THE BROOKS CASE.

The Attempt to Habeas Corpus McLaughlin Falls Through.

The Prisoners frem New York in Court - They Are Held in \$20,000 Bail Each.

Court of Quarter Sessions-Judge Ludlow.

in the metref of the writ of habeas corpus issued for the purpose of obtaining a judicial order allowmg counsel to te admitted to an interview with McLaughlin, the hack driver, before reported, Judge Ladlow this morning gave the following decision:—
Commonwealth, ex rel. Neil McLaughlin vs. Lieut.
Kilfacky. Habeas Corpus. Motion to quash.—On
Wednesday last a petition was presented to me, at
whambers purporting to be the petition of the relator; it was not signed by him, but was sworn to by
one "Wm. Madden, next friend," who upon his oath
doclares that the facts stated in the petition were
"true, to the best of his knowledge and belief."

The facts stated in the petition were as follows,
The facts stated in the petition were as follows,
That the petitioner is now restrained of his
inserty unjustly, as he apprehends, by Martin Kilincky. Lieutenant of Police, Sixth district, in Philaiacky. Lieutenant of Police, Sixth district, in Philaiacky. Lieutenant of Police, Sixth district, in Counsel
with his relatives or friends, and that his counsel
was denied an interview with him."

It was clearly my duty, with this petition and its
accompanying affidavit before me, to direct the writ
to issue: this course was promptly adopted, and the
writ was made returnable "on Thursday, Oct. 7, at
16 A. M." Ludlow this morning gave the following decision:-

Upon the return of the writ, the body of the relator

Upon the return of the writ, the body of the relator was produced in Court, whereupon Mci. aughlin made the following affidavit, viz.; — "That the writ of habeas corpus in this case has not been applied for by him or by any one authorized by him to make such application in his behalf, and that he has not intrusted any counsel to appear for him in the matter of this application or hearing." The District Attorney thereupon moved to quash the writ.

It is too late to argue that a writ of habeas corpus may not issue upon the petition and affidavit of some person other than the prisoner himself, and this principle was established long since (see How, St. Tr. Sti, 4th Resolution, S25), where the right of an agent of friend was fully established. In Cobbett vs. Hudson, X Eng. Law and Eq. Ch. J. Campbell is reported to have said, "The first day I sat here Mrs. Cobbett desired to make a motion on behalf of her ansband, and I heard her without the slightest scrupic as my illustrious predecessor, Hall, heard husband, and I heard her without the sightest scruple as my illustrious predecessor, Hall, heard the wife of John Bunyan. On each of these occasions the liberty of the subject was in question." So also the husband may petition on behalf of the wife, the parent for the child (see 6 W. 402), and, in fact, no legal relation must exist between the applicants and the prisoner, for any one may petition.

That been very careful in thus stating the law

and the prisoner, for any one may petiton.

I have been very careful in thus stating the law
that it may clearly appear how anxious we are not that it may clearly appear how anxious we are not only not to interfere with the operation of "the great writ," but in all cases to give to it that force and effect which its history proves it was intended to have. While the principles, therefore, upon which his writ was issued are limity, and I hope forever settled, it is also true, as stated by Hurd, in his treatise on "Habeas Corpus," p. 212, that "where the application is made by a third person, it is supposed to be made in accordance with the wishes of the party restrained of his liberty, and is allowed to prevent delay, where the party is represented to be under any disability, or in any manner prevented from making the application in his own right."

Where, then, it appears that the prisoner himself does not complain, but may, in fact, desire to be

where, then, it appears that the prisoner himself does not complain, but may, in fact, desire to be held in custody, why should the Court interfere? The reason of the law is the life of the writ. You and prevent him from being heard; but if he, who of all others is most concerned, is of mature years, not an imbecile or a lunatic, and is otherwise able to speak for himself, does not complain of being de-prived of his liberty, why should any one else do so with legal effect? In one case which is reported (Linder vs. Hudson, 1 Cash., 385), it was even de-cided "that a person brought up on habeas corpus, without his request or authority, might maintain an action on the case against the party who procured

Upon the return of this writ the relator in sub-stance repudiates it. He declares that he never ap-plied for it, and never authorized any one to make such an application, and when informed by the Court that it was his constitutional right, not only to employ, but freely and without obstruction by any one, to consult with counsel, for some reason he de-

clines to do so.

The relator appears to be of sound mind, of mature years, and, until it appears by evidence that he is anable to act for himself, the Court must treat him as he evidently desires to be treated.

As this writ did not issue at the prayer of the Dis-

writ, he may clearly move to quash it, and of this opinion is the whole Court with whom I have con-

trict Attorney, although it is the Commonwealth's

it may possibly be that the special motion made to quash might be granted, but on affidavit pre-sented and under all the circumstances of the case I prefer to take another course and dismiss the

And now, Oct. 8, 1869, the body of the relator having been produced in open court upon the return of this writ, and he being instructed by the court as to his legal right to employ and consult counsel, and it appearing, by an affidavit of the relator, that he had not applied for the writ, nor instructed any counsel or other persons to apply for said writ, or to appear for him, the writ is dismissed, and the prisonis remanded into the custody of Lieutenant

Killacky.

When his Honor had concluded the delivery of this opinion a squad of policemen and detective this opinion a squad of policemen and detectives marched into court and produced the three prisoners who were delivered into the custody of our authorities in New York yesterday. A great crowd of persons were present to behold the men who have account to the custody and the property and the pro ch an unenviable notoriety, and upon their entrance a commotion was created similar to that following the appearance of a noted murderer. men looked worn and fatigued, but were laughing and as light in their manner as if they were a part of the outraged community, and actually took in their own capture and the prospect of their speedy

conviction and punishment.

District Attorney Sheppard then rose and said:

Lieutenant Kelley, under direction of the Mayor, appears in court, and produces the bodies of Peter Donohue, alias Pete Bottles; James Dougherty, and Hugh Marra, allas Maher, who have been der a bench warrant issued by your Honor on inday. I ask that they may be taken into custody, and that your Honor may make an order as and character of bail, and the length of notice, as in the other cases yesterday.

Q. (By Mr. Cassidy.) What is the application?
A. (By Mr. Sheppard.) That they may be taken into custody, and that an order may be made as to the amount and character of the ball, and the length of notice as in the other cases. Mr. Cassidy then said:—

There certainly is no objection to that-to giving Panere certainty is no objection to that—to giving sail. But all this could have been done without this parade—without bringing in a column of soldiers, the only object of which can be to arouse public sentiment and opinion about these men. One officer could have brought in these men without this show. There might have been an intimation to me about the matter, for undoubtedly it was known that I There might have been an intimation to me about the matter, for undoubtedly it was known that I was one of the counsel in the case. I suppose the course will be taken as intimated in your Honor's order of yesterday. The same rule will apply to one as to the others. As to the forty-eight hours, that is the public rule of Court. Of course nothing further is to be asked.

Judge Ludlow said :- Let ball be entered for each Judge Ludlow said:—Let ball be entered for each of these men in \$20,000 to appear at the present term of this court. I believe there is a bill of indictment?

Ans. (By Mr. Sheppard), Yes, sir.

Judge Ludlow said:—That will take of itself.

Then let ball be entered in \$20,000 for each of these

men, freehold ball; two securities, each to justify in \$16,000. I shall refuse less than two securities, each

for \$10,000.

Q. By Mr. Cassidy—Suppose there are four? A. By the Judge—I suppose they could be procured.

Mr. Cassidy said:—Your Honor's rule limits me.
Judge Ludlow said:—I say I won't take !ess than
two. The men, of course, to be remanded into custody want ball is given.

Mr. Cassidy said: I misunderstood your Honor

The prisoners during these proceedings were standing at the bar. As Mr. Cassidy concluded the judge addressed himself to the ordicals of the Court: "Have those men taken away."

The prisoners were then removed, and the commotion excited by their entrance and present a commotion excited by their entrance and present commotion.

motion excited by their entrance and presence sub-

The Failure of Dougherty and Marra to Escape on Habeas Corpus in New York-Their Arri-

val in this City. In the Supreme Court of New York city, Hugh Marra and James Dougherty, who are alleged to be the men that attempted to assassinate Detective ooks, were again brought up on a writ of habeas orpus before Indge McCunn at noon yesterday. The District Attorney presented a requisition from Philadelphia for the prisoners, and in response to their counsel's application for their discharge on habeas corpus, Judge McCunn decided that, it appearing to him that a complaint had been duly made in Philadelphia against these parties that a crime had been actually committed, and that the requisi-

CITY INTELLIGENCE. tions in due form from the Governor of Pennsylvania had been issued, showing them to be fugitives
from justice, he had no further power than to remand the men and deliver them over to the officers

from justice, he had no further power than to remand the men and deliver them over to the officers to take them to Pennsylvania. Superintendent Kennedy, who was present, at once took charge of the men, and they were conducted from the court-room by him and two of the officers from this city.

Inspector Walling, of New York, by whom these men and their companions, McLaughlin and Peter Donohue, alias "Bottles," had been arrested, was again placed in charge of the trio still remaining in New York. Fearing that another writ would be served upon him, or an attempt made to rescue them from his custody, he at once left the city with the accused, proceeding as far as Newark, N. J., at which place he waited until the 4 o'clock express train for Philadelphia passed through that city. The prisoners were placed on board this train in charge of Officers Scott and Wilkinson, of the Twenty-sixth precinct, New York, and Detective Gordon, of Mayor Fox's force. Inspector Walling then telegraphed to Mayor Fox that the men were on route, and requesting the Mayor to have a force of police at the depot on their arrival.

The party reached the city about 8 o'clock last evening, and, as one of the prisoners remarked on landing at Walnut street wharf, they "had a better reception than Andrew Johnson received here, at any rate." The prisoners were received at the wharf by a squad of twenty policemen, headed by Chief Mulholland, and being handcuffed together and placed in the hollow square formed by the police, were marched to the Central Station had been previously cleared, and the prisoners were residence and been previously cleared, and the prisoners were set the sole involuntary occupants of this portion at the sole involuntary occupants of this portion at the sole involuntary occupants of this portion.

being the cells at the Central Station had been previously cleared, and the prisoners were sele involuntary occupants of this portion of the building during the night, each of them being provided with a separate cell. An extra force of pollemen were kept on duty during the night to prevent any attempt at an escape after the fashion of Jimmy Haggert, and no person was allowed to company. Haggerty, and no person was allowed to communicate with the prisoners except Lewis C. Cassidy, Esq., who was admitted to their presence on representing himself as being their counsel. At 10 o'clock this morning, the trio were escorted before Judge Ludlew, with the result detailed above.

THE BAPTIST ASSOCIATION.

The Closing Exercises Last Evening - The General State of the Churches Belonging to it.

The Philadelphia Baptist Association held its closing services at the Memorial Church last evening. At an early hour the house was crowded in every part, and many parts of the aisles were filled with

spectators who were compelled to stand.

The Rev. Dr. Randolph read the report of the Committee on Obituaries, which paid touching tributes to the memory of the ministers who have died during the past year. Among these were the Rev. George Higgins, formerly of the Third Church, Philadelphia, but pastor at Montgomery when he died; the Rev. J. Lorimer Donglas, missionary to Bassein, Burmah; the Rev. Robert Compton, of Newtown, Delaware county; the Rev. Edward Barress of the Rocklevelle and Morey. Edward Barrass, of the Beakleyville and Mount Bethel Churches, and the oldest pastor in the asso-ciation; and the Rev. Joseph Hedderson, a colored minister, who died at nearly the age of one hundred years, and several others whose names have

escaped us.

The Rev. Charles Keyser then read the report of the Committee on the Digest of Letters, as 1. That there have been additions by baptism in 59 of the 72 churches of which the association is now composed, the total of baptisms during the year

being reported as 1724. Additions by letter, 675; by experience, 892. Restoration, 137. Total additions being 5428.

The total membership, as reported, is 19,457; being a net increase over last year of 1983. In six churches over fifty each have been baptized; in one, the Second Philadelphia, eighty. Nineteen churches are without pastors. By these seventy-two churches and ninety-seven Sunday Schools are maintained, with 396 officers, 1438 teachers, and 16,698 scholars and 18,284 volumes in the libraries. Three hundred and seventy-six scholars and teachers were baptized.

 Buildings, etc.—Five churches are erecting new couses of worship, viz.: — Brandywine, Spruce Street, Roxborough, Shiloh (Washington), Third Colored (Washington). Six are erecting mission chapels, viz.:—Lower Dublin, Roxborough, Spruce Street, Hephzibah, and Bailigomingo. The First German has bought one in Kensington, Upland has built a new chapel during the year, and Allentown is now building a parsonage. The Third Philadelphia and Schuylkill Falls have beautified and refurmished their edifices. Caernaryon is out of debt, and the Tweifth Philadelphia and Pottsville have reduced their debts. The First African, Philadelphia, pleads earnestly for aid, a plea which should be heard.

3. Contributions.—The aggregate of contributions during the year, as far as reported, is \$335,000, but all are not reported.

are not reported.

After the adoption of the above report the Moderator announced that the meeting was open for a general conference. Addresses were delivered by the Rev. Drs. Warren Randolph and Jeans Colthe Rev. Drs. Warren Randolph and Isaac Cele; by Rev. J. R. Haswell, a returned missionary from Burmah; the veteran missionary and companion of Judson, the Rev. Eugenio Kincald, D. D.; Rev. , and the Rev. Dr. Thomas Price of Aberdare, Wales,

Prayers were offered by several brethren, and after singing the hymn, "Say, brothers, will you meet us?" the association was adjourned with the

NEW BUILDING OF THE PHILADELPHIA SAVING FUND.—On Monday next the Philadelphia Saving Fund Society will occupy its fine new office, at the southwest corner of Washington Square and Walnut street. This new and massive granite building is one of the most substantial and attractive to be found in our city. The walls are of heavy and large blocks of granite from the Quincy quarries, and the structure has been put up under the superintendence of the architect, Mr. Addison Hutton. The front on Walnut street is a large to the superintendence of the architect, Mr. Addison Hutton. The front on Walnut street is 511/2 feet, and that on Washington Square 130 feet. The banking room is 47 by 53 feet, the ceiling being 42 feet high in the clear. The rear wing of the building is subdivided on the first floor into the President's room, Treasurer's room, several retiring rooms, and two large burglar proof rooms. The second floor will be used by the Managers as a meeting room, dining-room, book-room, &c. The ceilings throughout these rooms have been handsomely frescoed. The floor of the banking or main room outside of the counters will be laid with blocks of blue and white marble. The counter will be one of the most elaborate and costly in the city. Its front will be of the most elaborate and costly in the city. Its front will be of white marble, inlaid with colored marble, from Lake Champlain and Virginia. The top and internal fittings will be of

Virginia. The top and internal fittings will be of walnut, with plate glass and neat screen work.

This main office is well lighted, and its frescoing is apprepriately designed to be in harmony with the purposes of the lighted, one of the figures represents a dog lying in front of a fire-proof safe, with a paw resting on a key; another, a sentry and sentry-box; and the others are emblematical, with the coat of arms of Pennsylvania and of the city of Philadelphia conspicuously among them.

arms of Pennsylvania and of the city of Philadelphia conspicuously among them.

The Philadelphia Saying Fund Society has been in operation for fifty-three years, and during that period its affairs having been so prudently managed that its depositors have never lost a dollar, while their interest has been regularly paid in full. One of the chief objects of the managers was to have constructed a depository for the money and securities of the commany which could not be reached by of the company which could not be reached by thieves however expert; and this, it is believed, has been accompilated. The building itself is an ornament to our city, and a security to the depositors against burglarious depradations.

LOCAL ODS AND ENDS .- The School Directors of the Eleventh Section last evening elected A. J. Morrison Principal of the Madison Boys' Grammar

-The injuries inflicted on the Baltimore Railroad by the freshet have been repaired, and trains are now running regularly as usual.

—At the vetern return cricket match—Town vs. Country—played on the grounds of the Germantown Club, on Wednesday last, Country won by 114

-Base ball match, on the 18th instant, at Cincin-

-Buse ban match, on the 18th instant, at Cincinnati, between the Athletics, of this city, and the Red Stockings, of Cincinnati.

-Mr. John Arm trong, of No. 61 N. Third street, was knocked down by an unknown rufflan a few evenings since, at Fifteenth and Lombard streets, and while lying on the ground, insensible from the blow, was robbed. The Baptist Association closed its sessions yes-

terday. A meeting of the Bank Clerks' Association was held last evening at the Board of Trade Rooms,

—A public tem erance meeting at Dr. Sheppard's

—A public temperance meeting at Dr. Sheppare's church this even ng.

—The Board of Building Inspectors are bestirring themselves in the matter of insecure buildings.

—The Superimendent of the Girard estate is to draw \$80,000 from the City Treasury, being incompressived from the fund for "the improvement of the eastern front of the city."

A SERIES OF BURGLARIES.—John Neiler was charged with larceny before Alderman Heins yesterday, and held in \$1200 to answer. On the 22d of August he went into the dwelling of William Danniker, on Frankford road, and stole a purse containing a small sum of money and a lot of lewelry. On the 6th of September he took three watches from the same place. On the 1th of September he repaired to the same house and attempted to steal a pair of pantaloons, but he was discovered, and succeeded in making his escape. He was not captured until yesterday.

A SUSPECTED BURGLAR.—William Search has been arrested on suspicion of being concerned in the recent robbery which was perpetrated at the dwelling of Mrs. Phillips, at No. 724 N. Twenty-second street. Search was found in Richmond by Lieutenant Pritchard, of the Eleventh district, yesterday. He will be at the Central Station this afternoon.

NUTTING DAY.

The Children's Picnic at the Park. The Children's Picnic at the Park.

To-day is the occasion of the biggest picnic party ever held within the borders of this city. Thanks to the thoughtful consideration of the worthy Park Commissioners, the Board of Controllers have been induced to allow the children of our public schools holiday to-day, in order that they might enjoy an old-fashioned country nutting froile. Ample arrangements were made by a special committee to make the festival a success, and Chief Engineer Cresson cheerfully co-operated with it in perfecting all the details. all the details.

At an early hour this morning, thousands of the children were astir, and before eight o'clock long lines of youngsters were strewed along all the avenues leading to the Park. The passenger cars running in that direction have been at last literally packed, so that not an additional passenger could be squeezed in, unless minded to follow the example of a conductor on Grard avenue, and straddle across the roof. Ninets children are being carried in one

a conductor on Girard avenue, and straddle across the roof. Ninety children are being carried in one load, but then, as a conductor said, "they only count four cents a head." A number of accommodating trains, of a dozen cars each, are being run of the Reading and the Pennsylvania Railrouds, and they are all crowded.

The children of the Stath, Seventh, Ninth, and tenth sections, and the Girls' Normal School, all made arranger ents to go by the Reading Railroad from Sixte enth and Willow streets. Those of the Nineth section, went from Richmond by the conding Railroad, and took a band of music. Those of the Twenty-fourth, Twenty-seventh, and Twenty-eighth sections, being located in close proximity to the park, went on foot. Those of the Sixteenth, seventeenth, and eighteenth sections were taken by seventeenth, and eighteenth sections were taken by the Girard Avenuc Railway. For the Second, Third, Fourth, and Fifth sections arrangements were made by the Spruce and Pine Streets Railway and the

Pennsylvania Rauroad.

To day has been as sweet as ever autumn gave.
The sky is unclouded, and the bounds of the blue horizon are tinted with the undefinable mists of Indian summer. The soft air is sweet enough to tone the sulkiest spirits into peacefulness. At the Park, close by the Girard avenue bridge, the scene would defy the pencil of any artist save a Turner to catch the wondrous ripplings of lights and shades on sky and river. The grass and shrubbery are yet fresh from the recent rains, and the trees have their fresh from the recent rains, and the trees have their boughs nearly covered with many-tinted leaves. Indeed, a more delightful day for a plenic could not be arranged, and the children are sensible enough to

take advantage of it.

What number will participate in the cosy campingout to-day can scarcely be estimated. Nearly all
parties have taken lunch-baskets with them, and
will stay till evening; With the thousands who will
flock out this afternoon to witness the pleasant spectacle, it will be within bounds to estimate the num ber at fifty thousand. As the party are scattered over nearly two thousand acres, there can be no jostlings for lack of room, and the more who attend the merrier the sight. The children are brimfull of enjoyableness, and this morning were entertaining themselves to their hearts' content. Anybody who will take the time to pay them a flying visit, will catch enough of their infectious sportiveness to clear all musty cobwess out of his brain, and will come to the conclusion that this world is not quite as bad as some folks make it out to be.

No confusion exists on the ground on the part of

the children, as each section has been allotted a special tract for its own use. Surveys were made of the nut trees of the park, and the eligible districts were fairly apportioned. The portion on the east side of the Schuylkill, below Girard avenue, was found to contain 24 walnut and 216 chestnut trees This was divided into nine sections. It comprises Sedgely, Lemon Hill, the Rifle Pit (that was in Re-bellion times), Fisher's Woods, Luchis', Burd's, Ran-

dolph's, and Mathison's farms, The main section on the west side of the river above Girard Avenue Bridge contains 27 divisions besides Solitude Grove, opposite Lemon Hill. These have 144 walnut trees and 189 chestnut trees; thus there are 550 nut trees not incuding hazel, shell-bark, &c. The divisions on the West are Egglestield,

bark, &c. The divisions on the West are Egglestield, Sweet Brier, Landsdowne, Steamboat Landing, opposite Long Island, Belmont Valley, George's Hill, Reservior, Belmont, Ridgeland, Greenland, Stoever's and Conner's Farms and Belmont Station.

Fifty men are employed by the Commissioners to club the trees. Their duties, however, are not arduous, as the boys are saving them half their labors. For this day, at least, the regulations are not strictly enforced, and the tacit understanding is that the youngsters shall have their fill of tumbling about as youngsters shall have their fill of tumbling about as long as they keep within the limits of propriety. This is acting on common sense principles, and can do no harm. Indeed the whole programme is working itself out so delightfully to all interested that this first nutting festival will unquestionably be the forerunner of many others in the years to come.

THE NUMISMATIC AND ANTIQUARIAN SOCIETY .stated meeting of this valuable association was held at its hall last evening, Vice-President Hon. W. P. Chandler in the chair The usual routine business was transacted.

Mr. Henry Phillips, Jr., Corresponding Secretary, read to the [society the following letters, received since the last meeting, viz.:—From J. Agnew, Esq., A. D. Hepburn, Esq., of Philadelphia; Frederick Homer, M. D., of Virginia; John Yongeakeman, of England; Viscomte de la Pomeraye, of Paris; Don Francisco Parmiental, of Mexico, and others, on antiquarian subjects.

The amended By-law regulating the order of business was adopted. A number of valuable donations were reported to the society.

Hon. James Ross Snowden (late Director of the

United States Mint) made a communication to the society on the subject of an International Coinage, gave rise to remarks from Messrs. Duane Paylor, McElroy, Phillips, and Vice-President Chan-On motion, Mr. Snowden was requested to read

before the society a paper embodying his views upor that subject, and that of the proposed debasement of the silver coinage. Various subjects were considered by the society

which then adjourned. SOME MORE OF THE POLICE DOINGS,-On Satur

day last, while the canvassers were sitting in the Tenth division of the Eighteenth ward, correcting the assessment lists, two gentlemen, named Bessoi and Henheffer, approached the window and voucher for the residence of a man who was applying to b placed on the lists. Policemen Dych and Devine, of the Eleventh district, arrested these gentlemen, and took them before Alderman Heins, when they preferred a charge of perjury against them. The Al-derman held them for a further hearing last evening, at which the defendants appeared. The man for whom they were vouching took the stand, and testified that he had known Besson and Henheffer the length of time to which they had testified, and that he resided where they had stated, and that he sub-sequently had succeeded in getting registered from that place. The prisoners were then discharged. We understand that warrants are out for the arrest of both the policemen on the charge of false arrest and imprisonment.

Robberies in West Philadelphia.—Miss King, residing in Martin, was accosted last evening at Thirty-sixth and Bridge streets, by a fellow who asked the way to Chesnut street. While she was Thirty-sixth and Bridge streets, by a fellow who asked the way to Chesnut street. While she was in the act of showing him he snatched her watch and ran off. He then secreted himself in an out building, and threw the watch into the cess-pool. The chain was found on him. He was taken out, and while on the road succeeded in running away.

A German was invelgled last evening into a tavern on Market street, above Thirtieth, and while there he was robbed of his valise containing his money and clothing.

and clothing. Aman was stopped at the west end of Market Street bridge last evening, by thieves, who grabbed for his watch, but succeeded only in getting the

A Thieving Domestic.—Amelia Johnson and Augustus Sando (colored) have been taken into custody for robbing William Herbert of \$250. Herbert rents the stables of John Mill at the Blue Bell Tavern, and resides at the hotel. Amelia is a servant. She went to his trunk and abstracted the cash. On being accused of the robbery, she stated that she gave the money to Lando, who induced her to steal it. Both were sent to prison by Alderman Taylor. Both were sent to prison by Alderman Taylor.

DEADLY ASSAULT AND BATTERY .- Henry Meg DEADLY ASSAULT AND BATTERY.—Henry Megonigle was taken into custody yesterday, on the oath of Catherine Karney, residin at 617 Passyunk road, who charged him with committing an assault and battery on her, from the effects of which she is now confined to her bed. Alderman Moore, after hearing the testimony, sent Henry below to await the result of her injuries.

Exposing His Person.-Samuel McClintock, exposing his person to the residents of Frankford, was overhauled yesterday and taken before Alderman Stearne, who committed him for trial. The prisoner is a man fitty-five years of age, and the complaint is that he has been in the habit of doing this cort of this for this sort of thing for some time past.

WEDDING AND ENGAGEMENT RINGS RANTED. A full assortment of sizes always on hand.
FARR & BROTHER, Makers,
3 Stwims No. EM OHESNUT Street, below Fourth

FIRE AND BURGLAR PROOF SAFE J. WATSON & SON,

FIRE AND BURGLAR-PROOF SAFE STORE,

NO. 53 SOUTH FOURTH STREET, A few doors above Chesqui st., Philada,

THIRD EDITION

OBITUARY.

Death of ex-President Franklin Pierce this Morning-A Sketch of His Private, Professional, and Political Career.

FROM WASHINGTON.

Washington, Oct. 8.—The Cabinet to-day will take action on the subject of the death of ex-President rere, and follow the precedents to manifest respect

FROM NEW ENGLAND.

The Delta Kappa Epsilon Fraternity. BRUNSWICK, Oct. S.—The twenty-third annual con-ention of the Delta Kappa Epsilon fraternity was eld within the Bowdoin College Chapter yesterday. The public exercises last evening consisted of an address by Hon. George Pratt, of Connecticut, and a poem by Charles C. Puffer, of New York. The fraternity, with representatives of twenty-three American colleges, partook of a sumptuous supper after the exercises. Governor Chamberlain was among the guests. Hon. Josiah H. Drummond presided.

Arrest of a Sen Captain. Bangon, Oct. 8.—Deputy United States Marshal Head yesterday arrested Captain George Wentworth, of Orrington, of the schooner Mand Webster, on the charge of committing an outrage on the high seas on the person of a girl less than fourteen years of age, who was a passenger on his vessel from Orring-ton to New York. The evidence against him is said to be strong. He is over fifty years of age.

Augusta, Oct. S.—At South Kennebec Agricultural Fair, held at Gardiner, the sweepstakes purse was won by Colonel Lakeman in three straight heats, beating the stallion General McClellan. Time-2:36

No Annexation to Boston-Railroad Traffic. Boston, Oct. 8.—The citizens of Roxbury, at a large mass meeting last evening, voted with almost entire unanimity against the project of annexing the town to Boston.

Trains now run as usual on the Vermont and

FROM THE PACIFIC COAST.

Liabilities of a Nevada National Bank. SAN FRANCISCO, Oct. 7.—The liabilities of the First National Bank of Nevada are estimated at \$200,000. The creditors are chiefly residents of the State of

Attempted Assassination. An attempt was made last evening to assassinate the puglist Billy Dwyer, on Montgomery street. He was shot twice, and is in a critical condition. The assassin was arrested. Codfishing.

The arrivals from the Ochotsk sea codfishing fleet ncrease the season's catch to seven hundred and seventeen thousand. There are two vessels still due. Mining and Market News. Derve's coal oil is quoted at 65 cents, an advance

of 20 cents within three weeks. The Sierra Nevada Mining Company have declared a dividend of 50 cents per share, payable on the Flour unchanged. Wheat quiet and nominal. Legal-tenders, 76.

Ship News.
Cleared—Ships S. D. Carleton, for Liverpool, with 26,000 sacks of wheat; Lincoln, formerly the Schiller, for Callao. Sailed—Ships Japan, for Liverpool, and Centurion, for Baker's Island, via Honolulu.

FROM NEW YORK.

The Gold and Stock Market.

Despatch to The Evening Telegraph.

New York, Oct. S.—Money continues easy at legal rates. Gold has been steady at from 181½ (2.131½). The clique interested in Governments are probably sustaining the gold market. Governments are firm, with a slight advance. Stocks dull and heavy, with a decline of about 1/2 or restarding market loss. a decline of about 14 on yesterday's quotation Another Clique.

It is rumored that Smith, Gould, Martin & Co. are forming another clique; this time to dull Chicago and Rock Island, and also that they will endeavor to regain control of the Gold Market. The latter rumor is improbable. At the Gold Sale

one million gold the offerings aggregated \$5,035,000 at from 130 to 131 40. The awards will be made as soon as Secretary Boutwell is heard from. TROY, Oct. S .- The Franklin Railroad continues npassable for trains. New York, Oct. S.—Seckle's distillery was burned this morning. Loss, \$40,000.

New York Stock Market. New York Stock Market.

New York, Oct. 8.—Stocks steady. Money easy at 6@7 per cent. Gold, 1314. Five-twenties, 1862, coupon, 120; do. 1864, do., 1194; do. 1865, do., 1194; do. do., new, 11774; do. 1867, 11774; do. 1868, do., 11774; lo-408, 109, Virginia 68, new, 52; Missouri 68, 8654; Canton Company, 51; Cumberland preferred, 254; New York Central, 174; Erie, 324; Reading, 1844; Hudson, Piver, 1874; Michigan Control, 1804. 96%; Hudson River, 157%; Michigan Central, 120; Michigan Southern, 84%; Illinois Central, 133%; Cleveland and Pittsburg, 95; Chicago and Rock Island, 167%; Pittsburg and Fort Wayne, 1851%; Western Union Telegraph, 36%.

New York Produce Market. New York, Oct. 8.—Cotton heavy; 800 bales sold at 27½c. Flour steady; sales of 9000 barrels. Wheat dull and easier; sales of 31,000 bushels No. 3 at \$1.15 and winter red at \$143@145. Corn heavier; sales of 39,000 bushels mixed Western at 98c.@\$1.05. Oats dull; sales of 19,000 bushels at 62@634c. Beef quiet; new mess, \$6@13; extra mess, \$12@17.50. Pork dull at \$30.75. Lard quiet; steam, 171/@18c. Whisky dull at \$1.00 Whisky dull at \$1.20.

FROM THE WEST.

The St. Louis Woman's Suffrage Convention. St. Louis, Oct. 8 .- There was a large attendance last night at the Woman's Suffrage Convention. Speeches were made by Mrs. Cole, of Dayton, Ohio; Miss Pheebe W. Cousins, of St. Louis; and Mrs. Livermore. The Convention then adjourned sine die.

FROM THE STATE.

Republican Meeting at Petroleum Centre. Petroleum Centre, Oct. 8 .- The Hon. Benamin H. Brewster addressed a very large and enthusiastic meeting here last night. He spoke for two hours, and his speech had a great effect in awakening the Republicans to renewed activity.

OBITUARY. Franklin Pearce.

Franklin Pierce, the fourteenth President of the nited States, whose death is announced this afterhoon, was born in the town of Hillsborough, New Hampshire, on the 23d of November, 1804, and had, therefore, nearly completed his sixty-fourth year a the time of his death. His father, General Benjamin Pierce, a native of Massachusetts, was one of the earliest settlers in the town of Hillsbororough, and served as a soldier and officer throughout the revolutionary war. He was an influential Democratic politician. In 1827 and 1829 he was elected Governor of the State, and died in 1839 at the age of 81. Frankin Pierce received his early education at the academies of Hancock and Francestown, and in 820 he entered Bowdoin College, at Brunswick, Me. His ambition at this period was of a military cast, and he was a zealous officer in a college company of soldiers in which his future biographer, Nathanie Hawthorne, was a private. During one of his winter vacations he taught a country school. He was graduated in 1834, and having chosen the law as a profession, became a student in the office of Judge Levi Woodbury, at Portsmouth, afterwards distinguished as a United States Senator and a member of the Cabinet. Pierce subsequently studied for two years in the law school at Northampton, Mass., and in the office of Judge Parker, at Amherst, N. H. He was admitted to the bar in 1827, and began practice at Hillsborough. He did not at first succeed as an advocate, and his first case was a marked failure. For some time politics diverted his attention from

his profession. He was an ardent advocate of the election of Genera' Jackson to the Presidency, and in 1829 was himself elected by the town of Hills porough its representative in the State Legislature. He served four years in that body, and in the last two years was chosen Speaker, receiving three-

fourths of all the votes of the House. In 1883 he | was elected a member of Congress, where he served on the judiciary and other important committees, but did not attain to distinction in debate. He sustained Jackson's opposition to the internal improvement system, and made a speech against the bill authorizing an appropriation for the military aca-demy at West Point, to which institution he was long opposed, though during the Mexican he was reason to change his opinion on that subject. On the ques-tion of slavery he sided with the South, and opposed

anti-slavery measures in every shape. He remained a member of the House of Repre sentatives until 1837, when he was elected to the United States Senate, in which he took his seat as the youngest member, having barely reached the legal age for the position. In the Senate at that time were Clay, Webster, Calhoun, Benton, Buchanan, Woodbury, and Silas Wright. He made in 1840 a speech upon Revolutionary pensions, and in 1841 another on the removal of persons from office by the new Whig administration, and in 1842 re-signed his seat and returned to the practice of his profession at Concord, N. H., to which place he removed from Hillsborough in 1838,

He soon became distinguished as an advocate, and in 1846 President Polk offered him the post of United States Attorney-General, which he declined. He also declined to be a candidate for Governor. He still, however, continued to manifest an interest in politics, and vigorously supported the annexation of Texas in opposition to a considerable portion of the Democracy of New England. In 1847, when the State of New Hampshire was

called upon to furnish troops for the Mexican war, he enrolled himself a member of one of the first volunteer companies of Concord, but did not long remain in the ranks; for on the passage by Congress of the bill for the increase of the army he received the appointment of colonel of the 9th regiment, and shortly after was commissioned brigadier-general of the army. On May 27 he embarked at Newport with his command, and after a passage of thirty days arrived at Vera Cruz. Three weeks later he led his men to join the main body of the army under Gene-ral Scott at Puebla, which he reached August 7, after several sharp engagements with guerillas on

the way. In the battle of Contreras he was severely hurt by In the battle of Contreras he was severely hurt by the falling of his horse, but continued during the day at the head of his brigade. In the battle of Cherubusco, while leading his men against the enemy, he fell fainting from the pain of his injuries, but refused to quit the field. After the battle, the Mexican commander having opened negotiations for peace, General Scott appointed General Pierce one of the commissioners to arrange the terms of an armistice. The truce was of short duration, and the battles of Molino del Rey and Chepultepec followed, and soon afterwards the city of Mexico capitulated. General Pierce remained in that city till December. General Pierce remained in that city till December, when, the war being ended, he returned home, and, resigning his commission, applied himself again to

the practice of the law.

On June 12, 1852, the Democratic National Convention assembled at Baltimore, and after thirty-live ballotings for a candidate for President of the United States, during which not a vote had been given for General Pierce, the Virginia delegation brought forward his name, and on the forty-ninth ballot he was nominated by 282 votes to 11 for all other candidates. His principal competitors were James Buchanan, Lewis Cass, William L. Marcy, and Stephen A. Douglas. At the ensuing Presidential election in November he received the votes of all the States except Massachusetts, Vermont, Kentucky, and Tennessee, whose suffrages were given to General Winfield Scott. Of the votes of the Electoral College Pierce received 254 and Scott 42.

In the midst of this sudden and astonishing political success the President elect was smitten with a terrible domestic calamity. On January 6, 1853, while making with his family a railroad journey from brought forward his name, and on the forty-ninth

while making with his family a railroad journey from Andover to Lawrence, Mass., the cars were thrown off the track and dashed against rocks, and his only child, Benjamin Pierce, a fine boy of thirteen, was instantly killed. In his inaugural address, March 4, 1853, President

Pierce maintained that slavery is recognized by the Constitution, and that the Fugitive Slave law is con-stitutional and should be strictly executed. He denounced in strong terms the agitation of the slavery question, which he thought had been settled by the compromises of 1850, and hoped that "no sectional or ambitious or fanatical excitement might again or ambitious or fanatical excitement might again threaten the durability of our institutions, or obscure the light of our prosperity." Three days after his inauguration he appointed his Cabinet, as follows:—William L. Marcy, Secretary of State; James Guthrie, Secretary of the Treasury: Jefferson Davis, Secretary of War; James C. Dobbin, Secretary of the Navy; Robert McClelland, Secretary of the Interior; James Campbell, of Pennsylvania, Postmaster-General; and Caleb Cushing, Attorney-General.

The first Congress which met during the adminis-

tration of President Pierce assembled in December 1853. In the following January Mr. Douglas, then chairman of the Senate Committee on Territories, introduced a bill for the organization of two territories, to be called Kansas and Nebraska, in the re-gion west of Missouri and north of the parallel of 36 deg. 30 min. By the Missouri compromise of 1820-21 slavery had been formally and forever excluded from this region. By the bill of Mr. Douglas, which was warmly supported by the administration, the Missouri compromise act was repealed and slavery permitted to entor these territories. In spite of the strennous opposition of the anti-slavery members of Congress, the bill became a law and received the signature of the President on the last day of May. Great excitement and indignation were aroused in the free States by this measure. It was denounced as a flagrant breach of faith, and as the violation of a compromise as sacred as the compromises of the Constitution itself.

On January 24, 1856, the President sent a message to Congress, in which he represented the formation of a free State Government in Kansas as an act of rebellion, and justified the principles of the Kansas and Nebraska act. On June 2 of the same year the National Demo

cratic Convention met at Cincinnati to nominate a candidate for President. The first ballot stood:— For James Buchanan, 135; for Franklin Pierce, 122; for Stepnen A. Douglas, 33; for Lewis Cass, 6. On subsequent ballots the vote for Pierce gradually di-minished, and on the seventeenth ballot all the votes were given for Mr. Buchanan.

were given for Mr. Buchanan.

Before the adjournment of Congress in the following August, the House of Representatives made an amendment to the army appropriation bill, providing that no part of the army should be employed to enforce the laws made by the Territorial Legislature of Kansas, until Congress should have decided that it was a valid legislature assembly. The Senate rewas a valid legislative assembly. The Senate re-fused to concur in this proviso, and Congress ad-journed without making any provision for the sup-port of the army. The President immediately issued a proclamation caping an extra session to convene on August 21, when the army bill was passed with

on August 21, when the army bill was passed without any proviso.

It came together again on December 1, and the
President's annual message was chiefly devoted
to the subject of Kansas, and in its citation of
events and expressions of praise it took strong
grounds against the Free State party of the country. The session closed on March 3, 1857, and on
the following day the administration of President
Pierce terminated, and that of James Buchanan
commenced. Mr. Pierce soon after visited Madeira,
and travelled extensively in Europe, from which he
returned in 1860.

and travelled extensively in Europe, returned in 1860.

On the outbreak of the war, Mr. Pierce, in a speech delivered April 21, 1861, at Concord, N. H., his place of residence, nominally arrayed himself on the side of the Union. But from that day to the close of the war, he was regarded with almost as much distrust as James Buchanan by a large majority of the people of the North. The whole policy of his administration had been dictated by the slavery propagandists, and he lent his willing aid to every scheme which and he lent his willing aid to every scheme which tion had been dictated by the slavery propagandists, and he lent his willing aid to every scheme which tended to foster and strengthen the power of "the peculiar institution." Whatever may have been his own personal inclination, his character as a man and a politician was too weak and vaciliating to withstand the demands of the Southern oligarchists, and consequently they found in Frankin Pierce on all occasions a plant tool ready and even anxious to forward their disorganizing schemes. That a man with such a record could impress upon the nation a belief in his sincerity, when he counselled a hearty support of the Government in its struggle against rebellion, was scarcely possible. His few utterances since the close of the war have stamped him as being, at the close of the war have stamped him as being, at the best, but a lukewarm advocate of the integrity of the national Government, the abolition of human slavery being the only security for its perpetuity. Personally, Franklin Pierce was a man of no mean abilities and acquirements, but the Presidential chair has never been filled by one more singularly unfitted for that high dignity. He had no claim to statesmanship—was rething more than a remarkably successful politiorgany. He had no cannot be statement when we had nothing more than a remarkably successful politician, whose elevation to the highest office within the gift of the American people was the result of that principle of availability which has been the curse of American politics in these latter days. His nomination was an accident, at the best a mere compromise; his election the result of a blind adherence to account without any regard to the character. party principles, without any regard to the character of the men professing them; his administration re-flected no credit upon the Government abroad, and sowed widespread the seeds of dissension and civil war at home; his death will not leave a blank in the hearts of the people or on the page of history.

Baltimore Produce Market.

Baltimore Produce Market.

Baltimore, Oct. 8.—Cotton dull, and nominally
27c. Flour quiet and steady at yesterday's quotations. Wheat firm; prime to \$145@150. Corn, \$108
@170 for prime white, and \$105 for prime yellow
Western. Oats dull at 56@6@c. Rye firm at \$110@
120. Provisions unchanged in every respect. Whisky
steady and in fair demand at \$125@172. standy and in fair demand at \$1 20g1 42

FOURTH EDITION

DOMESTIC AFFAIRS

The Mississippi and Texas Campaigns -Boutwell's Forthcoming Speech -Doings of the Supreme Court-Naval Changes.

FOREIGN AFFAIRS.

The New Bishop of Exeter-Slavery in Cuba - A Petition for Its Abolishment.

FROM WASHINGTON.

Boutwell's Philadelphia Speech.

Special Despatch to The Evening Telegraph.

Washington, Oct. 8.—Judge Kelley arrived here this morning, and will accompany Secretary Boutwell to-morrow morning to Philadelphia. The Secretary's speech at Philadelphia will be a short one, not occupying more than an hour.

A Supposed Canard.

Neither the President nor the Secretary of War has received up to this time a telegram which appears in the papers of this morning, as coming from the Chairman of the Union Republican Committee of Mississippi. It is supposed to be a canard. The Campaign in Texas.

Advices from Texas state that the Democrats are becoming disgreted with Hamilton. Since the removals for Hamilton men, the election of Davis is conceded, and many Democratic leaders and newspapers throughout the State have hauled down the name of Hamilton, and hoisted that of Davis. More removals of Hamilton mentage to be made.

Naval Changes. Despatch to the Associated Press. Washington, Oct. 8:—Lieutenant-Commander A. T. Snell is detached from the Hydrographic office on the 15th inst., and ordered to duty in connection with the construction of torpedoes. Chief Engineer B. B. H. Wharton is detached from the Boston Navy

Yard and First Assistant Engineer Samuel L. P. Ayres from the Portsmouth Navy Yard, and ordered to the Benteia. Ensign Erasmus Dennison s ordered to special signal duty under the Bureau of United States Supreme Court. In the United States Supreme Court his morning Colonel Phillips, of the counsel for E. M. Yerger, read the argument entered into by the Attorney-General and counsel for the defense in July last, providing that the case be brought before the Court,

and asked permission to file the petitions for writs of habeas corpus and certiforaris; also that the case be set for a hearing on Friday next. Attorney-General Hoar hoped a more remote day would be fixed, in order that he might have time to properly present the case, as he desired to first argue the case as to the jurisdiction of the Court. Mr. Carliele for the deforms trusted the whole case. Carlisle, for the defense, trusted the whole case would be argued and settled at one time, and not by The Court directed that the petitions be filed, and pave notice that on Monday a day would be fixed for

FROM THE STATE.

The Lehigh and Susquehanna Railroad.

MAUGH CHUNK, Oct. 8.—The Lehigh and Susquehanna Railroad is again in complete order for passengers and freight between Scranton and Easton. The coal trade is fully resumed.

FROM EUROPE.

Slavery in Cuba. Bu Analo-American Cable. LONDON, Oct. 8.—The French and English Societies for the Abolition of Slavery have sent an address to Marshal Serrano, Regent of Spain, on the subject of human slavery. They ask him to use all his efforts to abolish slavery in Cuba, and refer him to his own speech, wherein he said that slavery only exists in the civilized world as a Spanish institution.

The English Church Congress. LONDON, Oct. S.—The sessions of the Church Congress opened at Liverpoel on the 6th. Dean Christy urged the importance of a large-hearted and generous treatment of all Nonconformists and Catholics, Several members of the congress absented them-

The Bishop of Exeter.

Rev. Frederick Temple has been appointed Bishop

This Morning's Quotations. By the Anglo-American Cable.

LONDON, Oct. 8—11 A. M.—Consols, 93½ for both money and account; U. S. Five-twenties of 1862, 84½; of 1865, old, 85½; of 1867, 82½; American stocks dull; Erie Railroad, 23½; Illinois Central, 94.
LIVERPOOL, Oct. 8—11 A. M.—Cotton flat; middling uplands, 1234d; middling Orleans, 1234d. The sales of the day are estimated at 7000 bales; the sales of the week have been 65,000 bales, of which 10,000 were for export and 10,000 for speculation. Receipts of the week 76,000 bales, of which 3000 were American. Stock, 459,000 bales, of which 46,000 are American.

This Afternoon's Quotations. By the Anglo-American Cable. LONDON, Oct. 8-1 P. M.—Consols, 931/@933/ for account. Five-twenties of 1862, 84%; of 1865, old, 83%; of 1867, 82%.
Liverpool, Oct. 8-1-36 P. M.-California wheat, 108. 5d.; red Western, 9s. 1d. 39s. 2d. PARIS, Oct. 8—1'30 P. M.—The Bourse is quiet.

ANTWERP, Oct. 8—1:30 P. M.—Petroleum dull. HAVRE, Oct. 8—Cotton opens firm on the spot and quiet afloat; on the spot, 145f.; afloat, 139f. PHILADELPHIA STOCK EXCHANGE SALES.

Rentes, 70f, 87c.

Reported by De Haven & Bro., No. 40 S. Third street. BETWEEN BOARDS. do....ls.48*1-16 do....ls.48*1-16 do....2d&i. 48%

\$500 City 6s, N. . . . 100% \$2000 W Jer R 1st m. \$6000 do...ls. b5. 101 7s. 95 95 95 96000 do...ls. 100% 28 sh Ca & Am R.c. 120% 1000 Del R mtg. bs. \$94 100 sh Read R. . b15. 48% \$5000 Pa 6s, W L Cp. 100% 100 do...48*1-16 WEDDING INVITATIONS ENGRAVED IN the newest and best manner. LOUIS DREMA, Stationer and Engraver, No. 1033 CHESNIT Street.

SECOND BOARD.

PROPOSALS FOR FRESH BEEF.

OFFICE OF A. C. S., FRANKFORD ARSENAL, PA.,
October 8, 1869.

Sealed proposals, in duplicate, will be received by
the undersigned at his office until 12 M., October 80,
1869, for furnishing the troops stationed at Frankford Arsenal with FRESH BEEF, of a good marketable quality, in could proportions of fore and hind ford Arsenal with FRESH BEEF, of a good marketable quality, in equal proportions of fore and hind quarters, excluding necks, shanks, and kidney tallow. The Beaf to be delivered free of cost to the troops, in such quantities and on such days as may be from time to time required by the proper authority, and to continue in force six months, or such less time as the Commissary-General shall direct, and subject to his approval, commencing on the 1st day of November, 1869.

Upon acceptance of the offer, security and bond in the sum of six hundred dollars will be required for the faithful performance of the contract.

for the falthful performance of the contract.

Bids to be endorsed "Proposa's for Freah Beef."

WILLIAM PRINCE,

Pirst Lieutenant Ordnance, 10 8fmw6t Brevet Captain U. S. A., A. C. S.

THERE ARE A GREAT MANY PERSONS having claims upon the United States or State Governments, who have committed the same to the care of Messrs. George Cragg & Bre., or T. H. Peters & Co. They will hear of something greatly to their advantage, on application, either in person or by mail, to the General Collection Agency, No. 185 South SEVENTH Street.

7 30 ROBERT S. LEAGUE & CO. ROBERT S. LEAGUE & CO., NOTARIES PUB-LIC, COMMISSIONERS, ETC.—Depositions and Acknowledgments taken for any State or Terris tory of the United States,