THE DAILY EVENING TELEGRAPH-PHILADELPHIA, WEDNESDAY, FEBRUARY 9, 1870.

CITY INTELLIGENCE. RAR MEETING.

8

Resolutions of Respect to the Late George M. Wharton. A meeting of the members of the Philadelphia Bar was held in the Nisi Prius Court room, at 10 o'dlock this morning, to take action upon the death of George M. Wharton. The Han Lange M. Wharton.

The Hon. James Thompson, Chief Justice, was

called to the chair. Mr. Edward Shippen and Henry E. Busch were

en Secretaries. The President, on taking the chair, spoke as

The President, on taking the chair, spoke as sollows:— Our brother whose death we mourn has suc-embed to that great law of nature so strikingly finstrated in the Holy Scriptures:—"It is appointed unto all men once to die." My acquaintance with the deceased, I may say, is but of late formation, simply because my field of labor was elsewhere. I can date back my personal knowledge of the de-ceased only about a dozen years. When I first came here I formed the friendship of the deceased, and feit, as all others felt, that it was an honor to know and associate with such men. Mr. Wharton's char-acter was stainless and spotless of all moral charges; it is so now, and will for ever remain so. My know-ledge of Mr. Wharton was minity as a lawyer. He appeared often in the Supreme Court. His kind, placid, and benevolent countenance, his universal conteous demeanor, riveted the attention of all, and caused all to lister to his arguments with a sense of knowledge-gaining. His clarity of diction, grace of elocution, purity of logic, added to his ear-nestness, and the full faith and confidence in the truth of what he said, gave his arguments great power. As a lawyer in this community Mr. Wharton stood without a superior (and that is no disparage-ment), and with but few equals. Alast that such a man should die before the day of usefuiness was ment), and with but few equals. Alas! that such a man should die before his day of usefuiness was entirely over.

Hon. Peter McCall next addressed the meeting, and spoke as follows:-

ing, and spoke as follows:— As a friend of the deceased, and in behalf of my breather of the Bar, I thank you for the high and just encomiums you have passed on the character of the lamented deceased, much of which I myself had intended to dwell on. Mr. Wharton was not one who had been long removed from among his profeswho had been long removed from among his profes-sional brethren, but was known by all, admired by all, and loved by all, and it is hard to realize that he has passed away. It seems as though we could almost see him stand before us now in this room, the theatre of his many trials and the scene of so many of his triumphs, and we can almost hear his clear voice stating his propositions in his caim, quiet tone. The deccased was a graduate of the Univer-sity of Pennsylvania, and the Alumni of that institu-tion pointed to him with becoming pride. By his own industry and efforts he attained the highest po-sition at the Bar that was attainable, and built up a large, lucrative, and general practice, dealing in all cases, and having, to my knowledge, no specialty. the deceased possessed many excellent traits as a lawyer, amongst them that of being able not only to lawyer, amongst them that of being able not only to detect the strong and weak points of his own case, but also that of his opponent's. The deceased was a sincere Christian, a firm and devoted believer in the truths of Christianity. In the Church of which he was a member he was looked up to with a deference and respect which but few enjoyed, and in the an-nual conventions of the Church his counsels will be creative massed greatly missed.

On the conclusion of these remarks, Mr. McCall offered the following:-

On the conclusion of these remarks, Mr. McCall offered the following:— Resolved, That we doplore the loss which the Bar has sentained by the decease of our late honored associate, George M. Wharton. His long and successful professional career reflected lustre on the Bar, of which he was an ac-howledged leader. His reputation as a lawyor was built apport the solid foundation of thorough knowledge, ability, and meral worth. He brought to the practice of the pro-fession a clear, well-balanced, and cultivated mind, a cool and discriminating fudgment, learning various, extensive, and accurate, industry that never tired, and a devotion to the cause of his client tempered by due idelity to the court. Predent and asgacious in counsel, he was not less distinguished by the clearness, cogency, and persuasive power of his forsenic efforts. Amonity and good temper ever characterized his deportment, and his professional escellence was crowned by an clearated, which secured to him the confidence alike of the Bend, the Bar, and the public. *Resolved*, That the loss of such a man is deeply felt by the profession, and not only by the profession, but by the confidence alike of the Bend, the Bar, and subprises in-tegring which his daily walk through life exhibited, dis-playing the virtues and the graces that adorn the charac-ter of Christian gentloman. Resolved, That the Bar dooply sympathize with the family of the deceased in their kereavement, and that a community at large, who benefited by the example of the profesion, and not only by the references in-ter of Christian gentloman. Resolved, That the Bar dooply sympathize with the family of the deceased in their kereavement, and that a committee of — be appointed to communicate to them the proceedings of this meeting, and to tender to them the proceedings of the meeting, and to tender to them the proceedings of the meeting, and to tender to them the proceedings of the meeting and to tender to them the proceedings of the meeting and to te

Addresses followed from William M. Meredith. Addresses followed from withiam M. Meredith, Esq., David Paul Brown, Esq., Charles Inger-soll, Esq., Hon. John Cadwallader, George W. Biddle, Esq., Hon. William A. Porter, Hon. Wil-liam Strong, Hon. P. Frazer Smith, of West Chester, and T. Bradford Dwight, Esq. The resolutions offered by Mr. McCall were then unanimously adopted, and the President apprinted as a committee of first to earm out.

appointed as a committee of five to carry out their provisions Messrs. Peter McCall, William William A. Porter, William M. Meredith, Strong, and W. H. Drayton. The meeting on motion then adjourned.

JE-The following is a copy of the will of this gentleman, whose decease has been so greatly lamented in this community:--

THEWILL OF THE LATE HON. HORACE BINNEY,

The state

In the name of God. Amen. I, Horace Binney, Junior, of the city of Philadel-phia, do make, publish, and declare this my last will and testament.

and testament. Imprimes 1 order and direct that all my just debts and funeral expenses be fully paid as soon as may be done after my decease. Item 1. I give and bequeate to my dear wife, Eliza Frances, for her own use absolutely, all my household and kitchen furniture of every descrip-tion, whether useful or ornamen al; also, all house-hold stores house favor nites ms law books, place. hold stores, books, (exc pling my law books,) plate, pictures, prints clothing, jewelry, watch, personal ornaments, and all my private papers, other than

ornamenis, and all my private papers, other than evidences of property. Item 2.1 give and devise to my said dear wife, for the term of her natural life, my house 227 South Sixth street, in the city of Philadelphia, she paying the taxes thereon and kceping the same in repair. Item 3. All the rest, residue, and remainder of my property, real, personal, and mixed, I give, devise, and bequeath as follows, to wit:--One equal third part thereof to my said dear wife, Eliza Frances, her beirs, executors, and administrators, in absolute property, and the other two-third parts thereof to my children who shall be living at my death, and the issue of such as shall be then dead, their heirs, executors, and administrators in absolute property, equally, but the issue of any deceased child to take only the share their parent if living would have taken.

Item 4. I authorize and empower my executors to sell and dispose of any portion of my real estate, and convey the same to purchasers, free from all liability to see to the application of the purchase money.

Item 5. Should my said wife at any time desire it. Item 5. Should my said wife at any time desire it. I suthorize to sell my house, No. 227 South Sixth street, and with the proceeds thereof to purchase any other house an 1 premises which my said wife may select for her residence; the purchasers of the said house, No. 227 South Sixth street, not to be lia-ble to see to the application of the purchase money, and the new purchase to be considered as a substi-tute for the original devise, and to be hold by my said wife for the term of her natural life, she paying taxes and making repairs as aforesaid, my said dear taxes and making repairs as aforesaid, my said dear wire always to be at liberty to lease the houses de-signed for her residence, should she desire to do so, and to receive the rent therefor instead of personally occupying the same.

(Signed) HORACE BE ELIZA FRANCES BINNEY, Executors. HORACE BINNEY, Jr. HON, H. BINNEY, 28th July, 1861.

Copicit.-Should any of my children die under contch...-Should any of my children the under age, and without leaving issue living at the death of such child, the share of such child so dying shall go to my surviving children, except my son Horace and their issue, equally in absolute property, such issue to take only the share their parent if living would have taken. HORACE BINNEY, JR. would have taken. November 23, 1864. Same Executors.

SECOND CODICIL-I revoke and annul the third item of my will (containing the devise of the residue of estate), and instead thereof I devise and bequeating as follows:

I give and bequeath to my eldest son, Horace, a

I give and bedueath to my closs son, horace, a legacy or sum of \$5/40. All the rest, residue, and remainder of my estate, real and personal, I give, devise, and bequeath as follows, to wit:—One equal third part thereof to my said dear wife, her heirs, executors, and administra-tors, in absolute property, and the other two-threads thereof to and among such of my six younger chil-dren as shall be living at my death, and the issue of dren as shall be hong at my death, and the selfe of such of the said six younger children as shall be then dead, their heirs, executors, and administra-tors, in absolute property equally; but the issue of any deceased child to take only the share their pa-rent if hving would have taken. HORACE BINNEY, JR.

WM. JOHNSON BINNEY, Executors.

JOHN BINNEY, 11th of November, 1868,

SUDDEN DEATH .- At a special meeting of the Commercial Exchange this morning Nathan Brooke, Esq., President, announced in a feeling manner the death of Robert Ervien, Esq., an old member of the association. Mr. Thomas Allman submitted the following preamble and resolutions, which were unanimously adopted:-

"In the midet of life we are in death." These words were forcibly impressed upon our minds when hearing this morning of the sudden death of our late fellow member, Robert Ervien, late of the firm of Rowland A

this morning of the sudden death of our more renow. member, Robert Ervien, late of the firm of Rowland & Ervien; therefore Resolved, That whilst we how with humble submission to the will of God, knowing "that He doeth all things well," we cannot refrain from expressing our problem sources at the sudden removal from our midst of one to whom we were all endeared by the warm ties of social friendship and business integrity. *Resolved*, That in the death of Robert Ervien this asso-inton and community has lost one of her storing end

Resourced, That in the value of one of her storing citi-zens an enterprising manufacturer and merchant, and an honest man. Resourced, That we tender to the hereaved widow and

an nonced, That we tender to the bereaved widow and *Resolved*, That we tender to the bereaved widow and children of our late fellow member our warmest sym-pathy and condolence, and commend them for consola-tion to Him who has promised to be a "lussband to the widow" and a "father to the fatheriess." *Resolved*, That a committee of five members be ap-pointed to make arrangements to attend the funeral, and that a copy of the foregoing, signed by the efficers of the association, be presented to the family. The following committee was appointed: Thomas Allman, Alexander J. Derby-Messrs. shire, E. G. Cattell, S. J. Christian, and Samuel

ACCIDENT TO A POLICEMAN .- Policeman Barr, of the Sixth district, while going to the station-house with the relief squad this morning, alipped on the ice and fractured a leg in two places.

LEGAL INTELLIGENCE.

Supreme Court in Banc-Judges Heed, Agnew. Sharawood, and Williams.-Chief Justice Thompson at Nist Prize.

THE SCHOEPPE CASE.

CONTINUATION OF THE ARGUMENT THIS MORN-ING.

The Schoeppe case was continued in the Supreme Court this morning, Mr. Miller con-tinuing for the prisoner. Judge Read, before the argument was recommenced, remarked to the counsel that they had been heard at great length yesterday on what did not concern this court. The counsel must confine their remarks to points included in the record. Mr. Miller then continued as follows:-We had a right to presume that this hypothetical

We had a right to presume that this hypothetical case to go to the jary should contain all the facts which were contained in the evidence, at least all the facts of importance. We had no right to manu-facture evidence for the jury by putting additional facts in a hypothetical case, as the other side has done. The Court, referring to a special medical case, said, during the hearing, that if the action of other, may it not be that the symptoms produced by pressic acid alone may be produced by the mixed poisons of prassic acid and morphia? Dr. Harmon, in giving his testimony, said he never heard of a case where a person had been poisoned by this com-pound. He thought only that the presence of the one would retard the action of the other, and pro-long the sufferings of the patient. He said that he thought so from his own reasoning, and was willing to testly to the fact. This same scentific expert, when asked what antidote he would have given for this combination of poisons, replaed that he "would have administered from to the cate and missing from such a person. Though he has no knowledge of science, from his own confession, either from books or experience, yet his is diversion, either from books or experience, yet his is showd, either from books or experience, yet his is allowed, but otherwise, it would not be, if the task indowed by the cont, and it is submitted to the lary. Here, where the verdict involves human life, it is allowed, but otherwise it would not be, if the case involved ten cents. The court, in giving to the jury. Here, where the verdict involves the if to the jury. Here, where the verdict involves the if life, it is allowed, but otherwise it would not be, if life, it is allowed, but otherwise it would not be, if the data involved ten cents. The court, in giving life, it is allowed, but otherwise it would not be, if the case involved ten cents. The court, in giving the above suggestion relating to possible symptoms of the action of mixed poison, undertook to argue the case in favor of the Commonwealth, an unneard-of innovation, especially where human life depends on the result. A paper purporting to be the will of Miss Stennecke was produced. The witness of this will has not been produced, by either the prosecu-tion or the defense, so that there was no evidence before the court that this was a genuine will. By so aoing they in fact say to the jary—If yon, from your own passions and opinions, consider this a genuine will, you may so consider if; but if you do not so consider it, it need not be allowed.

Whit, you may so consider 1., but if you do not so consider it, it need not be allowed. We ask if the moral evidence has not something to do with the scientific facts? We ask this court to decide on the moral and scientific evidence, not scientific evidence alone, especially where it is of such a low degree of excellence. We had to battle context different ways of promotion against different ways of prosecution. As soon as we understood that we were assailed in one way and were prepared for it, we were told that that was and were prepared for it, we were told that that was not the scientific theory of the court. The scientific evidence rests on the evidence of a man who states that he has no experience in that particular direc-tion. His opinion should therefore be of no weight. But the court says that a skilled physician is a competent person to express an opinion on the action of combined poison. But this is not what we said. The doctor is not a skilled physician. He himself says that he is not in that particular. Any one of us could have given as good an opinion He himself says that he is not in that particular. Any one of us could have given as good an opinion. When the Court takes the theory that the life of Miss Stennecke was prolonged by the effects of the counter-poison, morphia, on the action of the prassie acid, keeping Miss Stennecke alive for twenty-four hoars, we had a right to ask, as we did, that this evidence, to be suomitted to the jury, should be supported by proof. But the Court did not answer us in this. They passed it over as if it was un-worthy of a reply. The check of Miss Stennecke for \$50, which was presented at the Carliste Bank for \$50, which was presented at the Carlisie Bank on the day after her death, was alleged to have been a forgery, so as to have a motive for the mur-der. The question arises whether this check has any relation to the cause; also, whether it showed a motive for the murder. If it was a forgery what motive did it prove? This is a distinct, substantive offense, not connected with the murder. They say onense, not connected with the murder. They say it was a forgery, because it was dated before her death. Of course it would be dated at a time prior to her death. They allege the same thing in refer-ence to the will. If the will was a forgery he was expecting to get the whole estate, then why should he forge a check for \$50? This would sup e that Dr. Schoeppe had stultified himself. It is saying that he would prefer a trial for murder to that for forgery. But there was another motive for the allowance of this supposition. It was to poison the

of the chambermald, if read by an unprepudiced mind, gives a strong impression of a person dying from narcotic poison. The testimony of Dr. Gonrad gives the appearance of a man hunting through the body for some cause on which he coold have any plea of death from another cause. First he says if may have been from the kidneys, or if not that, it may have been apop'exy, or if not apopiexy, a soft-ening of the train. When Dr. Scheeppe is told of the liness of Miss Stennecke he preactibes no reinsdy. There is no one to prove that he wrote is prescription, no apothercatery who made it up, no messenger who cautied it. When it entered his mind that Miss Stennecke bad received poison, why did he not immediately prescribe an antidote? He rushes to the bothes, and himself suggests that she has taken pbison. After examining the bothes he said that he wanted his stethoscope. If he wanted this for a scientific purpose he must have supposed that the disease was in the lungs or heart, for that is an instriment to observe the action of those organs only. There were no symptoms of any such THIRD EDITION FIFTH EDITION organs only. There were no symptoms of any such complaint, and no traces of such on the post-mortern. When told after the burial that he had better have the body exhumed and examined for the protection of his own practice, he uses a remarkable expression. He says:-"The medicine which she may have taken will have been absorbed long before this." It is well known that those who kill by poison in the present day do not use the old-fashioned arsenic, but other poisons which will absorb quickly and leave no traces. He purchased at one time one onnce of prussic

He purchased at one time one onnee of prussic acid, and four days previous to Miss Stennecke's death he returned it, saying it was not good, and purchased another ounce. What could he want with such a quantity of the acid? Apothecaries who make up twelve hundred prescriptions a year only use about two ounces in that time. A dose for me-dicinal purchases is not more than two doses of the use about two ounces in that time. A dose for me-definal purposes is not more than two drops of the neid to one hundred drops of water, and only a small quantity of this mixture is given at any one time, so deadly is the poison. If a line or word in the record shows that this man has not had a fair trial I join hands with the opposite side in asking that a new trial be granted, but if not, as an instrument of the law, we most earnestly ask that you affirm the judgm sh. S. Hebron, Jr., concluding for the prisoner, said that they had no fear of the case, if they could have a hearing in the case before a jury in the proper way. We say in this case that the court oclow over-londed us. They gave us two questions, and sub-

loaded us. They gave us two questions, and sub-mitted them to the jury, where the court itself should have decided between them for the jury. We have strong medical authority to show that the prehave strong medical automity to show that the pre-sence of a small amount of saliva in the stomach would have given the slight trace of prassic acid which was found. The post morten amounts to nothing by the positive evidence of two reliable physicians. And it was made privately and paid for privately in Baltimore. It is not carp-ing on our part to say that the judge should not have allowed the evidence of the doctor who himself said that he knew nothing about the action of prussic acid as a poison. It had been said that we will find all fairness in the proceedings of the court. There is only one statement in the recital of which the pri-soner could take any advantage, and this one clause is contradicted in the next sentences. In this case every witness who gave an opinion was treated as an expert. Even Mrs. Parker, who did not attempt

In expert. Even any, ranker, who do not addition of the statempt to claim that character, was treated as an expert. She is the only person who testifies that the symp-toms were those of morphia. The medical expert said that the symptoms were unknown to him. A late French chemical authority, who is known as the highest authority on the subject of poisons, says that the presence of morphia can always be discov-ered after death. One can is always be discovered after death. One case is cited where it was dis-covered after the body had been buried for fourteen months, and after putrefaction had long set in. Miss Comfort, the chambermaid, said, in her testimony, that the body was slightly wet with perspiration. They contended that this was a sign of the presence of morphia. The judge, in charging the used the very words that "the clothing was Was we with perspiration." whereas the testimony only shows that the body was moist.

In leaving to the jury the question whether life was lengthened out by the action of one poison upon another, a point is given them which no man can another, a point is given them which no man can decide without experiment. We were entitled to a clear gnswer to all the points which wo gave the court, but the answers were not to the point. They drew aside the attention of the jury on munor and side issues. The facts of the case are not to be heard here. This is not a motion for a new trial; it is a remeast for the charging of errors of the lower court. If this new heating is not granted the man's life is lost. But if even a technical error is in the proceedings of the case, we ask this Court to take advantage of it. We never tried to raise an

At the conclusion of the argument the Court adjourned.

Court of iOyer and Terminer-Judges Ludlow and Paxson. In the case of the young sailor, Charles Smith, who was tried for the murder of Peter Verheller, alleged to have been committed on the night of October 25th last, the witnesses called by the Commonwealth failed to support their case, some being unable to identify the deceased as the person with whom the prisoner had a slight difficulty in McClaskey's tavern -others swearing that the deceased was very drunk and disorderly-and still others that the stains seen upon Smith were not blood, as alleged. Under



The New Reign of Terror-Continued Rioting and Disorder-Erection of Additional Barricades -The Revolution

WASHINGTON.

Spreading.

Increase of Revenue Assessments-A Change in the Income Tax Proposed-Military Order.

FROM EUROPE. Fresh Disorders in Paris.

By the Anglo-American Cabis. PARIS, Feb. 9-3 A. M .- Disorders broke out again

at Belleville and in the Rue du Faubourg du | Temple at midnight. Several additional barricades have been crected in narrow streets. Troops are still in the neighborhood of the scene, but up to this hour

have not fired on the rioters. The police are active and there are rumors of

killed and wounded in the Boulevard Montmartre, running from the Rue Montmartre to Rue Richelies, the police having made several charges on the position of the rioters there. This point is fully a mile and a half distant from the scene of the disturbances yesterday.

Many additional arrest have been made. Gustave Flourens, the leader of the disturbances, is still at large, though the authorities are making every effort to arrest him.

Ship News. SOUTHAMPTON, Feb 9.—The steamship Weser, from New York, arrived last evening.

This Afternoon's Quotations. LONDON, Feb. 9-2:30 P. M.-Consols for money.

DONDR, American securities quiet. Stocks quiet. Eric,
92%. American securities quiet. Stocks quiet. Eric,
20; Illinois Central, 108.
LIVERPOOL, Feb. 9.—1 P. M.—Cotton a shade firmer and the sales are now estimated at 12,000 bales.
Bacon, 57s.; Lard, 71s.
PARIS, Feb. 9.—A. M.—The Bourse opened dull;
Rentes, 781, 30c., and closed dull, 731, 22c.
FRANEFORT, Feb. 9.—Bonds opened firm and unpayord.

changed. ANTWERP, Feb. 9.-Petroleum opened flat at

58f. 62%c. HAVE, Feb. 9.-The Cotton market opened quiet.

FROM WASHINGTON.

One Hundred per Cent. Increase in Revenue Assessments.

Special Despatch to The Evening Telegraph.

WASHINGTON, Feb. 9-Supervisor Marr reports that the assessments for the District of Kansas during January, 1890, show an increase of 100 per cent over the same month of 1869.

Damaging to Kerosene.

A general order promulgated from the War De-partment provides that hereafter no volatile oils will be issued or used for illuminating purposes at minitary posts, and all varieties of coal oils will be regarded as volatile. In general, tart oil will be supplied for issues of oil authorized for necessary illumination of military posts.

The Income Tax.

At a meeting of the Ways and Means Committee At a meeting of the ways and scans committee to-day a proposition was submitted to amend the internal Revenue law so as to make the income tax three per cent, hereafter, instead of five, and to exempt two thousand dollars. It was laid over for future consideration.

Objection to Judge Strong.

There is a good deal of opposition developing in the Senate to the confirmation of Strong and Bradly as Associate-Justices of the Supreme Court. Republicans say that Strong's record is too uncertain, and that he is too conservative. Southern Senators oppose Bradley because they want a man from their own section.

Line and Staff.

sylvania district, and Mr. Covode has been sworn in. The vote was 123 for Covode and 50 for Foster. The Fenlan Resolutions.

FROM WASHINGTON.

Hon. John Coyode Wins the Congressions. Sent and is Sworn In. Special Deepatch to The Evening Telegraph.

WASHINGTON, Feb. 9-3. 15 P. M. - The House

by a strict party vote has awarded the seat to

Hon. John Covode, from the Twenty-first Penn-

WINSTERN DE DES STREETS

The Fenian Resolutions. The Fenian resolutions will come up as soon as Covodes case is flaished. Fernando Wood has the foct, and will make a bitter attack upon the admin-istration for allowing American elitizens to be incar-cerated in British prisons. Every member of the Foreign Affairs Committee will sposk on the resolu-tions. The only member voting against them was Willard, of Vermont.

The Naval Appropriation Bill. The Appropriation Committee has gone to work on the Navai Appropriation bill. They will cat it down several millions from estimates, as they have done all other departments.

FROM THE STATE.

Bold Attempt at Bank Robbery-Arrest of the Burgines. Special Despatch to The Evening Telegraph. WILKESBARRS, Feb. 9.—On Monday night a despe-rate attempt was made to rob the banking house of S. V. Kockafeljow & Co., of this place. They had

rate attempt was made to rob the banking house of S. V. Kockafellow & Co., of this place. They had almost succeeded in drilling through the vauit door when they evidently became alarmed and aban-doned the job, leaving a choice lot of tools, hand-cuffs. gaze, gunpowder, etc. Four men suspected of being the burgiars were traced to Leb'ghton and arrested yesterday, not, however, until they had threatened to shoot the officers. All were well armed. Two of them at-tempted to swim the river, but gave it ap, and all are now in jail in this city. are now in jall in this city

PENNSYLVANIA LEGISLATURE.

Senate: Senate: HARRISTURATING, Feb. 9. - Mr. HERBREY Introduced a Mathin all bearings, investigations, and pretimi-nary examinations before a Judge, Mayor, or Justice of the Peace, in which any persons are charged with combission of crime, the persons so charged shall, if they desire or request, be represented by their combission of a shall have right to cross-examine wit-nesses produced against the accused, and have personal inspection of all writings; and every person who shall be taken into custody for the alleged com-mission of crime shall, within three hours, have a hearing before a Justice of the Peace or other per-son authorized residing nearest the place where the accused parties shall be confined. If such Justice of the Peace cannot be found, the next Justice of the Peace shall have the whole hearing, provided the Section shall not apply to arrests made between 10 P. M. and T. M. **Bune.**

House.

The following bills were reported :--House bill authorizing lessors to make complaint in landlord and tenant cases before one Alderman

Instead of two. Negatively, House bill providing that parties who submit their cases to arbitration shall be held to have waived the right of trial by jury. Negatively, House bill prohibiting interested persons from testifying in cases where the opposing party is dead.

Negatively. Senate bill authorizing husband and wife to testify in divorce cases. Affirmatively. House bill to prevent gambling and lotteries. Λ

lengthy bill, one of the main points of which is that any parties losing money by either of the above practices, may recover the amount with interest by proceedings within six years. Affirmatively,

The House bill providing that mechanics, journey-men, tradesmen, and laborers forming associations ander the general act of 1889 shall not be liable to arrest, fine, or imprisonment by reason of such membership negatively. ' The House bill authorizing the City Sewerage and

Fertilization Company to make contracts to clean the streets of Philadelphia affrmatively. The Senate bill authorizing the Wharton M. E. Church to remove their dead affrmatively. The Senate bill vacating Long Lane, between Car-

penter and Christian streets. The House bill vacating Stanley lane in Twenty-eighth ward from Ridge avenue to Twenty-ninth

street. The Senate bill extending the jurisdiction of aldermen to \$300 suits was reported negatively. The House bill authorizing the dedication of Dia-mond street, from Broad to Thirty-third, for public use on conditions that no railroad nor tracks shall ever be laid thereon, affirmatively.

to the Gloria Dei Church, affirmatively. The House bill incorporating the West Chester and Phoenixville Ballroad. Phoenixville Haliroud. The House bill incorporating the Girard Mercan-tile Company, the Mincua Library Company, the Farmers' Mutual Insurance Company, affirmatively. The Senate bill authorizing the Thirteenth and Fifteenth Streets Railway Company to extend a branch on Locust street. Affirmatively, by Mr. Cloud, The House bills incorporating the Board of Offcers of "Onrs." Authorizing the Ridge Avenue Railway to lease their road. Consolidating the townships of Byberry and More-land into one district for poor purposes. The House bill increasing the number of Aidermen of Philadelphia was referred to a committee of the Philadelphia members, on motion of Mr. Bunn. Bills introduced Mr. Baint. Bills introduced. Mr. Darlington, appropriating \$5000 for the Eastern experimental farm in Chester county. Mr. Leonard, requiring all prothonotaries and clerks of courts to keep a docket on which they shall enter all costs of officers, witness and attorney fees, which docket shall always be onen for inservice. which docket shall always be open for inspection. Mr. Johnson, incorporating the Rittenhouse Col-lege. Also incorporating the Nautical College. Also authorizing aldermen to demand all costs before giving a transcript of appeal. Mr. Adaire, authorizing the Auditor-General to examine the claim of M. C. Campbell for one thousand and eight dollars for damages sustained from troops in 1862. Also incorporating the Delaware Stone and Land Company. Also divorcing John Cahill. Mr. Comly, incorporating the Frankford and Holmesburg Passenger Rallway Steam Road, from. the toil-gate at Holmesburg to Frankford. Mr. Davis, exempting the Northern Home for Friendless Children from the collateral inheritance tax on certain bequests. FROM NEW ENGLAND.

LOCAL ODDS AND ENDS .- The ex-President of the Board of School Controllers spoke forty-nine times, inside of two hours, yesterday afternoon, and apologized for not speaking on the fiftieth subject.

-The School Controllers ask for Northeast Penn Square for a site for a new normal school. One of the board philosophically adds that it would have the effect of settling the public buildings question.

-Again do livery-stable men look jubilant. The feathery flakes dispensed from the bedding establishment of . Folus raised their spirits and caused their hearts to beat in consonance with their bells.

-Beautiful snow may sound very well in poetry, but for us we prefer the beautiful bricks in preference to beautiful bruises and highlycolored abrasions.

-St. Valentine, were he alive, or allowed to revisit former scenes, would doubtless feel highly complimented by the many artistic de-vices produced by his friends.

-Politics are queer things. We know of some ten or twelve individuals who resigned their positions on the passage of the Metropolitan Police bill; they would now regain them.

-An uptown pedagogue yesterday called upon his scholars, as a lesson in elocution, to speedily repeat the weather changes, as follows: -It rains, it hails, it blows, it snows. Try it, reader.

A MORE CORRECT STATEMENT CONCERNING MAYOR FOX'S POLICE .- We published yesterday a statement of some very peculiar conduct of Mayor Fox's minious in relation to Mr. Robin-son, whose house on Fitzwater street was entered by burglars, the burglars, after being secured, being allowed to escape through the connivance of the officers. We wish to-day to make a slight correction in the account, or more properly, give some additional facts. It seems that when Mr. Robinson appealed to the Lieute-nant he was not promised a heating, but was told by that officer to "shut up. or I will have you arrested." Other classical expressions of the same import were also used. Mr. Robinson proceed to Chief Multouland, who now has appealed to Chief Mulholland, who now has appealed to Chief Multionand, who how has the facts in his possession, probably holding them under advisement for speedy action. This speedy action will in all probability commence to act when the burglar is out of the reach of the law, or, to speak more pointedly, in his silent

FINE ARTS .- Unusual interest was manifested by those present at the exhibition of oil paintings at the galleries of Martin Brothers, Chesnut street, opposite Independence Hall, yesterday and this morning. A visit will be found pleasant and enjoyable. The collection, numbering 170 pictures, will be disposed of at auction, comnencing to-morrow morning at 11 o'clock, and evening at 71% o'clock.

We have not space to give such a detailed de-scription of the pictures as they deserve, but recommend attendance at the exhibition this evening. Those desiring to possess the gems will of course attend the sale. The sale will be continued on Friday morning and evening, when we are assured that all remaining must be elosed out.

THE "STAR" COURSE OF LECTURES. -The next lecturer will be Rev. E. H. Chapin, D. D., who will discourse to-morrow evening, at the Academy of Music, on "The Roll of Honor."

Academy of Music, on the Kon of Honor. Mr. Chapin is universally considered one of the most eloquent divines in the country, and as a fecturer he stands at the head of the list of "stars." We can promise those who listen to his call of "The Roll of Honor" to-morrow evening that both in matter and manner the discourse will be one to be remembered.

SEVERELY INJURED. - Charles Thompson Jones, member of Select Council, slipped on the ice at Fifth and Chesnut streets yesterday aftersoon, and sustained severe injuries.

Hartranft. THANKS TO THE POLICE FORCE .- Mayor Fox

received the following communication this morning:-

ing:--PHILADELPHIA, Feb. 7, 1870.-Daniel M. Fox, Esq., Mayor of Philadelphia:--I am requested to thank your Honor, on behalf of the merchants of Eighth street, be-tween Market and Arch streets, for the promp'itude with which the police, through your fibretion, have rid our street of the annoyances we complained of to you in the early part of January. We desire to thank the members of the force through your Honor, and to express a hope that we may not have occasion to annoy you with any more complaints during your official term. Very respectfully, M. A. JONES, Chairman of Committee. In the early part of January the merchants of

In the early part of January the merchants o Eighth street, between Market and Arch, met and appointed a committee who waited upon the Mayor and complained of the number of professional beggars and venders of shoe-lacers, oranges, and lemons who occupied the side-walks, and annoyed passers-by their entreaties to purchase of them. The Mayor notified the Lieutenant of the Sixth district to break up the nuisance complained of, which was effectually done, as will be seen from the above letter of thanks.

COMMENDABLE ACTION OF A FIRE COM-PANY.-This morning the Mayor received the

following communication:---

following communication:--PHILAPELPHIA, Feb. 5, 1870-Hon. D. M. Fex-Sir:-At a stated meeting of the Northern Liberty Fire Company, No. 1, held on Tuesday evening, 1st inst., the following re-solutions were adopted:-Recovered. That any member or members of this company in going to or returning from a fire, or an alarm of fire, the act itself expels said member or members of the company to arrest them or have them arrested, under a penalty of the next stated meeting of the company. Recover, That any member having the carriage or en-five dollars, and the President shall announce the fact at the next stated meeting of the company. Recover, That any member having the carriage or en-five taken out for an alarm, coming from any box cut off by this company, shall be declared expelled by the Presi-dent at the next stated meeting; and. Recover, That the above resolutions be transmitted to his hom the Mayor of the oily. Disk D. RUOVP, President. Attest-SAMUEL B. SAVIN, Secretary.

ON SATURDAY EVENING LAST Mr. B. Scott Jr., closed out the largest number of lots that have ever yet been put up at any art sale in the United States. The total number in the catalogue amounted to 1350, which is only exceeded by the immense collection of the late Mr. Thompson, now being sold in New York. At the last evening's sale more than one-third of the catalogue was put up, but Mr. Scott managed to bring the sale to a satisfactory conclusion by 11 o'clock, and was still apparently able to continue for three or four hours longer if necessary.

ASSAULT AND BATTERY AND MALICIOUS MISCHIEF .-- Robert Coskaden went into Riddle's tavern, at Sixteenth and South streets, last evening, and behaved in a very disorderly manner. He assaulted the proprietor, and then amused himself by breaking a large looking-glass. De-fendant was arrested, and after a hearing before Alderman Dallas was held in \$1000 bail to answer.

THE MEMBERS of the Commercial Exchange Association, in accordance with their ancient custom, last evening screnaded Nathan Brooke Esq., the President elect, at his residence on Spring Garden street, near Eighteenth. The Liberty Cornet Band discoursed most excellent music, and the addresses on the occasion were of the most felicitous character.

BEAT HIS WIFE .- Charles Fischer was arrested at Master and Hutchinson streets yesterday afternoon for beating his wife. He had a bearing before Alderman Hood, and was held in \$300 bail to answer.

minds of the jury by leading them to suppose that a man who could be guilty of one lesser crime would most likely be guilty of the other and greater one.

THE DEFENSE.

THE DEFENSE. Mr. C. E. Maglaughlin, District Attorney from Carlisle, opened for the Commonwealth as follows:-The opposition attacks the chemical testimony mainly. The chemist was a known authority. He had been experienced with chemistry for years, and was a professor of chemistry in the Maryland Insti-tute. He used nearly all the tests known to chemists for prussic acid. He used the odor, the iron, and the sulput tests. They say that he could not have had a true tests because he used sulphuric acid, and they say that he could with this acid have obtained traces of prussic acid from the natural saliva which was in the stomach. To get these traces the saliva would have to have been present in such quantities that the stomach. To get these traces the saliva would have to have been present in such quantities that its presence could not possibly have been overlooked and noted by the experimenter. They say that she could have died from Bright's disease. The symp-toms of this disease are light thin blood and cold. We proved that the body was warm and that the blood was thick and dark red. There was not only this one opinion of a medical man. Four physicians testified that they found traces of both morphia and prussic acid. prussic acid.

pressic acta. These physicians gave their unanimous opinion that this woman did not die from untural causes, but from the cambined effects of morphia and prussic acid. The opposing counsel charge us with not having used all the symptoms in the hypothetical case. On the testimony of the Philadelphia College of Physicians and other authorities which they include in their printed book, mention is made of the strongest symptom of the administration of prussic strongest symptom of the administration of prassic acid which we have used in the hypothetical case, and which they do not even notice. They say that doath may have been produced by apoplexy. But apoplexy may be proven after death. There were no signs of apoplexy on the examination but the slight softening of the brain. If she had died from this cause there would certainly have been a clot of blood on the brain. If there is not the scientific testimony, the uny must any doubt of the scientific testimony, the jury must be allowed to take all the facts of the case into conbe allowen to take the corpus delicit. If this were sideration to prove the corpus delicit. If this were not so, we would have a protection for poisoners. Here we have the case of a man who knows all the properties of the drugs which he handled, and knew properties of the drugs which he haddled, and knew exactly the minimum amount of poison which would leave the least traces. Our testimony proves that Scheepe had purchased poison on a certain day. On the next day, about 10 o'clock, he was alone with Miss Stennecke in her room. About 12 o'clock he was again alone with her. Miss Stennicke called for the chambermaid to bring her a spoon. Dr. Scheeppe receives the spoon and dese specin. Dr. Schoeppe receives the specin and does not allow the chambermaid to enter the room. About 3 o'clock in the afternoon she was seized with a violent fit of vomiting. On that night the eclipse of the moon took place. If Dr. Schoeppe had been the scientific man they say he was, he would have been employed with this phenomenon, unless he had something of more importance to attend to. At that time he was again alone with Miss Stenneke in that time he was again alone with Miss Stenneke in her room, and at about twenty minutes after eight o'clock he was seen running down the hotel stairs. On the next day, when he was told that Miss Stennecke was taken sick, he goes around the room smelling the bottles and saying. "I wonder if she could have taken anything." His conduct before, and also after the death and funeral, was very peculiar, as may be seen from the evidence. It has been said that we attempted to prove the will a forgery. We tried to protect the jury from the supposition that it was a faise will. The motive was much stronger if the will was genu-ine. The Jodge distinctly charged the jury that there was no evidence to prove the will a forgery. Attorney-General F. Carroll Brewster, con-Attorney-General F. Carroll Brewster, con-tinuing for the Commonwealth, said:---

It has been charged that the medical testimony is faulty, from the fact that the examination did not include the silver test, and that the distillate was of include the silver test, and that the distillate was of no value, from the fact of sulphurie acid being used. It would seem from the opinions of judges that both of these faults could be had aside. The other side, in speaking of the qualifications of the investigator, in fact say, "Exclude this man from testimony on prussic acid, but embrace him on everything else." The authorities which I have quoted in full and copied, and which Will be presented to your Honors, contain medical testimony in sup-port of our argument. One says that prussic acid is contained in such small quantities in saliva, that the quantity present in the stomach of Miss Stennecke would give no trace on testing. Dr. Conrad made the post-mortam examination. He is a gentleman of the highest medical authority. He dissected the body of this unfortunate woman almost from head to tee, and he testifies that he found no Estural cause of death, The testimony

se circumstances, the District Attorney did not feel that he could conscientiously press for a convic-tion, and therefore submitted the case under the charge of the court. A verdict of not guilty was rendered. The case of the other prisoner, William Cox, being exactly similar to that of Smith, it was Cox, being exactly similar to that of Smith, it was submitted without evidence, and a verdict of not guilty was returned. The young men were re-turned to prison, whence they will be taken back their vessel, the Tallapoosa. Owing to a mistake in the direction of subpœnas issued yesterday, there was no business before the Court to-day, except the case of a young man who indisted for assault and battery in striking another for using abusive language to his father. F A Breev. Jr., representing the prisoner, ex-

F. A. Bregy, Jr., representing the prisoner, ex-plained to his Honor the provocation that led to the blow, and that the young man had always borne an excellent character, so that the Court imposed a nominal sentence, which effected his immediate release.

District Court, No. 2-Judge Hare.

Joseph Shuman vs. Michael Cahill. An action to recover upon three checks. The detense denied the genuineness of the signatures of two of them and pleaded payment of the third. On trial. Nisl Prius-Chief Justice Thompson.

John Penn Brock vs. The Phœnix Iron Company. An action to recover damages for an alleged breach of contract to mine a certain annual quantity of ore and to pay a specified rental therefrom. On trial, U. S. District Court-Judge Cadwalader. The usual Wednesday bankruptcy business en-

gaged the court to-day.

WEDDING INVITATIONS RNGRAVED IN THE NEWEST AND BEST MANNER,

LOUIS DREKA, Stationer and Engraver, No. 1063 CHESNUT Street WEDDING AND ENGAGEMENT RINGS. of solid 15-karat fine gold. QUALITY WAR RANTED. A full assortment of sizes always on hand. FAR & BROTHER, Makers, 3 Siwfmt No. 324 OHESNUT Street, balow Fourth FIRE AND BURGLAR PROOF SAFE EMOVA R FARREL, HERRING & CO. HAVE REMOVED FROM No. 629 CHESNUT Street TO No. 807 CHESNUT St.,

PHILADELPHIA.

Fire and Burglar-Proof Safes

(WITH DRY FILLING.)

HERRING, FARREL & SHERMAN, New York. HERRING & CO., Chicago. HERRING, FARREL & CO., New Orleans. 2 9th

OUTLERY, ETO.

RODGERS & WOSTENHOLM'S POCKET-KNIVES, Pearl and Stag handles, and beantiful finish Rodgers', and Wade & Butcher's Razors, and the celebrated Lecoultre Razor ; Ladies' Scissors, in cases, of the finest quality ; Rodgers' Table Cutlery, Carvers and Forks, Razor Strops, Cork Screws, Etc. Ear instruments, to assist the hearing, of the most approved construction, at P. MADEIRA'S,

No. 115 TENTH Street, below Obesaut.

E D D Y'S, L NINTH AND SANSOM STREETS.

115 wfmlm

The undersigned takes pleasure in informing his nume-rous friends, and the public generally, that he is once more to be found at his old establishment, and trusts a continuance of their former patronage. The past char-acter of the house will be a sufficient guarantee for the

JAMES M. LEDDY,

The House Committee on Naval Affairs, at a meet ing last night, agreed to report in favor of the posi-tive rank for staff officers of the navy, instead of relative or assimilated rank.

Indian Affairs.

The Senate Committee on Indian Affairs has agreed to report favorably on a resolution of the House for the creation of a joint committee of the two houses on Indian Affairs. The resolution passed the House last spring, but has not been acted on by the Senate.

The Georgia Question. Despatch to The Evening Telegraph.

Despatch to The Evening Telegraph. WASHINGTON, Feb 9.—The Senate Committee on the Judiciary to-day heard fifteen Georgians, who are here as delegates. The conservatives took the ground that the present Legislature is filegally con-stituted, owing to the admission of minority candi-dates, and argued in favor of a reorganization of that body. Governor Bullock and others, on the Republican side, spoke briedly in opposition. Senators Carpenter, Edmunds, at d Conkling re-membered that at a former hearing Governor Bullock said the expulsion of negroes and the seating of minority candidates in their stead was sheer usur-pation.

pation. The committee will on Saturday give Governor Bullock an opportunity to explain his apparently contradictory position. The Judiciary Committee of the Senate was directed to inquire into the facts as to the reorgani-zation of the Georgia Legislature.

The Funding Bill. The funding bill has been made the special order for Tuesday next in the Senate.

Neutrality of the United States

During the morning hour in the Senate to-day, Mr. Morton made a speech upon the neutral relations of the United States.

The Covode Election Case. Covode's case is up this morning, and Democrats are hammering away at him. They asked for addi-tional time and it was granted. The vote will pro-bably be taken at 8 o'clock. It is said that General Foster, Covode's contestant, is on his way here, and the Democrats are talking against time, to allow him a chance to get here and make a speech.

CONGRESS.

FORTY-FIRST SESSION-SECOND TERM.

Senate.

Senate. WASHINGTON, Feb. 9.—Resolutions were offered and agreed to, as follows: — By Mr. Pomeroy, requesting the President, if not incompatible with the public interests, to communi-cate any information he may have touching the ac-tion of any of the departments relating to a claim of the Central Branch of the Union Pacific Railroad Company to receive lands and bonds of the United States in aid of the construction of their road; also, any recommendations he may see fit to make in the any recommendations he may see fit to make in the

premises. By Mr. Ferry, directing the Attorney-General to transmit information relative to the claim of the Postmaster in Augusts, Georgia. for salary, and any opinion given by him on the subject. Also, whether he had been informed that said Postmaster was disqualified by participation in the Rebellion from holding such office.

from holding such once. By Mr. Ferry, directing the Judiciary Committee to inquire and report whether the Legislature of Georgia has been reorganized in accordance with the provisions of the act passed at the present ses-sion to promote the reconstruction of that State, and whether there have been any violations of said act

New York Produce Market. New York Produce Market. MEW YORK, Feb. 2.—Cotton dull; sales 500 bales middling uplands at 25% C. Flour.—State and Western dull, in buyers' favor; Southern dull. Wheat dull, but without decided change; No. 1 spring, \$1 22%, de-livered; winter red Western, \$1 24%127. Corn dall and drooping; new mixed Western, 89c.; new yellow Southern and Jersey, 98,399c. Oats a shade firmer. Beef quiet. Pork firmer at \$2575 @26. Lard quiet; steam rendered, in tierces, 15,317Mc. Whisky quiet at 95%c. Mr. Morton proceeded to address the Senate upon the bill making it a misdemeanor to fit out or equip ships of war, or to sell or furnish arms or munitions ships of war, or to sell or furnish arms or munitions of war with the intent that they shall be employed in the service of any foreign prince or State to commit hostilitles against the people of the province, dis-trict, or colony who are in a state of armed insurrec-tion against such foreign prince or State, and pro-viding for the forfeiture of such ship or vessel. Mr. Morton took strong grounds in favor of the prompt acknowledgment of the beligerency of the Cuban patriots; believing that their form of govern-ment and the duration of the war waged in that island justified the interposition of the United States for the relief of Cuba.

for the relief of Cuba.

House.

Mr. Buffington presented the resolutions of the Commonwealth of Massachusetts for the abolition of the duties on foreign coal. The House then resumed the consideration of the Foster-Covode contested election case from Penn-

sylvania. Wr. Randall continued his argument in support of

the claim of Mr. Foster.

Effects of the Storm.

CONCORD, Feb. 9.—There is a foot of snow reported at Lancaster. There is about eight inches here and is drifting The thermometer is at 26.

Ship News.

Boston, Feb. 9.-Arrived-Steamer Siberia, from Liverpool. Baltimore Produce Market. BALTHORE, Feb. 9.—Cotton dull and nominal at 24%. Flour fairly active, and market slightly favors buyers; Howard Street superline, \$452%, 65; do. extra, \$522%, 66; do. family, \$622%, 65; do. extra, \$522%, 66; do. family, \$622%, 66; do. family, \$526, 66; do. family, \$626, 66; do. family, \$526, 66; do. family, \$626, 66; do. dul; Pennsylvania red, \$122. Corn dul; white, 95 a956; yellow, 92c. Oass, 55%, 576. Rye dull and nominal. Mess Pork weak at \$2756, 628. Bacon quiet; rib sides, 15%, a16c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do. 16%, 616%, c.; shoulders, 12%, a160, c.; clear do.; clear do.

WEDDING AND PARTY INVI-

TATIONS

WALLETS, GOLD PENS, WRITING DESKS, KNIVES,

S 17 wam5

ENGRAVED IN THE LATEST STYLE.

J. LINERD,

STATIONER AND CARD ENGRAVER.

No. 921 SPRING GARDEN STREET,

PERSONAL.

HEIRS AT LAW OF OLIVER JOHNSTON or JOHNSON, late of New York, wanted. He had a brother Arthur and a nister Eliza, wife of James Sout, residing in Philadelphia. Apply to J. TOWNSHEND, lawyer, No. 129 FULTON Street, N.Y. 27 St

ET GOODS, NEWEST STYLES, DIXON'S,

CARD CASES, FOLIOS, ETC.

PHILADELPHI