have acted upon his nomination as Minister to the Mexican Republic.

Quartermasters' Checks. In view of the reduction of interest on tempo rary loans from six to five per cent., the Secretary of the Treasury has directed that Quartermasters' checks of less denomination than \$5000, and army and navy warrants of less than \$10,000, shall be cashed on presentation. On all warrants of greater sums than those above named, fifty per cent. shall be paid in cash, and certificates of indebtedness shall be given for the balance. It is hoped this plan will have the effect of tringing certificates of indebtedness to

Expensive Presses. In the miscellaneous Appropriation bill which was before the House yesterdao afternoon there is an appropriation of \$2,000,000 for expenses in carrying into effect the several acts of Congress authorizing loans and the issue of Treasury notes. This appropriation includes, of course, expenses for the Printing Department, which has thus far struch off bonds, notes, etc. to the

amount of \$3,900,000,000. Excepting about \$20,000,000 of this immenamount-done by the hydrostatic system of printing-the whole work has been executed by machinery that has not cost more than \$12,000, while the expenses upon the experimental system of hydrostatic printing, to which S. M. Clark, Superintendent of the Printing Department seems to be irrevocably wedded, has cost the Government nearly half a million dollars. The great bulk of this large sum has been expended in the purchase of the hydrostatic presses, which snap to pieces like pipestems and are carted away like so many [corpses by teams of oxen. This project was introduced during the term of Mr. Chase as Secretary of the Treasury; and at the suggestion of the Superintendent of the Printing Bureau, seventy-two hydrostatic presses were purchased at once at a cost of \$2000 each. They failed, but were increased from time to time until the whole number purchased has reached between two and three hundred. We believe none have been pur chased under Mr. McCulloch's administration, and he has not directed, nor does be propose to authorize, any expense in further tests. The Committee on Appropriations have, however, endeavored to put a stop to any further experiments of this seemingly played-out system, by intreducing a provise in the Appropriation Bill that no turther expenditures shall be made in that way until such experiments shall have been definitely authorized by law, and a distinct appropriation made therefor.

FROM BALTIMORE TO-DAY.

Interesting Lawsuit-Good Skating-Steamboat Change, Etc. Special Despatch to The Evening Telegraph.

BALTIMORE, February 16 .- The great lawsuit of A. S. Bell, editor of the Baltimore Sun, vs. John S. Gittings, President of the Chesapeake Bank, to recover a deposit of \$3000 in gold, which the plaintiff alleges was deposited specially to be drawn in gold, and subsequently refused by the Bank, is still progressing in the Baltimore Superior Court, Judge Martin presiding. It is a novel case, and attracts the interest of our entire com-

Skating is again good here, and the harbor i considerably frozen.

A delegation of fifteen are now here from Washington county, Maryland, pressing before the City Council the necessity of extending the Western Maryland Railroad to Hagerstown,

The steamer Isabella has been withdrawn from the Charleston and Havana line, and put on the line to New Orleans.

BALTIMOBE, February 16. - Last night was thought to be the coldest of this season. At daylight to-day the mercury stood at one degree below zero, and before that time in some exposed places it was still lower. At present there are some indications of a more moderate tempe-

The Weather.

ALTOONA, Pa., February 16 .- The thermomete at 6:40 A. M. stood at 7 degrees below zero.

LOUISVILLE, February 15. - We had snow squalls last night, with the mercury three degrees below zero early this morning; the range during the day was from ten to twelve degrees above zero; and at 10 o'clock to-night it stood

NEW ORLEANS, February 15 .- The weather has been excessively cold all day; the thermometer s twenty-four degrees above zero to-night.

LEGAL INTELLIGENCE.

The City Commissioner Case-Opinion by the Court-Mr. Given's Answer Sus-

tained and the Case to Proceed. This morning in the Common Pleas, Judge Allison delivered an opinion in the case of Weaver vs. Given, overruling the motion to quash Mr. Given's answer. The opinion was concurred in by Judges Ludlow and Pierce, and is as follows:-

In the matter of the Contested Election of City

Commissioner:This is a motion to quash the answer of the incumbent, John Given, and the cause assigned in support of the motion, so far as it relates to specifications from the first to the eighth inclusive, rests upon a charge of indefiniteness and uncertainty as to each of said specifications. But this charge cannot be supported if the pre-vious decisions of this Court, and the precedents established thereby, are to be regarded as of authority upon a question of this character, These specifications are to a great extent identical in form with the specification contained in the complaint and petition of the contestant in the case of Mann and Cassidy, which the Court re used to strike from the petition, holding that all that can be required is that the allegations to be proved shall be stated in an intelligible tacts set up as the ground for contest, it suan undue election and a false return.

In the first specification the precise statement is made that three hundred and sixteen votes were taken and counted for David P. Weaver in the Seventh Division of the Tourd Ward, whereas in truth and in fact, three hundred and six votes only were received for him for said office of City Commissioner in said division. And in each of the following specifications, from the second to the eighth inclusive, it is in so many words stated that a given number of votes were taken and counted in each of the election divisions named for David P. Weaver, which votes were received by the several election officers from persons none of whom were qualitied

This, we think, meets the requirements of the law, and is a sufficiently precise statement of tacts mater A to the issue, ramely, the reception and count for David P. Weaver of a definite number of illegal votes, at a given election pre cinct, which, if proved to be illegal, would have to be deducted from the whole number which he is returned as having received at said elec-

It is objected, that the reasons upon which the charge of illegality of the votes received is based, are not particularized, nor are the names of the illegal voters mentioned. But of what account is it, if a vote has been received which ought to have been rejected, whether the voter was disqualified by reason of non-payment of tax, or because of non-age, or want of naturall zation, or in default in making the necessary proof of residence? It is the fact that a person not a qualified elector is permitted to cast his vote which is of importance to be proved, and the disqualification is as well established by showing one ground of illegality as another. And in Kneass' case, the Court decided that the list of names appended to the specification unnecessary, regarding it only as proof; and this was afterwards reaffirmed, in the opinion of Judge Thompson, in Mann's case, on the motion to quash.

Nor do we agree with the suggestion, made at the argument, that a different rule should be applied to the answer of an incumbent, from that which has been held to govern the petition of the contestants. The same degree of liberality should be extended to one party which is allowed to the other. For although it is true that the incumbent, who is called to reply to the the petitioners, has usually full time in which to prepare his answer, yet the privilege of amendment which is so freely granted to the contestant, permits him to remedy any defect in his complaint which may have crept into it, by reason of the limited time allowed for filing the

The ninth, tenth eleventh, and twelfth specifications, which are somewhat extended, when examined, are found to contain the following distinct grounds of objection to the election as conducted in the sixth, seventh, and eighth election divisions of the Fourth Ward, and the fourth election division of the Twenty-fifth Ward, and npon which, if proved, we are asked to strike the whole number of votes polled in said precincts from the general return:-

First. A general disregard of what has been termed the directory provisions of the election

Second, A charge of fraudulent combination, by the majority of the voters in said election divisions, to deprive the minority of the right to have an Inspector at the election representing their political views, contrary to the intention and spirit of the act of Assembly. Third. A precise allegation that not less than

two hundred illegal votes in each of said election divisions were received and counted David P. Weaver, and that in the Sixth, Seventh, and Eighth Precincts of the Fourth Ward the Return Inspectors trandulently returned a less number of votes as having been cast for John Given, for City Commissioner, than were in fact polled for him, to the aggregate number of thirty-seven and upwards.

It would be a useless consumption of time to

go into an extended examination and discussion of the causes of complaint which fall within the the first classification. For it one rule has been established more firmly than any other, by repeated and a consistent course of decision by this court, in relation to an investigation of an undue election, or a false return, it is that the careles or ignorant, or even the wilful neglect, of the directory requirements of the election law, cannot operate to nullify the election. In Boileau's case, Carpenter's case, Sperrett's case, Kneass' case, and the opinion of the Court on the motion to quash in Mann's case, and the later case of Thompson and Ewing, the course of decision is uniform and consistent, holding that the Court are required to look into the good taith and integrity of an election, rather to the manner in which it was conducted; and that the expression of the popular will is not to defeated because of an omission to comply with the formal though doubtless important requirements of the law, which were intended as checks and guards thrown around the con-ducting of an election with the view to maintain its parity and regularity. In Kneass' case, 2 Parsons, 557, the Court say:—"We do unhesitatingly rule that all irrelevant or general allegations and specifications which do not affect the merits of the case or the general result, will be stricken from the petition. But it is also as clearly and firmly settled, as

an established principle, that where such neg-lect of formal and, in themselves considered, immaterial duties, in so far as they affect the merits of the question, is coupled with the charge of wilful and deliberate fraud; of gross misconduct on the part of the election officers as interferes with and prevents a free e action being held; and of the wiful and nt neglect to perform the essential duties which the law requires them to perform, which are in no proper sense directory merely, but which go to the heart of the question of an undue election and a false return, that the Court will allow such allegations to stand, and in a proper case and in due time will go into an investigation of such charges, because they affect the merits and are of maserial importance upon the issue of fraud.

The distinction between duties imposed by the law on election officers, which are properly characterized as directory duties, and those which are essential, and are of the substance of a valid election, is a plain and obvious distinction, which has but too often been confounded

or overlooked. The election law directs that after the qualification of an elector who offers to vote has been passed on by the officers of the election, and they have decided to receive the vote, the letter "V" shall be marked oppo-site his name on the assessment list So, also, they are directed to mark whether a voter was sworn or affirmed, or

a voter was sworn or affirmed, produced a certificate of naturalization, other evidence of naturalization; and also to mark "tax" or "age" on the list. But what com-parison do these requirements of the law bear to the rerusal to take proof of evidence or proof of the fact as to whether a voter removed within the district for the mere purpose of voting therein, or to a charge of an entire disregard of challenge on the part of an elector, or the reception of votes of individuals who takely personated persons who were dead, and whose names were on the lists of voters, or refusal to require proof of naturalization, or permitting the same person to vote several times at the same election, and other charges like in character to these? To contrast these several acts is of itself to point out the real difference which exists between

In Mann's case, specifications containing charges of this pature were stricken from the but in the final opinion of the Court Judge Thompson says: - "A portion of the orithe fraudulent confinct of election offi-cers, was, as we now think, improvidently stricken out. That such conduct is and ought to be a subject of consideration, as connected with the investigation of election transfs; and the rate investigation of election transfer and the allegation of such frauds, insufficiently expressed in the polition, smould rather have been amended than erased." And again it is said: "Had we not erased from the petition the specifications alleging gross fraud and irregularities on the part of the election officers in the givicons referred to, a different course would certainly have been adopted.

The entire proceedings are so turnished by the fraudulent conduct of the officers charged with the performance of the most solemn and responsible duties, that we would not only have felt abundantly justified, but it would have been our plain duty to throw out the return of every divi-s on to which we have referred." Having sat with Judge Thompson all through the protracted hearing of that case, and joined him in making up the judgment of the Court as pronounced by him, I then entirely agree i with the views as expressed in the foregoing quotations, and have never seen any reason to call in question their general correctness. In Ewing's case they were ubsequently recognized and acted on as the law of the Court, receiving the fullest examination and consideration, by Judges Thompson and Ludlow, by whom that case was heard and

The correctness of the principle as thus set led, has not been in any degree shaken by that which has been urged in support of the motion to quash the answer of the incumbent, and we therefore, refuse to strike out from the petition that portion of it which embraces charges of irregularities and neglect, connected with asseron, of misconduct and fraud on the part of the election officers.

But these allegations, contained in ninth,

tenth, eleventh, and tweltth specifications, are connected with the precise charge, that in each f two of the precincts referred to, 200 and upwards, and that in each of the other two precincts 360 and upwards, of illegal votes, were taken and counted for David P. Weaver, and that in the first three of the four divisions now under consideration John Given is returned as having received thirty-seven votes and upwards less than were actually polled for him, and these distinct ellegations of fraud in the reception by the election officers of said divisions of one thousand illegal votes, and a false return of thirty-seven votes, which were actually polled for John Given, and with which he was not credited, constitute in the order of proof the satters which ought first to claim our attention n the investigation upon which the incumbent

has invited us to enter by the facts set up in his We have already said that, in a proper case and in que time, the Court will allow the parties charging misconduct, fraud, and neglect ormal duties by election officers to be inquired nto, where, as in the answer put in in this case, such allegations are with precision and in their proper connection pleaded. This order of proof must, however, be regulated by the Court which is to hear and determine the controversy; and they must also decide whether the case, either at its inception or during a subsequent stage of its progress, is such a case as would re and misconduct merely, of election officers. And this question must be met in each election con test, as it is brought up for investigation and d cision. This brings us to a consideration of cause as it now stands before the Court The Return Judges, upon an enumeration of votes centained in all the returns presented to them, upon an aggregate poll of 87,156 voces reported that John Given had a majority of 322 In this enumeration were included that which purported to be the army vote of the 19th Peansylvania Cavalry, 58th Pennsylvania Volunteers, and of the 2d Pennsylvania Heavy Artillery,

amounting together to 929 votes. In the complaint of the contestants it charged that this vote is wholly traudulent, and that it ought to be deducted from the 43,739 which the incumbent is found by the Return Judges to have had polled for hin; which would his vote to 42,810, and thus would elect David P. Weaver by a majority of 607 votes.

The evidence taken in support of the allegations of fraud as to the army vote, establish beyond question or doubt, that this vote is wholly and most grossly fraudulent. That no portion of it is entitled to the least consideraion, except to require at our hands the most ecided expression of our condemnation of a traud which, for its brazen effrontery, has seldon had its equal, and which, for the sake of public morals, it is hoped will never again be repeated Whoever perpetrated this foul wrong has, so

far as the testimony before us shows, succeeded, as yet, in shielding himself from exposure and de ection; and the condign punishment which he o well deserves at the hands of the law atthough it is questionable whether, it known the law would be sufficient to meet his case agrant as it is: for whoever committed thi wholesale torgery, and succeeded in impasing on the Return Judges, in all probability, did it he returns having all been mailed at either New York or Washington. It is worthy of the early and serious considera-

tion of the Legislature now in session to devise if in any way it can be done, some mode of guarding against the commission of a crime so easily perpetrated by means of the army vote, and by which at any election the honest choice of a majority of the legal voters may be set aside, and our elections be made the sport and the plaything of corruption or of bold and defiant villany.

It is due to the incumbent John Given to say, that in his sworn answer he emphatically denie all knowledge of the fraud, or participation in its commission; nor does the testimony in any way connect him with it. Were it otherwise, we would here be disposed to rest the case; applying the principle, that he who would have equity meted out to him, must himself do equity; that his hands must be clean, and no Court, we think, ought to consume the time, in the investigation of a title to at office, which rests upon a flagrant fraud, in office, which rests upon a hagrant fraud, in the perpetration of which the incumbent was a party; or the benefits of which he had taken to himself, with a knowledge of the crime. The incumbent having purged himself, by his solemn oath, of all guilt in this transaction, he is entitled to be allowed to prove his allegation of a roll of fraudulant votes for the contestant. of a poll of fraudulant votes for the contestant, and which he asserts were taken and counted for David P. Weaver, in the general return, more than sufficient to overcome his majority of 607

votes, with the army vote cast out of the computation.

If he can successfully attack any considerable number of votes cast for David P. Weaver, so as to approach his apparent majority, based on our view of the army vote, we will then open the foor for an examination into the charges of misconduct of the election officers. But, before doing this, we think that direct and palpable fraud should first be met with evidence of specific traud, as to the individual voters charged by him as having voted at the last election for the contestant, exceeding eleven hundred in number. It this cannot be done, we are of the opinion tha evidence should not, in a case like to this one, be allowed to be gone into with the view of establishing certain general allogations, from which we are to be asked to infer frand, and upon which the entire vote of lour election divi-sions are to be thrown out of the return, and this involving, as a necessary consequence, the distranchisement of all the honest voters of these election divisions—a consequence which may be the necessary result of the rule, which we clearly recognize as well grounded upon reason and upon authority, and of wholesome policy, when a proper case arises for its applica-tion, but which we do not feel ourselves called on to enforce at this time, nor at all in this case, unless the character and amount of evidence

which we have indicated shall first be submitted. To this order of proof we will rigidly a there in the examination of the incumbent's testimony, and with this emphatic enunciation of the course which we have determined to pursue, in the further investigation of the cause, we will be ready at an early day to begin the hearing, with a view to spaced it to a prompt decision.

There is one question which yet remains to be [considered, and which may briefly be dis-

The majority of the electors of the Sixth, Seventh, and Eighth Divisions of the Fourth Ward, and of the Fourth Division of the Twentyfith Ward, are charged with having fraudulently divided their vote, at the election in October, 1864, for inspectors of election, so as to elect two of their own number, representing their

own political views, with the design to deprive the minority of the right to have an inspector at the following election.
We have been upable to find in the law which empowers this Court to take jurisdiction of a complaint of an undue election, and a false return, any authority to inquire into the truth or falsity of such a charge as this. It is no part of the election, the legality of which is questioned by the complaint. If it should be shown to be true that the voters did a year before do that which is a violation of the spirit and intent of the law, it cannot, we think, be embraced in this investigation, for the reason assigned that t is no part of the election and return to which the charge of fraud under the law can be made

But this point was decided in Mann's case; the reason there assigned was that it such election be fraudulent, its validity cannot be examined in a collateral proceeding, and that an election of inspectors of election cannot virtually be nullified, and set aside in such a proceeding as this. This allegation, which is contained in the ninth, tenth, eleventh, and twelfth specifications, must, therefore, be stricken from each of them, as no evidence could be received upon this point.

With this exception the answer of the incum-bent stands as a valid and proper answer, and the motion to quash is therefore overruled.

COURT OF QUARTER SESSIONS-Judge Ludlow. Ceorge Clark was acquitted of a charge of the larceny of \$50, preferred by his cousin, J. Bowles. Henry Woods was charged with stealing a horse and wagon, the property of John Sellers. William Harman testined that the desendant, a whort time after the largenvol the horse and wagon, sold the wagon to hum. Subsequently Mr. Sellers, of West Philadelphia, from whose stable the property was stolen, identified the wagon as his. The horse was found in Eighth

street, wandering about loose.

The defense was that the defendant had come by the wagon honestly, it having been brought to a stable to his neighborhood by a man named Auderson and another. Anderson, it was fur-ther alleged, had fied the jurisdiction of the court, and was not to be found, and that he was

the real criminal. The length of time that had elapsed from the time of the larceny, viz., August 18 to December 13, when the property was known to have been in the possession of the defendant, was urged in his favor, as rebutting the rule that he was bound to account for the manner of his becoming possessed of it.

The jury acquitted on the charge of larceny, but found defendant guilty of receiving the property knowing it to have been stolen.

PENNSYLVANIA LEGISLATURE.

Senate. Harrisburg, February 16 .- Messrs. Connell,

Donovan, and Rideway presented remonstrances against the Lombard and South Street Enabling Mr. Connell presented two remonstraces

egainst Sunday travel. Mr. Worthington read a letter from Dr. Corsin. of Montgomery county, in which it is stated that the cattle disease is raging in that county. subject was referred to a Special Committee of

Mr. Connell read a bill authorizing paving on Woodland street. Mr. Ridgway, one extending the track of the Southwark Railway Company from Washington street along Delcware avenue to Dock Street.

Mr. Roger, one allowing notaries to take acknowledgements relating to other property than real estate. Also, a supplementary act defining the boundary line between Philadelphia and Montgomery counties. The Senate then adjourned until February

twenty-seventh.

The Southern Associated Press. MONTGOMERY (Ala), February 15 .- The South-

ern Associated Press met here to-day, the meeting being presided over by Mr. Clark, who was President of the association before the war. Mr. Williams was elected Secretary. The constitution was referred to a committee for revision, and after some discussion the meeting adjourned until 5 P. M., for a permanent organization.

Bold Attempt at Burglary in Reading. Special Despatches to the Evening Telegraph.

Pottstown, February 16 .- The safe of the County Treasurer of Berks county, in the Court House at Reading, was blown open last night with gunpowder. It contained ten thousand dollars; but the burglars were disturbed before having secured the money, and fled, leaving all their implements behind them.

Markets by Telegraph.

Markets by leegraph.

New Obleans, February 15 — otton dull at 45c; the stock of Cotton in port is 180,000 bales. Gold, 188; checks on New York [@] oiscount.

New York, February 15.—Cotton is dull at 44]@46 cents for middlings. Four has declined 10 cents for State, sales of 7000 bbis, at \$6.85@8.20 for State; \$8.35@10.75 for Obio; \$6.70@8.30 for Western; \$8.70. @15.50 for Southern; and \$7.80@11.50 for Canadian. Wheat and Corn dull; sales unimportant Best steady. Fork heavy at \$28.50@28.62] for Mess. Lard dull. Whisky dull.

New York, February 16.—Stocks are better! this

NEW YORK, February 16 -Stocks are better this morning, but quotations are lower since the Board. Chicago and Rock Island. 1964; Cumberland pre-Chicago and Rock Island. 189; Combornad Sre-ferred, 44; Illinois Central, 194; Michigan Southern, 71; New York Central, 90; Reading, 101; Hud-sonj River, 104; Canton Gompany, 44; Missouri 6s, 87; Erie, 60; One-year Certificates. 98; Tonnessee 6s, 90; Tressury 17 3 10s, 20; United States Cos-pon and Registered 6s, 104; Western Union, 57; Gold, 187;