Evening Telegraph

POOLISHED EVERY AFTERNOON CHINDATE EXCEPTION

AT THE EVENING TELEGRAPH BUILDING. EO. 108 & THIRD STREET.

PHILA ELPHIA The Price is three cents per copy (doub's sheet); br eighteen cents per week, payable to the carrier by whom served. The subscription price by mail is Nine Dollars per annum, or One Dollar and Fifty cents for two month, invariably in advance or the time ordered.

THURSDAY, FEBRUARY 25, 1869.

What Constitutes a Legal Marriage? THE question as to what constitutes a legal marriage in any State must be one of the deepest interest, for it is well observed that it lies at the very foundation of both the political superstructure and the sound morality of the community. The passage of any law which vitlates it is one of the greatest outrages which can be attempted, and the exposition of a law which is so strict as to lean against the validity of a marriage is calculated to do enduring harm. We cannot but esteem it as a mark of the greater wisdom of the present day that the barriers which were thrown dispensed with, and the form given place to the intention of the parties. The wide difference created by the existing laws from those which were in force in Great Britain, for example, is strikingly shown in the decision of the Supreme Court of Pennsylvania, in the case of the estate of Vincent D'Amarelli, published yesterday. The facts of that case are noticeable, though not peculiar. D'Amarelli was married secretly to an Irish servant girl, lived with her for some six years, and had a son. He kept the fact hidden carefully from all his friends, and the belief was entertained that he was a bachelor. By his will he left his reputed wife \$3000. While he was living with Catharine Evans he acknowledged her as his wife in the presence of a number of persons, and endorsed on the back of a false marriage certificate, in his own handwriting, that it was a certificate of his marriage. The fact that he had concealed it, that the wife was so much his inferior in rank, and that he frequently lived away from her for days at a time, induced the Auditor before whom the case was heard to hold that the union was meretricious, and that the son was not legitimate. The Orphans' Court held likewise. But the Supreme Court in Banc, on an appeal, reversed all the previous proceedings, and held that the evidence was sufficient to make the marriage legal. The estate, therefore, goes to Mrs. D'Amarelli and her son.

In this decision there is much to be noted, as being clearly indicative of the law in Pennsylvania. The learned Judge, in delivering the opinion, stated that the law should lean towards the legality of a marriage contract, and if there was a doubt, the fact of cohabitation and the statements of the husband should bind his estate. Justly, it should be that the injured party should have the full efit of any mystery which was caused by the other party. It follows, from the nature of the marital relation, that a great deal of the decision of the mode of life rests with the husband. It is for him to determine how they shall live, whether they board, and all the other minutiæ. Now, if by simply denying a marriage, or even by not mentioning it and keeping his wife in an out-of-the-way boardinghouse, can vitiate a contract, such as a marriage, then a blow is struck at all good morals, and the wrong-doer can profit by his own misdeeds.

It has long been known to all the bar, and to all our readers, that in Pennsylvania there need be no marriage ceremony of any kind to constitute a man and wife. It is the Intention of the parties that is looked to in this, as in every other case of contract. This intention must of course be shown by some open and notorious declarations. If the parties merely live together, it does not follow that there is any intention of marriage. But if the man introduces the woman as his wife, and does so to his friends, without any denial, then they can be considered as much married as though they had been married by any bishop after the publication of banns. This innovation on the old law is made, without doubt, in promotion of the cause of sound morals, and is the law of Pennsylvania. The case of D'Amarelli shows that it is not a mere fiction of the law, but a living truth, and strikes a blow at that per fidy which would lead a roue to deceive and injure an innocent person. It is but another instance of the cases which are on record of gentlemen flattering themselves that they are possessed of a shrewdness superior to the ordinary race of men, when in reality they are being caught in their own trap. The decision of the case made by the Supreme Court will do much towards securing justice in future

Honors to John C. Breckinridge. THE flite of the Democracy of New York city recently welcomed John C. Breckinridge, on his return from exile, at a grand dinner, which was graced with the presence of a number of the Democratic leaders of the North and several of the Generals of the Confederate army, including Pryor, Beauregard, Magruder. and Pickett. The demonstration was pecu. liarly appropriate. Breckinridge had been the candidate of the fire-eaters for the Presidency in 1860; he had fought for the South in the Senate of the United States as long as he could profitably play the part of spy and traitor in that arens; he had then deserted to the Confederacy to marshal its armies in deadly array against the Union forces, and he had clung to the falling fortunes of secession to the last, fleeing finally like a thief in the night from his native land.

Each of these services enhanced his claim, to the gratitude of traitors and sympathizers with treason, and combined to render him

even a greater favorite with the high priests of the Democratic temple in 1869 than he was in 1860, when he was put forward as a Presidential candidate to ensure the defeat of Douglas and precipitate a dissolution of the Union. No wonder that he was toasted as "our honored and distinguished guest," and that "the Chairman recounted the past services of General Breckinridge as a Democratic chieftain, and paid a high tribute to his honor as a gentleman," or that "a delicate reference was made to his skill and bravery in the Con federacy, and the dignity marking his conduct since his exile," or that when he arose "he was greeted with rounds of applause." The Manhattan Club had at last found a hero worthy of its unqualified admiration, and a fitting occasion for the display of the lavish hospitality that has been scrupulously withheld from the leaders of Union armies and the conquerers of the Rebellion.

With many incentives to do right, possess ing an honored name, and exercising great influence in a Commonwealth which had pro nounced against secession by a tremendous majority, Breckinridge had wilfully and deliberately chosen the wrong path at a critical moment, when it was in his power to render inestimable services to the country which had honored him with the second highest office in its gift. But his triple betrayal of his party. around the ceremony have been gradually his State, and his nation has served only to increase the enduring affection of the aris tocracy of the Democracy, and to secure from the Manhattan Club a welcome only less cordial than that which they would extend to Robert E. Lee or Jefferson Davis.

> Religious Tests in England. GREAT BRITAIN professes to be tolerant of all forms of religion; but this toleration is so limited and restricted that, although no man is obliged to connect himself with the established Church, it is necessary for him to do so if he would be placed on a perfect equality with all the subjects of the Crown. Another contest in behalf of freedom of conscience has just been inaugurated in the House of Commons, in which Mr. Coleridge, the Solicitor-General of the new Government, yesterday introduced a bill to abolish all religious tests in the Universities. From time immemorial it has been required of every aspirant for University honors that he should solemnly profess, under oath, his belief in "the Father, the Son, and the Holy Ghost." If this element of orthodoxy were wanting, no amount of erudition could qualify a student for the reception of any collegiate honors. But a square issue on the repeal of these ridiculous tests has just been raised by the circumstance that an Israelite has distanced all his evangelical competitors in the race for the Senior Wranglership at the University of Cambridge, the highest honor within the gift of that time-honored and exceedingly orthodox institution of learning. As a matter of course, he objects to that portion of the oath required of him, which starts out with the words, "In nomine Patris, et Filii, et Spiritus Sancti!" The University Senate are in a muddle over the affair, and Parliament is now asked to help them out of the difficulty by assuming the grave responsibility of doing away altogether with the doctrinal tests which have thus far hampered education.

Only forty years have elapsed since a Catho. lic was first permitted to take the seat in Parliament to which he had been elected by the people. The Test act was repealed in 1828, and in 1829 the Catholic Emancipation act passed, against a grand "No Popery" cry on the part of orthodox Englishmen. But even then a member of Parliament was still required to take the oath of office "on the faith of a Christian," and by this requirement no Israelite was suffered to crawl into the evangelical House of Commons. In 1847, Baron Lionel de Rothschild was returned as one of the members for the City of London, and although successively refelected he was not permitted to take his seat until 1858, when Parliament decreed that each house should be at liberty to dispense with this portion of the oath at its option. In this shape the law stands at present, and believers in "the faith which the Disciples professed before they knew their Lord"-as Mr. Disraeli has quaintly expressed it-are admitted to the House of Commons only by sufferance.

That the reform proposed by Mr. Coleridge will encounter violent opposition from the Tory side of the House is to be expected. Unfortunately for the evangelicals, the "No Popery" ory cannot be raised by them, but they will doubtless discern in the movement an attempt to unchristianize the English nation. The party which elevated Mr. Gladstone to pewer, however, is pledged to a sweeping reform of all such abuses, and their majority in the House is so large that it will doubtless not only suffice to pass the act abolishing all the University tests, but to push it, by its moral influence, through the erthodox House of Lords as well. It is quite time that the thing were done, for such invidious distinctions are a disgrace to any nation which professes to be both civifized and Christian.

THE SENATE yesterday, by its action on the subject of the printing of the debates of Congress, showed a disposition to stand in the way of economy in small matters. As far as the Senate can control the question, the present publishers of the Congressional Globe are not to be deprived of the nice little "job" which they have so long enjoyed, although the House of Representatives has manifested a disposition to effect a change, by which at least \$40,000 will be saved to the Government during the term of the Forty-first Congress. Mr. Fessenden presented an argument against the change which certainly has the merit of novelty. He remarked that he "knew nothing about the fortunes made by the Globe publishers, but he hoped they had made a considerable amount of money, because such long, faithful, and satisfactory service deserved that reward." If this is to be the fundamental principle of retronchment, the ad-

vocates of it may as well abandon their exertions. Between the persons who are to be permitted to make "considerable amounts of money" by reason of long, faithful, and satisfactory services, and those who cheat the people out of millions of dollars every year, retrenchment will stand the very slimmest of

THE PERSISTENT BEFUSAL of the Senate to repeal the Civil Tenure law would be deeply regretted by the great body of the American people. It is as desirable now that General Grant should be left free to perfect the reforms he has in contemplation, as it was a few years ago to prevent Andrew Johnson from deranging the civil service of the country for the purpose of procuring panders to his policy. The same causes which led originally to the restrictions of Presidential power should now hasten their repeal. The financial necessities of the nation require a faithful collection of its revenues, and this end can best be promoted at this juncture by giving Grant ample opportunities to appoint honest men to office, as it was formerly promoted by restraining Johnson's efforts to bestow responsible positions on rogues.

THE WISH MEN of the Legislature have sagaciously concluded that a subterranean railway on Market street would serve a better purpose than an elevated railway, and that it would pay better to work under ground than above it. We do not question the wisdom of this change, for it is by no means improbable that at no distant period subterranean railways may become necessary in various portions of the city to reduce the expenses of drayage and to facilitate travel; but the propriety of legislation in advance of a well-developed plan of operations, or of a public demand for such facilities, is questionable, and no definite action should be taken before the people have ample opportunities to consider this new pro-

Andrew Johnson's seventeenth veto has been as summarily disposed of by both houses of Congress as all which have preceded it, except the first, in which the Senate sustained his objections. The Senate yesterday, by a vote of 37 to 12-among the nays there being five Republican Senators-decided that the Copper-Tariff bill should become a law, in spite of the President's objections. As the House of Representatives took similar action on the previous day, Mr. Johnson's "Roman firmness" has again failed to profit the country. He will probably make one or two more displays of it, however, before his official career is terminated.

ASTOUNDING News, it would seem, is frequently carried from this country to Europe by the Atlantic cable, as well as in the opposite direction. A recent number of the Pall Mall Gazette says: - "From America we learn by the Atlantic cable that a bill introduced by Senator Morton, to give a pension of \$5000 per annum to Mrs. Lincoln, has passed through Congress." As Mrs. Lincoln is now residing in Europe, and has probably read this startling announcement, we fear that a very great shock is awaiting her sensitive nerves, when she learns the truth in the matter.

-It is estimated that a million of france are lost and won at cards every day in Paris. The cards alone cost eight thousand france per

SPECIAL NOTICES.

COLD WEATHER DOES NOT CHAP or roughen the skin after using WRIGHT'S
ALCONALEDGLYARIN TABLETOFSOLIDIFIED OLYCERIN. Its daily use makes the skin dell cately soft and beautiful. It is delightfully fragrant transparent, and incomparable as a Tollet Soap. For b by all Druggists, A & G. A WRIGHT, No. 624 CHESNUT Street,

NOTICE -- I AM NO LONGER EXtracting Teeth without pain for the Colton benial Association, Persons wishing teeth ex-tracted absolutely without pain by freeh Nitrons Oxide Gas, will find me at No. 1027 WALNUT Street, Charges suit all. DR. F. R. THOMAS.

COFFEES ROASTED ON A NEW Principle, retaining all the aroma and true flavor, are the best. On sale by FAIRTHORNE & CO.,

No. 205 N NINTH and No. 1036 MARKET Street, 1 Souththem REV. HENRY WARD BEECHER

will lecture in the ACADEMY OF MUSIC.

THIS (THURSDAY) EVENING, at 8 o'clock, Subject-"RATIONAL AMUSEMENTS."

Admission 50 cents. No extra charge for reserved seats, Tickets for sale at J. E. Gould's, No. 923 Chesnut street, and at the door this evening. 1t JAMES E. MURDOCH

Has been engaged to give one of his
UNEQUALLED READINGS,
embracing choice selections from Shakespeare and
the Modern Poets, at

HAVERFORD Street, above Forty-first,
West Pi lladelphia.
THURSDAY EVENING, February 25, 1869,
Tickets 50 cents, To be obtained at Trumpler's
Music Store, No. 274 Market street; Jos. K. Culin's
Drug Store, No. 374 Market street; Jos. K. Culin's
Drug Store, Forty first and Market streets; and at the
Hall on the evening of the Reading
Foors open at 7% o'clock; commence at 8, [2 20 34*

PHILADELPHIA UNIVERSITY. MEDITAL DEPARTMENT - J. S. FISHER,
REQ., President: Rev J. P. W. INGRAHAM VicePresident: E. METZGER Secretary: W. PAINE,
Tressurer: JOHN O'S: RNE, Solutor.

A full course of Lictures, including all departments of Medicine and Surgery, to commence on the
first Monday in March, and continue until the first
of July.

Expressions and Secretary: W. PAINE,
Department of July. For particulars apply to W. PAINE, M. D., Dean of the Faculty, University Building, NINTH and LO UST Streets.

LECTURE BY REV. T. DE WITT TALMAGE, THURSDAY, Feb. 25, at 74, P. M. Subject— Grumbler & Co.," in the West Arch Street Presbyterian Church, corner E. GHTEENTH. Tickets. 50 cents. DAY OF PRAYER FOR COLLEGES AND SCHOOL -- Union meeting at 10 clock
THIS (Thursday) AFTERNOON, at DR. CROWELL'S CHURCH, on B 40AD Stree.

A 7½ 6 clock this evening DR. Moll.WAINE of
Princeton, will preach in D . BREED S CHURCH,
corner of SEVENTEENTH and SPRUCE Streets,
Subject—" Religious Education."

1 HE HON. I. S. DIEHL
LECTERE: THIS EVENING.
IN THE SP-ING GAMDEN STREET M. E.
CHURCH, TWENTIETH AND SPRING GARDEN,
ON GRIENTAL AND BIBLE LANDS. 10

TWENTY-FIRST ANNUAL COM-MENCEMENT OF THE HOMGOPATHIC MEDICAL COLUEGE OF PENNSYLVANIA, at MUSICAL FUND HALL, SATURDAY, February 27, at 120 clock, noon. Valedictory Address by Professor PEMBERTON DUDLEY. A full band of music in attendance, music in attendance. DAY OF PRAYER FOR COLLEGES .-PRAYER FOR COLLEGE S. Processon, will prach THIS EVENING, at TWO clock, in WEST SPRUCE STREET CHURCH, SEVENTEENTH and SPRUCE SITCIA.

CARUDONS STRUTTERAS 1 ...

SPECIAL NOTICES.

THE GALLED JADE WINCES! WATSON'S PHILADA. BUSINESS DIRECTORY.
The subscriber begs to call the attention of the merchants generally of this and other cities to the above-named book, as he knows, and can prove to their satisfaction, that most of it is copied from GOPRILL'S BUSINESS DIRECTORY of 1881. This assertion defies contradiction.

GO'SILL'S BUSINESS DIRECTORY for this year contains all charges in Ferms and location since 1863, whereas WATSON'S contains all the old firms and location as in Gopeill's book of 1863. We shall on a future occasion refer to some of the errors contained in WATSON'S DIRECTORY.

No. 1930 MARKET Street, Philadelphia.

No. 1930 MARKET Street, Philadelphia.

Office of Watson's Business Directory,
No. 218 Dock Street,
Philadelphia, February 24, 1859.

To the Public:—Our attention has been called to the above card, which appears in yesterday's "Bulletin," signed by one Charles McGill, an Irresponsible canvasser for Gopaill's Directory, reflecting upon the correctness of our work, and alleging that the same was copied from Gopail's Directory of last year, which we pronounce an unmitigated laisehood, as reference and comparison of the two publications will satisfy the most skeptical, and which hundreds of merchants will testify to the efforts made by us to have our lists correct by submitting them to their personal examination in their respective branches of trade.

We do not claim entire perfection in our work, but we do claim a superior compilation and a better classification than any similar work ever published, and can only account for this attack upon our work as emanating from a non-residen; published, in view of our intimation in our work that we intend publishing the Cisy Directory near year, and the unprecedented success of Watson a Business Directory.

As far as this Charles accilii is concerned we have our remedy at law sesins thim, and shall not full to aroly it specially. We invite an inspection of our little volume.

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I. Order No. 14, relating to the Dress Drill on the I, Order No. 14, relating to the Dress Ditto Control of the Property of the Pr

BEPUBLICAN INVINCIBLES' EXcusion to Washington March 3, 4, 5, 1869 to attend the Inauguration of the President of the pited States.

Persons desirous of participating with the Club are

presons desirons of participating win the club are squested to present their names immediation.

TICKETS FOR THE ROUND TRIP, \$20.

Dress—Dark clothes, white gioves, and blue cloth gulation ciub cap.

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MICHAEL NISBET. Secretary. 1116m

OFFICE PENNSYLVANIA RAIL-PHILADELPHIA, Feb. 17, 1869.

NOTICE TO STOCKHOLDERS. The Annual Election for Directors of this Company will be held on MONDAY, the first day of March, 1869, at the office of the company, No. 238 South THIRD Street. The poils will be open from 10 o'clock A. M. until 6 o'clock P. M. No share or shares transferred within sixty days receding the election will entitle the holder or holders thereof to vote. EDMUND SMITH, Secretary.

STEAM BOILER EXPLOSIONS.—
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CYRUS CADWALL ADER. 39 2 16

THE HOUSE OF REFUGE.-APPLIcations for the situation of Assistant Superin-tendent of the White Department of the House of Refuge will be received by the undersigned until the Refuge will be received.

Little day of March next.

JAMES J. BARCLAY.

Chairman. etc. 2 23tuthe3t No. 3 ATHEN AUM BUILDING

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Oh! horrible cats, that reream and squall, Upon my neighbor's garden wall! That howl, and bite, and quarrel, and fight, About the middle of the night!

Your midnight music's in shocking taste; And if you don't stop, with all possible naste, I'll cause you to scatter, double-quick. By heaving among you this half of a brick,

You monstrous cat, with back like an arch. I wish you'd specially hurry and march; Better move off, sir, or, you may depend. This brick will give you a "Grecian Bend.

And you, old cat with the squealy voice. You can't conceive how I would rejoice To get a good shot, and to knock you flat, You horrible, howling old feminine cat

Well, cats, yowl on, and I'll seek repose: And I'll think about Rockhill & Wilson's clothes, And merry will be the song I'll sing, Of their elegant suits for the opening spring.

Let the cats sing on! We can stand it, if they can! And we will put our whole mind on the clothes at the GREAT BROWN HALL The Heavy Goods are falling! Failing! Falling! Because it is spring! The lighter goods, or most exquisite work manship, durable material, and incomparable fil, are ready for you, Come and see for yourselves, at

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