RESIGNAL AND DRAMATIC.

BUNG USAN DISA

The City Amusements.

CARL GAERTNER'S National Conservatory Orchestra will give four grand concerts at the Academy of Music during the present season, and also ten soirces of classical chamber music in the large room of the National Conservatory of Music, at the southeast corner of Tenth and Walnut streets. Mr. Gaertner has gathered about him a combination which represents some of the best musical talent in Philadelphia, and the entertainments he announces will undoubtedly be of a very enjoyable character. The orchestra will also be at the service of the public for concerts, operatic and dramatic performances, commencements, etc. The subscription list for the concerts and soirees is now open

at the music stores.

AT THE WALNUT Mr. Forrest will commence the third and last week of his engagemence the third and last week of his engagement this evening by appearing as "Spartacus" in Dr. Bird's tragedy of The Gladiator. Tomorrow evening King Lear will be performed; on Wednesday, Macbeth; on Thursday, Jack Cade; and on Friday, Hamlet.

On Saturday Mr. James Taylor will have his first benefit, and on Monday next Miss Lucille Western will appear in East Lynne.

At The Arch Victorien Sardon's drama of

AT THE ARCH Victorien Sardon's drama of Fernande will be performed for the last times

On Saturday Camille will be given, and on Monday next Lester Wallack's comedy of Central Park; or, The House with Two Doors will

AT THE CHESNUT the Lingard combination. consisting of William Horace Lingard, Alice Dunning Lingard, Miss Dickey Lingard, Mr. George C. Boniface, Mr. F. C. Morrison, Mr. B. Dunning, and other artists will appear this evening and during the week in an attractive entertainment, which will combine comedy, farce, protean sketches, and other interesting features. AT THE ACADEMY OF MUSIC the strongest dramatic combination that has been seen in this city for many years will commence a series of six performances this evening, with Shakespeare's great historical tragedy of Julius Cosar. The names of the artists who will represent the leading characters will give the public assurance of a performance of the very highest class. Mr. E. L. Davenport will appear as "Brutus," Mr. Frank Mayo as "Cassius," Mr. F. C. Bangs as "Mark Antony," Mr. Mark Smith as "Casca," Mr. Charles P. Morton as "Julias Cæsar," Mr. A. H. Davenport as "Octavius Cæsar," Madame Ponisi as "Portia," and Miss Josie Orton as "Calphurnia." The lovers of dramatic art will have something to regret if they miss seeing this entertainment.

To-morrow evening London Assurance will be represented, with Miss Josie Orton as "Lady Gay Spanker," and the other characters by competent artists. For Wednesday Hamlet is an-

Notwithstanding the great attractions the prices have been fixed at popular figures, which will enable all to attend who may desire to do so. AT THE ELEVENTH STREET OPERA HOUSE a new bill of attractions is announced for the present week, which will include the following entertaining features:—A burlesque on Fernande: Pat, the Fenian Hero; The Beautiful Walker; The Sausage Machine; and The Storming of

AT THE ARCH STREET OPERA HOUSE a variety of novelties are announced for this evening, among which the most prominent are Scenes in an Intelligence Office, Darling Mignonette, Sounds from Fatherland, and The Other

AT THE AMERICAN a miscellaneous enter-tainment will be given this evening.

CITY INTELLIGENCE.

ROBBERY ON THE FRANKFORD ROAD-ARREST OF THE ALLEGED THIEVES.—On Sunday afternoon the house of Mr. J. C. Callahan, No. 2011 Frankford road, was broken into, during the temporary absence of the family, and robbed. The seed was done by three boys, one of whom had formerly been in Mr. Callahan's employ. An entrance was effected by prying off a cellar door. The young thieves ascended to the parlor, and commenced a search for valuables. Secreted between the cabinet organ and the floor they found a roll of notes amounting to \$332. On the return of the family the loss was discovered, and Detective Miller, who resides in the neighborhood, was notified. In one hour afterwards the officer not only ascertained who were the thieves, but also captured them and their plunder. They had spent but fifty cents. The balance was recovered in a cellar in Memphis street, into which the lads had thrown it. The prisoners are named John McLaughlin, James Murphy, and Patrick Cahill. They will have a hearing at the Central Station this afternoon.

FIGHT AT A LIVERY STABLE-A CROSS ACTION. Yesterday John Keenan and William H. Clotz got into an altercation in a livery stable on Chelten avenue, Germantown, about some harness. Keenan, it is alleged, first struck Clotz, and the latter re-turned the compilment by pounding Keenan over the head with a piece of iron. The latter proceeded to the office of Alderman Waterhouse and said out a warrant for the arrest of his assailant. Clotz was arrested, and after a hearing upon the charge, was held in \$500 bail to answer. The prisoner straightway repaired to Alderman Thomas office, and had a warrant issued for the arrest of Keenan. The latter was subsequently taken into custody, and held to bail in the sum of \$1000 to answer the charge of assault and battery.

DISHONEST EMPLOYE, -'Mr. Jacob Kraft is a farmer residing at Schencksville, Montgomery county. A few days since he left home for a journey to a distant city. During the interim an em-ploye helped himself to articles on the premises. Yesterday morning he hitched up a pair of horses, and put into the wagon a lot of apples, timothy seed, an accordeon, and a double-barrelled gun. He also supplied his pocket with a \$100 bond. Informa-tion of the robbery was communicated to this city, and the team was recovered this morning by Detective Levy at a livery stable near Second and Coates streets. The other articles were also recovered, and the employe arrested. The prisoner is named Amos Honerin. He is locked up for a hearing.

SNEAK THIEF.—On Sunday evening a sneak thief named John Kelly found his way into the residence of Dr. Ashton, at Ninth and Spruce streets, and helped himself to two hats and a case of surgical instruments which were in the vestible. A servant girl noticed Kelly leave the honse with the property in his possession. She gave an alarm and the thief was followed to Tweifth and Market streets, where he was taken into custody. Kelly had a hearing be-fore Alderman Jones and was held in \$500 ball to

ALLEGED THEFT OF A HORSE.—A man named William Pickering was arrested in West Philadel-phia on Saturday last for the alleged theft of a lorse, the property of a gentleman residing at Chadd's Ford. Policeman Wrin made the arrest, His attention was attracted to Pickering, who had the animal in his possession, and was offering to sell it at a price far below its value. Defendant was arraigned before Alderman Randali, and was held to bail for a further hearing.

A ONE THOUSAND DOLLAR FIRE ON CALLOWHILL STREET.—About 3 o'clock this morning the sheds at the marble yard on Callowhill street, above Broad, were set on fire and destroyed. The flames conmunicated to a stable on the premises and a frame shanty occupied by a colored man. Both buildings were reduced to ashes. The entire loss will reach about \$1000. A boy named Francis Crilly was taken into custody on suspicion of firing the property.

HIGHWAY ROBBERY .- John Robinson is the name of an individual who was taken into custody at Sixth and South streets on Saturday night upon the charge of highway robbery. The allegation is that he stole James Conneil, who was passing the locality above mentioned. The prisoner had a hearing before Alderman Carpenter and was held to ball to

SALE OF RESIDENCE AND FURNITURE.—Messrs, Thomas & Sons will sell, September 21, at 10 o'clock, on the premises, the very desirable modern resi-dence, No. 732 North Nineteenth street. Has all the modern conveniences. Also, the entire elegant household furniture. See catalogues. THEFT OF A WATCH. -Robert Everett had a hear-

ing yesterday upon the alleged charge of the theft of a watch. The timeplece was stolen from a drunken man on Edgemont street on Saturday night ast. Defendant was held in \$600 bail to answer. \$100 Fire.-About 7 o'clock this morning a shed

attached to a rag store store at Frankford read and cumberland streets] was discovered to be on fire. The flames were extinguished by people in the vicinity. Damage about \$100.

PETTY LARCENY.—Mary Carnes (colored), for the theft of a calloo dress from the residence of Sarah E. Jones, at Sixth and St. Mary streets, was yesterdsy sent to prison by Alderman Carpenter.

TRIFLING.—About half-past nine o'clock this recraing a trifling fire occurred at No. 729 Poplar street. The fames originated from the heater.

BOARD OF SURVEYS.—The regular stated meeting of the Board of Surveys was held this afternoon, President Kneass in the chair.

President Kneats in the chair.

The schon through which the following sewers were constructed during the recess at private expense was approved:—One, 3 feet, on Spruce street, between Fifteenth and Sixteenth, and another, of the same dimensions, on Walnut street, between Fifteenth and Sixteenth streets; one, 2 feet, on Walnut street, between Twenty-first and Twenty-second street, and one, 12 inches, on Gothic street, cant from Second street,

second street, and one, 12 inches, on Gothic atreet, east from Second street.

The following sewers were then ordered to be constructed:—One, 8 feet, over a run of water at Ninth and Tioga streets; one, 3 feet, on Seventeenth street, from Chesnut to Arch; one, 12 inches, on fifth street, between Coates and Green; and two, 10 inches, on Wyncoop street, between Spruce and Locust, and on Ludlow street, between Tairty-third and Thirty fourth.

and Thirty-fourth.

The following streets were ordered to be placed upon the city plan:—Part of Upsal street, Twenty-second ward; Baird and Alfred streets, Twentysixth ward.

A resolution of instruction relative to the grade

ines of Haverford avenue was referred to Messrs. Smedley and Miller.
On motion of Mr. Shedaker, the action of the poard with reference to the construction of a sewer on Forty-first street was reconsidered and a resolu-tion passed authorizing the construction of a 3-feet sewer on that thoroughfare, from Haverford avenue to Mary street, and on Mary street westward to a point near Forty-second street.

MALICIOUS MISCHIEF.—On Saturday night some scamp obtained admission to the Bedford Screet Mission Home by the rear second-story window and turned on the water. When the building was opened this morning it was found to be completely flooded and damaged to a considerable extent. A reverse of Charles reward of \$25 has been offered by order of Charles Spencer, President of the Bedford Street Mission Board, and it is to be hoped that the perpetrator of the outrage will be captured and punished as he

FAVORABLE ACTION .- The Committee on Finance of Select Council, at a meeting held this merning, directed the chairman to report with a favorable reommendation the ordinance authorizing the appro priation of \$450,000 for the building of a House of

BEAT HIS WIFE,-Patrick Bushel yesterday committed an assault and battery on his wife at Seventh and Bedford streets. He was arrested and com-mitted by Alderman Bonsall.

LEGAL INTELLIGENCE.

Important Revenue Decision-Rallroad Taxes. United States Circuit Court—Judge Strong.
In the case of the Philadelphia and Reading Railroad Company vs. Barnes, Collector of Internal Revenue, Judge Strong read an elaborate opinion, de-ciding that as the law stood before the passage of the act of July 14, 1870, the dividends and interest paid by railroad companies on and after January 1, 1870, were not liable to an internal revenue tax, and that the act of July 14, 1870, could not be accepted as a legislative exposition of the meaning of the former law, so far as it applied to the present case. There were a number of cases involving the same question. We annex a copy of the

opinion:—

The substance of the second plea, to which there has been a demurer, is that the plaintiffs, who are a rairoad company, declared a dividend on their capital stock to their stockholders, on the 22d of December, 1868, as part of their strokholders, on the 22d of December, 1868, as part of their earnings, incomes, and gains made and accrued between July 1, 1869, and December 1, 1869, and that the dividend was declared payable to the stockholders on and after the 17th of January, 1870. The plea further avers that a return thereof was afterwards made to the assessor of internal revenue of the United States, and a tax of five per cent, of the amount of the dividend was assessed by him upon the plaintiffs, which was due and payable on or before March 31. 1870: that notice of the assessment was duly given, and a demand for payment was made upon the plaintiffs by the district collector; that the tax was not paid in response to the demand, whereupen the defendants, who were the collector and deputy collectors, on the 5th of May, 1870, made a distress for the tax, together with five per cent, additional thereto and the interest accrued thereon, and that this was the supposed trespassor.

It is a plea of justification, and, in order to determine

accrued thereon, and that this was the supposed trespassor.

It is a plea of justification, and, in order to determine
its sufficiency or insufficiency, it is necessary to inquire
whether there was any legal warrant for assessing and collecting such a tax. If there was, it is conceded it must be
found in the internal revenue act of Congress of June 39,
1864, as amended by its supplements. The primary question, then, is whether that act authorizes the levy and collection of a tax upon dividends declared by railroad companies in 1869, but declared to be payable at a time after
December 31 of that year, and therefore not receivable by
the stockholders until in the year 1870?

It is of course essential to the inquiry that it be determined whether the tax upon railroad dividends was by the
act of 1864 made a permanent tax, or whether it was of
temporary duration, like the income tax upon other gains
and profits. I have no doubt that the tax upon dividends

mined whether the tax upon railroad dividends was by the act of 1861 made a permanent tax, or whether it was of temporary duration, like the income tax upon other gains and profits. I have no doubt that the tax upon dividends made by such companies, and upon the interest payable by them, described in the 122d section, is a part of the five per cent tax imposed upon all incomes by the 116th section. By the Hight, as amended by the act of 1887, it was enseted that there should be levied, collected, and paid annually upon the gains, profits, and income of every person residing in the United States, or of any citizen of the United States residing abroad, whether derived from any kind of property, rents, interest, dividends, or salaries, or from any profession, trade, employment, or vocation, carried on in the United States or elsewhere, or from any source whatever, a tax of five per centum on the amount so derived over one thousand dollars. The same section declared that the tax theroin provided for should be assessed, collected, and paid upon the gains, profits, or income for the year ending the 31st day of December next preceding the time for levying, collecting, and paying said duty. What that time was directed to be, as well as the duration of the tax, was defined by the 116th section, which enacted as follows:—"That the tax on incomes herein imposed shall be levied on the 1st day of March, and be due and payable on or before the 30th day of April in each year, until and including the year eighteen hundred and seventy, and no longer. It is noticeable that the language of the 11th section is very comprehensive. It extends to income of every description, whether derived from labor or property, and it particularly mentions that derived from interest and dividends, adding the words, "or from any source whatever." It is true that in the provisions made by Congress for estimating or ascertaining the gains, profits, and income of any person, there are cervation whose officers, as required by law, withhold a per centum as a part of the tax payer's income. They are obviously in-troduced as a guide to the return of income, which the next following section requires to be made to the assis-tant assessor, and because a special mode of collecting the tax on such dividends, interest, and salaries was in-

tant assessor, and because a special mode of collecting the tax on such dividends, interest, and salaries was intended to be provided.

It is indispensable to a correct understanding of the statute that all its sections relating to the same subject be read and considered together. Those numbered from 116 to 123, inclusive, are all classified under the title "Income," and they manifestly relate to the same subject, Together they constitute a system devised to impose and collect a tax upon incomes or gains from any source whatever. The subject of the tax is one and the same, though consisting eff numerous constituents. But the mode of assessment and of collection is different as applied to the constituents of income. Of a portion of his gains the tax-payer is required to make a return to the assistant assessor, and himself pay the tax on that portion to the district collector. But a different mode of collection is prescribed for the tax upon the dividends of banking, trust, and insurance companies by the 120th section of the act, and by the 122d section, for the tax upon dividends declared and paid, and upon accumulated profits made, and upon interest paid on permanent loans by railroad capal, turupike, or slackwater navigat ion companies Still the tax is upon the individuals whose gains such dividends and interests are, and it is a tax at the same rate as that collected from other incomes, but the corporations are made the agents of the Government to collect it. Still another mode is prescribed by the 123d section for collecting the tax upon that part of a tax payer's gains which consists of salaries received from the Foderal Government, or payments for his services as an officer of the United States. That the disbursing officers are required to deduct at the same rate per cent. It is very obvious to me that these are only variant modes of collecting the tax on income imposed by the 16th section of the act. Covernment, or payments for his services as an officer of the United States. That the disbursing officers are required to deduct at the same rate per cent. It is very obvious to me that these are only variant modes of collecting the tax on income imposed by the lifth section of the act. These portions of income were not required to be included in the general estimate, or in the return made to the Assistant Assessor, because their amount was as certainly ascertainable by the corporations or officers required to collect it, as it could be by any return of the tax-payer himself. Such a construction is demanded alike by the letter and the general spirit of the act. There is nothing to warrant the belief that Congress intended to impose a burden upon income derived from one species of property greater or longer continued than that imposed upon in come from other property, or that they intended to discriminate against Federal officers and competition them to pay a tax on their salaries after taxes upon all other salaries had consed. The dividends received by a shareholder of a railroad company, or a canal, turapike, or slackwater navigation company, or a canal, turapike, or slackwater navigation company, or a canal, turapike, or insurance company, are, in every scane, as much his income as are the dividends he may receive from any other company; for example, a bridge or a manufacturing company of the bondholder as is the interest received by him on permanent homs to any other company as truly income of the bondholder as is the interest received by him on permanent homs to any other company on to natural persons. Was it the intention of Congress to enact that one who lent his mensy to a telegraph company or to a mining or manufacturing company should be exempt from a tax upon his interest received by another from a comporation of the fact of least And as ain—the salary of an attruction of the act of least And as ain—the salary of a permitted of the company acceptance of the United States in his income, as certainly as

iax on interest spoken of in the 12 d was not chargeable against them—the deduction or five per cent, being only a mode of collecting the income tax. This decision was subsequently affirm. d in the Supreme Court, 7 Walknee, 280, and the language of the Jourt was as follows, "The decision was placed mainly upon the ground that, looking at the several provisions bearing upon the question, and giving to them a reasonable construction, it was believed not to be the intent of Congress to impose an income tax on non-resident aliens; that they were not only not included in the description of persons upon whom the tax was imposed, but were impliedly excluded by confining it to residents of the United States, and citizens residing already (an exclusion only found in the 116th section), "and that the deduction from the prescribed income of the interest on these railroad bonds, when paid by the companies was regarded as simply a mode of collecting this part of the income tax. We concur in this view." I understand this case as determining several things. First, that the 116th and 122d sections of the act of 1564 are parts of one system devised 1for income taxation. Second, that the tax on railroad dividends and on interest on railroad indebtedness is not a different tax from that imposed upon income generally; and third, that the 122d section was intended merely to provide a special mode of collections for a part of the tax.

Accepting then the conclusion that the tax on railroad dividends, etc., is only a part of the tax on income generally; and third, that the 122d was not to impose a distinct tax, but to designate collectors and provide a special mode of collection, I proceed to consider what is the effect of the limitation clause in the 119th section. I have already quoted it. I quote it again for convenience. "The taxes on incomes herein imposed to consider what is the effect of the limitation clause in the 119th section. I have already quoted it. I quote it again for convenience. "The taxes on incomes herein imposed. The clause also manifests a clear intent that the income

raticoal dividends, etc., as those on dividends made by telegraph companies or gains received from any other source.

The clause also manifests a clear intent that the income to which it refers should not be subject to a tax unless derived or received price of sansary 1, 170. The appearance of the control of the control

opinion that, except as to the time and mone of collection, Congress and no intention of placing the tax on those species of income mentioned in the 120th, 121st, 122d, and 123d sections on any different footing from the tax on all other income, and that the statute does not impose upon it a burden greaterfor longer continued than is laid upon income generally. And I am confirmed in my opinion by the conviction that it allows a reasonable construction to the act of Congress. If I am wrong in my conclusions, if a tax upon railroad dividends, made payable to the stockholders in 1870, or upon interest upon railroad debt falling due in 1870, may be charged and collected under the act, then the tax is grossly unequal, and that part of a person's income which consists of such dividends is subjected to a burden from which other income is exempt. Under the act of 1864 a tax has been levied upon all incomes, including those from dividends and interest of railroad companies in every year from 1834 to 1869 inclusive. Six of these annual taxes have been laid. I refer now only to those levied under the act of 1864. And the tax upon such portions of each annual income as consist of railroad dividends has been paid by the companies, and presumably charged to the stockholders. If it has not been thus paid that income bas been returned to the Assistant Asssssor, and charged by him, for, as directed by the 117th section, only that income from dividends and interest was allowed to be deducted from the general aggregates which had been assessed, and the tax upon which had been paid by the institutions from which it was derived. Income from railroad dividends nas, therefore, paid six annual income taxes, and no more have been assessed against other income. It is not to be presumed, in the absence of a clearly expressed contrary intent, that a discrimination was intended.

But I may not overlook the later act of Congress, passed July 13, 1870, the 17th section of which enacts "that sections 120, 121, 122, and 123 other acts are not

disturb rights vested or acquired before their passage, acts lawful when they were done. It is always presumed that the Legislature had no intention to give them such an effect.

Now, if the income tax imposed by the act of 1864 and its supplements expired with the 31st of December, 1859, except that the law provided for the collection of that portion of the tax en the income of 1858 which had not been paid—if the act of 1864 did not prescribe a tax used dividends made, and interest paid by railroad companies after December 31, 1853, as I have endeavored to show, it was not the duty of these plaintiffs to pay to the District Collector five per cent. of the dividend made by them and declared payable January 17, 1879, and they had no authority to detain any portion of it from their stockholders. It was their right, as well as their duty, to pay over the entire dividend to the same cholders who had then acquired a vested right in it, and the plea of the defendants does not aver that the whole dividend was not at once thus paid over. Then the distress, which the plea attempts to justify, was made to enforce the performance of a duty that had no existence. It was substitutely an attempt to enforce a penalty upon-the plaintiffs for an omission to do that which they had no right to do, a penalty equal to the amount of a five per cour. tax, who are additional five per covice upon the shareholders, and that the the tax is merely the governmental agent to collect the tax and pay it over. But the failure was not unlawful at the time. Surely it will not be maintained that the declaratory act of 1870 can be regarded as operating retrospectively to make the act or omission was innocent at the time when it occurred. Were it conceded that the construction given by Congress is binding in all cases where it would not disturb vested rights, or operate practically as an cap post facio law, it is not to be presumed it was intended for application to such a case as the present. Of course, I am not to be admitted Congress intended by was without authority to assess a tax upon it, and that the plea of the defendants does not justify the distress they made to enforce its payment by the plaintiffs, together with the payment of a five per cent, additional penalty. Judgment on the demurrer is therefore directed against

THIRD EDITION FOURTH EDITION FIFTH EDITION

TO-DAY'S WASHINGTON NEWS

Our African Squadron

The French Mail Service

Oregon and Dakotah Politics.

An Important Legal Decision.

FROM WASHINGTON.

The African Squadren.

Despatch to the Associated Press. WASHINGTON, Sept. 19 .- Despatches were received at the Navy Department to-day from Rear-Admiral John Rodgers, dated from the flagship Colorado, Simon's Bay, Cape of Good Hope, Africa, July 5th, 1870, stating that during his visit there the English authorities had been very courteous, offering every assistance and facility in their power. On the Fourth of July the English ships of war were dressed in honor of the anniversary of the declaration of Independence, and at noon they fired a salute of twenty-one guns.

Admiral Rodgers was preparing to pay his respects to the Duke of Edinburgh, on board the Galatea. He anticipated the visit by coming on board the Colorado. On his leaving the ship he was saluted with 21 guns, which were returned by the Galatea.

Admiral Rodgers was to sail on the 6th, for Singapore, via the Straits of Guada and Gaspar. Order Revoked. The order assigning Commander Edward

Barrett to the Norfolk Navy Yard is revoked, and he waits orders. Commissions Signed.

The President has signed the commissions of the following officers appointed since the adjournment of Congress:-Andrew Washburne, of Va., to be Pension Agent at Richmond; Robert A. Smith, to be Deputy Postmaster at Honesdale, Pa.; Andrew J. Burr, Postmaster at Olympia, Washington Territory; Jesse R.; Wikle, Postmaster at Centersville, Georgia.; Lacy A. Bader, Postmaster at Wilmington, Del.; S. R. Atwall, do., Winchester, Va.; Ed. W. Parker, Surveyor of Customs for the port of Duluth, Minn.; Hiram E. Kelly, Collector of Internal Revenue of the Sixth Wisconsin district.

Secretary Belknap will return to Washington to-night.

FROM WASHINGTON. Senator Williams, of Oregon.

Special Despatch to The Evening Telegraph. WASHINGTON, Sept. 19.—A gentleman from Oregon states that the friends of Senator Williams will make a strong effort to have him re-electe Senate. The Democratic majority in the Legisla-ture on joint ballot is ten, but the Democrats are so divided among themselves, and personal jeal-ousies are so great, that they will probably fail to unite upon a candidate. A prominent mail con-tractor of Oregon, who is a Democrat, is in the in-terest of Williams, and promises to bring over enough Democrats to turn the scale in his favor. The election takes place to-morrow. It is said that it will cost a hundred thousand dollars to elect

The French Mail. The Post Office Department will continue the mail to France via England. Any steam vessel belonging to an established line determining to go to France direct can obtain the mail. Several American ship owners and ship men have attempted to get up a line. Each has been promised the mail but none succeeded in starting a line except W. H Webb, of New York, who sent the Guiding with a mail to Havre. When arrived there he

with a mail to Havre. When arrived there he was ordered to Cherbourg to unload, as the railroad was cut between Havre and Paris.

The steamer Lafayette, of the French Transatiantic line, was delayed because the owners considered the dangers of distributing freight throughout France too greata risk. Mails cannot be distributed now from Havre, Brest, or Cherburg, but the department is willing to send them, as it is not expected the military will interfere with them. expected the military will interfere with them.

Dukorah Politics.

The Democrats of Dakotah have nominated one Mr. Armstrong for the office of Delegate to Congress. The Republicans split in their convention and nominated two candidates, Walter A. Burleigh, who served in the Thirty-eighth and Thirty-ninth Congresses, and G. L. Spink, the present Delegate. A gentleman who has just arrived from there believes that Mr. Burleigh will be elected. Mr. Burleigh will be elected. lieves that Mr. Burleigh will be elected. Mr. Bur-leigh is a warm friend of Senator Cameron.

Important Dicision. Judge Wylie, of the District Supreme Court sitting in equity, to-day rendered an important decision, dissolving the injunction granted by himself, in August last, at the suit of one Ambler against Whipple & Dickerson, owners and inventors of the petroleum gas process, the facts appearing to be wholly on the side of the defen-

Baltimore Produce Market. BALTIMORE, Sept. 19.—Cotton dull and nominally 1936c. Flour—City Mills 25c. higher; other grades held higher; Howard Street superfine, \$5.25@5.75; held higher; Howard Street superfine, \$5.25@5.75; do extra, \$6@6.75; do family, \$7@8.25; City Mills superfine, \$5.25@6.50; do. extra, \$6@7; do. family, \$7.25@9.50; Western superfine, \$5.25@5.50; do. extra, \$6@6.50; do. family, \$6.50@7.50. Wheat active and Western slightly better; Maryland amber, \$1.50; dl.c5; fair to good Maryland red, \$1.35@1.45; common, \$1.15@1.20; white wheat \$1.40@1.65; Western red, \$1.32@1.35. Corn—White, scarce at 90@95c.; yellow, 88@90c.; mixed Western, 82@85c. Oats more active at 49@51c. Rye dull at 65@80c. Mess Pork quiet and unchanged. Bacon and Lard in Pork quiet and unchanged. Bacon and Lard in good demand and unchanged. Whisky steady at

New York Stock and Money Market.

New York, Sept. 19.—Stocks active. Money, 506 per cent. Gold, 113%, 5-20s, 1862, coupon, 112%; do. 1864, do., 111%; do. 1865, do., 112; do. 1865, new, 110%; do. 1867, 110%; do. 1868, 110%; 10-40s, 106%; Virginia 6s, new, 65; Missouri 6s, 90%; Canton, 61; Cumberland preferred, 30; N. Y. Central and Hudson River, 92%; Erie, 23; Reading, 96%; Adams Express, 65%; Michigan Central, 119; Michigan Southern, 92%; Illinois Central, 135%; Cicveland and Pittsburg, 106%; Chicago and Rock Island, 116%; Pittsburg and Fort Wayne, 94%; Western Union Telegraph, 34%. New York Stock and Money Market.

New York Produce Market. NEW YORK, Sept. 19.—Cotton dull; sales 490 bales middling uplands at 19%c.; middling Orleans at 19%c. Flour advanced 5@10c.; sales \$500 barrels State at \$450@555; Ohio at \$540@530; Western at \$450@635; Southern at \$535@8. Wheat advanced 1@2c.; sales 40,000 bushels No. 2 spring at \$1-10@1-16; winter red Western, \$1-36. Corn it sales 43,000 bushels mixed Western at 85@87c. firmer; sales 28,000 bushels Ohio at 52,655c.; Western at 50,653c. Beef quiet. Pork dull; Mess, \$26; prime, \$28,625.50. Lard heavy; steam 154,6 15%c.; kettle, 16@16%c. Whisky steady at 87%c PHILADELPHIA STOCK EXCHANGE SALES. Reported by De Haven & Bro., No. 40 S. Taird street. SECOND BOARD.

\$ECOND BOARD.
\$1000 City 68, Old. 102
\$1000 Phila & R6s. 94
\$1000 City 68, New 101%
\$1000 City 68, New 101%
\$1000 Leh R in. \$93, 800 do. \$548.31
\$5000 Leh R in. \$93, 700 do. \$548.31
\$5000 do. \$93, 700 do. \$58.48.31
\$5000 do. \$93, 15 sh Acad Mus. \$5.100
\$200 do. \$93, 15 sh Penna R. ls. 59%

NO PERFORMANCE AT THE ACADEMY TO-NIGHT .-Mr. Leonard Grover, manager of the grand combi-nation, advertised to appear at the Academy to-night, sends word that two of the principal artists are so unwell as to be unable to travel to-day. Ju-lius Cosar will be given to-morrow (Tuesday) night, and tickets already issued will be honored

EUROPE! IMPORTANT

Bismarck's Ultimatum. Favre and Bismarck.

Another Peace Project.

A Balloon Mail Captured.

American Volunteers at Paris.

Yellow Fever in Havana

Russin's Roubles. LONDON, Sept. 19 .- The Russian Government has transferred 40,000,000 roubles (about \$30,000,000), lately on deposit at the Bank of France, to London banks,

FROM EUROPE.

Variolold is Raging among the French prisoners at Magdeburg and Wittenburg.

General Fally Not Dead. General Failly is not dead, as has been so often reported. He and his staff occupy finely furnished apartments at Mayence, and is sumptuously provided for by King William.

France and Sweden. When the news of the capture of Sedan reached Stockholm the Royal Theatre was closed.

The Landwehr. The officers of the Landwehr have been offered commissions in the army.

The French Captive Officers are allowed their choice of German towns as residences. They receive the same rations and pay as at home.

with the Emperor on Saturday, on behalf of the Capture of a Balloon. The Post of to-day says that a balloon, with

The Countess Cowley had a long interview

50,000 letters, from Metz, had been captured at Neufchatel. In one of them Bazaine Says

his army is well supplied with everything. The French were victorious in every fight up to the 31st of August. Bismarck's Ultimatum. The Daily News correspondent says Bismarck

insists on the evacuation of Metz and Strasburg, or else Paris is to be starved out. The Germans Laugh at Bazaine's hope of escaping from Metz.

The Parts "Reds." Paris, Sept. 19 .- The Red Republicans continue to placard the walls in the city with handbills denouncing the new government. Trouble is apprehended. The citizens declare that they prefer Prussian rule to communism. The railway to Havre is cut at Conflans.

Olozaga Justified. Madrid, Sept. 19 .- Senor Olozaga yesterday breakfasted with Generals Prim and Serrano. His explanation of his prompt recognition of the French republic was perfectly satisfactory, and was fully justified by the production of a despatch from Senor Sagasta, recommending the recognition, but who afterwards censured the act.

The American Volunteers at Parls. LONDON, Sept. 19 .- General Trochu, on the 7th, received the advance guard of the American volunteers. So says Galignini's Messenger, referring possibly to the ambulance corps and possibly to the passengers who arrived from America in the ship Queen to enlist in the army.

The Italians at Rome. LONDON, Sept. 19 .- Rôme has not yet been occupied, though the Italians have advanced to within a short distance of the city. The Italian Chambers will soon convene at Florence to hear the result of the plebiscitum in the Papal terri-

Fighting Near Parls-Defeat of the French. Paris, Sept. 17 .- (Special to the N. Y. Telegram.)-A two hours' fight took place between the French and Prussians ten miles from Paris. The French were beaten, but inflicted much damage.

Favre's Circular. Mr. Favre's circular is generally approved.

Favre and Blamarck. LONDON, Sept. 19 .- At an interview which M. Thiers had with Lord Granville on Friday, it is stated that certain suggestions were made to M. Thiers which he might, if he saw fit, communicate to the Provisional Government of France. The result of which is that Jules Favre is now in communication with Bismarck.

Special propositions have been submitted to Bismarck, and he consented to a meeting with Favre to-morrow. There are reasons for believing that the results of this interview will be successful negotiation for peace. Bixle is Marching

Baron von Arnini's

endeavors to negotiate for a compromise prior to the occupation of Rome by the Italian troops have been fruitless of any good result.

FROM BALTIMORE.

Grand Lodge of Odd Fellows. Grand Lodge of Odd Fellows.

Baltimone, Sept. 19.—The Right Worthy Grand Lodge I. O. of O. F. of the United States met in annual session this morning at 9 o'clock, at Odd Fellows' Hall in this city. The following officers were present:—E. D. Farnsworth, M. W. Grand Sire; James L. Ridgely, R. W. Corresponding and Recording Secretary; Joshua Vansant, R. W. Grand Treasurer; Rev. J. W. Venable, R. W. Grand Chaplain; J. Griswold, R. W. Grand Marshal; J. W. Smith, R. W. Grand Guardian; J. E. Chamberlain, K. W. Grand Messenger.

Representatives were present from twenty-four Representatives were present from twenty-four Grand Lodges and twenty-three Grand Encampments. A qurorum being present the session was opened with prayer by the Grand Chaplain. In the absence of Deputy Grand Sire Stuart, Representative J. H. White, of New York was appointed Deputy Grand Sire, who examined the representatives and declared them duly qualified. The usual committee of the Committee on Credentials the annual report of the Grand Sire was read, after which a recess was taken.

Death of the "O'dest lahabitant." BALTIMORE, Sept. 19.—John Kitte, aged 108 years, he oldest citizen of Baltimore, died last evening. He was a teamster in the army during the revolu-tionary war, and for many years Sergeant-at-Arms of the City Council of this city.

FROM NEW YORK.

Oblinnry. NEW YORE, Sept. 19.—Hezekiah D. Robertson, ex-member of Congress, died at Bedford, Westchester

county, to-day. Yellow Fever in Havana. Private despatches received in this city to-day state that the number of deaths in Havana from yellow fever for the week ending Saturday aggre-

THE VERY LATEST.

Cen. Failly not Dead. How Prussia will Treat.

Railway Lines Destroyed

American Aid for France.

IMPORTANT

Death of Duchess of Saxony.

Labor Strikes Ended.

Etc., Etc., Etc., Etc.

FROM EUROPE.

Etc.,

Prussin Recognizes no French Government. LONDON, Sept. 19 .- Prussia distinctly says

she recognizes no French Government, Imperial or Republican. She is reluctant to make peace at present. M. Favre at the Prussian Headquarters.

Tours, Sept. 19 .- It is certain that Jules Favre has gone to the Prussian headquarters. No base of negotiations has been arranged. Removal of Merchandise. Paris, Sept. 19 .- A fleet of steamers is re-

French ports to England. No Mediation Vet Proposed. The Opinion Nationale asserts positively that

moving merchandise from Havre and other

no mediation has yet been proposed. How Prussia will Treat. BERLIN, Sept. 19. - The North German Gazette, of this city, says the republican Government of France exists de facto. The Imperial Government exists de jure. We shall treat

with that offering the best conditions. A. T. Stewart and the French Wounded. Paris, Sept. 19 .- The Opinion Nationale acknowledges the receipt of 20,000 francs from A. T. Stewart, of New York, for the relief of

the French wounded. HAMBURG, Sept. 19 .- Notwithstanding the suspension of the blockade there is no abatement in the precautions for public safety.

Favre to Remain in Paris. Tours, Sept. 19 .- Mr. Washburne, American Minister, and the Minister from Switzerland have been officially informed that Jules Favrewill remain in Paris, notwithstanding the removal of the capital to this city.

Rallway Travel Impeded. Trains of the Northern Railroad from Rouen only run as far south as Breteville at present. The Prussians were expected at the latter place on

Saturday. A fragment of the Sedan army has arrived at Rouen. It consisted of 600 men who previously escaped from Metz. Loss in the Hespitals.

The loss of life in the hospitals of both armies from typhus fever has been very serious. Death of the Duchess of Maxony. DRESDEN, Sept. 19 .- Princess Amelia, Duch-

ess of Saxony, dled yesterday, at the age of 76. She was sister of King John, of Saxony.

FROM NEW ENGLAND.

Vessel in Distress. Boston, Sept. 19 .- A dismantled vessel, of from 150 to 200 tons burthen, was discovered off Chatham, Cape Cod, this morning, but the sea

assistance from shore. FROM WASHINGTON.

was so rough that it was impossible to send

Despatch from Mr. Motley-Prusslau-The French Republic and the Late Regency.

Desputch to the Associated Press. Washington, Sept. 19.—The State Department has received a despatch from Minister Motley, dated London, Saturday evening, in which he says the statement that Prussia refuses to treat except with

statement that Prussia refuses to treat except with the Regency and intends to reinstate Napoleon as Emperor of France is false.

Prussia, he says, objects to recognizing the pre-sent Government, not because of the proclamation of the republic, but on the ground that it is un-authorized, unstable, and incapable of giving last-ing guarantees. The despatch adds that a favora-ble reply was hoped for, but had not then been re-ceived, to the proposition for an interview between ceived, to the proposition for an interview between Favre and Bismarck.

FROM THE SOUTH.

Labor Strikes Ended.

WHEELING, Sept. 19.—The long protracted strike of the iron boiler makers is ended, and to-morrow all the nail and iron mills will be in full blast. The boiler makers return to work at the old rates, the managers making no concessions.

Court of Oyer and Terminer-Judges Allison and Paxson. The Court to-day begun the two weeks' session of the Oyer and Terminer for the trial of homicide

cases.

The young colored man William Nixon, clias Pentz, who was indicted for the murder of Wm. Karney, colored, was arraigned, and entered a plea of not guilty. The case arises out of the shooting affair at a colored ball in the upper portion of the city. F. A. Bregy, Jr., Esq., counsel for the prisoner, asked a continuance for the term, on the ground that he has been but recently connected with the case and had not been able to prepare his defense. The prisoner was placed in a peculiarly hard position by the sudden withdrawal of counsel who had had charge of his case up to last Saturday, and to day he found himself obliged to engage new counsel, who could not possibly be sufficiently acquainted with the pature of the defense to do justice to it in an immeture of the defense to do justice to it in an imme-diate trial. The prisoner's life being involved in the

cause, Mr. Bregy asked the court not to press him to trial without some opportunity for preparation.

The District Atterney opposed the motion, and the Court allowed a continuance of a week only.

The case called for trial to-day was that of the Commonwealth vs. John Doris and John Weaver, charged with the murder of Fanny Weaver at No. 1104 Parrish street on the night of April 5th last. A severance was claimed, and John Weaver was put on trial for the murder of his wife. At the close of our report the jury was being called. A. J. Lechler, John A. Owens, and Theodore H. Oelschlager, Esqs., appear for the prisoner.

STEINWAY & SONS' WHITE Grand Square and Upright Pianos.

Special attention is called to their new Patent Upright Pianos. With Double Iron Frame, Patent Resonator, Tubular Metal Frame Action, etc., which are matchless in Tone and Touch, and unrivalled in durability.

> CHARLES BLASIUS. WAREROOMS.

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