MEETING OF THE ARCHITECTS' NATIONAL ASSOCIA-TRON,—The annual meeting of the Architects' Na-tional Association will begin this afternoon at three O'clock, in the rooms of the Philadelphia Chapter of the Architects' Institute in the Athenæum building. This meeting, as the name implies, is a meeting of architects from the whole country. Delegates will be present from Boston, New York, Cincinnati, Chicago, St. Louis, Cleveland, Boston, Baltimore, Washington, and other cities. The National Association is divided up into chapters, each city baving one. The Philadelphia chapter includes in its mem-bership all the leading architects of the city. The object of the association is the mental improvement of the art, and the general welfare of architects in

of the art, and the general welfare of architects in everything relating to their business.

Mr. Richard Upjohn, of New York, is the President of the National Association, and Mr. T. B. Wight, of New York, is the Secretary. At the meeting this afternoon no special business will be transacted, but the organization will be effected, committees will report, and the annual address will be delivered by Mr. Thomas U. Walter, the President of the Philadelphia Chapter and the First Vice President of the National Association. Mr. Walter is well known as the architect of the Capitol buildings at Washington. The session will be prolonged for Washington. The session will be prolonged for

SALE OF REAL ESTATE AND STOCKS.—The following are the sales of stocks and real estate by M. nomas & Sons, auctioneers, at noen to-day, at the

4 shares Pennsylvania Company for Insur-500 shares Dalzell Oil Co. 918 shares McChntockville Petroleum Co.. 12 shares Central Transportation Co..... ELEVENTH (North), No. 36—Modern Resi-

dence.
WALNUT, east of Fifty-third.—Building Lot,
THIRTY-FIRST, LOCUST, AND RIVER SCHUYLKILL.—Brick Buildings, Engine, Machinery, and large Lot, known as the Union
Car Manufacturing Company.

THIRTIETH AND SPRUCE—Large and valuable Lot.

JUNIPER, No. 254—Stable and Coach House ELEVENTH (North), No. 560 - Desirable

THE ELECTION ACROSS THE RIVER.—To-day the fail election is taking place in Camaden. There seems to be little or no interest taken in the canvass, except in the case of the Congressman. The vote in the city is a very close one, and it is generally carried by the Republicans. The vete at the Mayoralty election in March last was as follows:—Cex. R., 1640; Jeffereys, D., 1575.

The following is the ticket being voted for to-day: CONGRESS.

Hon, J. W. Hazleton, R., Benjamin T. Lee, D. ASSEMBLY. 1st dist.—Charles Wilson, R., Thomas McDowell, D 2d "—I.W. Nicholson, R., Joseph W. Kaign, D. 3d "—Steven'n Leslie, R., Chalk, Albertson, D. COUNTY CLERK.

Henry Fredericks, D. John W. Cain, R. COUNTY COLLECTOR. Ezra Stokes, R., Isaiah Woolston, D. CORONERS.

Robert S. Bender, R., James Massey, D., D. W. Blake, R., J. Wesley Baker, R., Francis Souders, D., John H. Magee. Randall E. Morgan.

FIREMEN'S PARADE.—Te-morrow evening the fire-men of Germantown, Manayunk, and Roxborough will make a street parade on the occasion of the dedication of the new house of the Manayank Fire Company. The programme is as follows:-

FIRST DIVISION. Chief Marshal—Mr. Samuel Godfrey, of the Mount Airy Fire Company. Alds—John Maxwell, Ger-mantown Hose, and William Warren, Good Intent

Washington Engine. Germantown Hose. Frankin Steam Fire Engine.

SECOND DIVISION. Marshal—John Bera, of the Franklin Steam Fire Engine Company. Aids—George Wolf, of the Wash-ington Engine, and Samuel Stroup, of the Fellow-

Steam Fire Engine Company.

Mount Airy Engine.

Manayunk Steam Fire Engine Company.

Good Intent Engine Company.

Fellowship Steam Fire Engine Company.

MILITARY CONCERT AND DRILL .- To-night the regular out-door drill and concert of the 4th Regi-ment, Colonel A. J. Sellers commanding, will come of on the Nicolson pavement, North Broad street, A new feature, in the shape of the bayonet exer-cise, will be introduced for the first time since the close of the Rebellion. These entertainments of the 4th Regiment have become exceedingly popular, and there is no doubt that there will be an immense number of spectators in attendance. The moon will give ample light for the occasion. After the drill and concert, the command will undergo an inspec-tion in accordance with the orders of General Pre-vost, commanding the 1st Division of the N. G. of P.

SCHUYLEILL NAVY—EXPULSION OF THE BACHELOR BARGE CLUB.—At the regular stated meeting of the Naval Board of the Schuylkill Navy, held last evening, the fellowing resolution was adopted unanimentally.

Resolved, That for the indignities offered by the achelor Barge Club to the Schuylkill Navy and their ungentlemanly action in connection with the Nassau race, and in view of their refusing to apole-gize for the same, the said club be and is hereby ex-

FATAL AND SINGULAR ACCIDENT .- An accident resulting in the death of a lad named Anthony Burden occurred this morning at the southeast corner of Sixth and Cresson streets. He was coming down the stairway with a chisel in his hand. He tripped and fell, and the sharp end of the instrument penetrated his neck, severing an artery. The flew of blood was profuse, and death resulted before the hemorrhage could; be checked. caused great excitement in the neighborhood. CASUALTY AT A FOUNDRY .- At 1 o'clock this after-

noon, a wheel attached to the machinery at the People's Works, Front street and Girard avenue, bursted, causing considerable consternation among the employees. One of them, named Samuel Mc-Cutcheon, aged twenty-one years, was struck in the head by a piece of the flying fragments and so seri-ously injured that his life is despaired of. He was taken to his home on Richmond street, above Mariborough.

TRIFLING FIRES.-About a quarter-past 4 o'clock yesterday afternoon the roof of the dwelling No. 717 Helly street was slightly damaged by fire. The flames originated from sparks from a saw mill at Holly and Fitzwater streets. About a quarter-past 5 o'clock yesterday afternoon the roof of the dwelling No. 1335 Catharine street was slightly damaged on the roof by fire, caused by

REV. ALEXANDER REED, D. D., will lecture this evening at the West Arch Street Church, Eighteenth and Arch streets, on "What I Saw in Italy." Dr. Reed is an eloquent speaker, and a most inte-resting lecture may be expected. On Tuesday next Rev. Frank Robbins will lecture on "A Trip to California."

FOUND DEAD.—Mrs. Emeline Barford, aged 44 years, was found dead at No. 1628 Amboy street, about seven o'clock this morning. She was engaged to clean the house, which is at present unoccupied, and being subject to fits it is presumed she was seized with one and died before assistance could reach her. Deceased resided at No. 315 Ogden street.

Drowned Body.—About half-past seven o'clock this morning, Officers Cahill and McGehean found the body of an unknown white man floating in the dock at Vine street wharf, Schuyikill. Deceased has a smooth face and sandy hair, and was dressed in dark woollen clothes. The body gave indications of baying been in the water some time. of having been in the water some time.

HAND CRUSHED.—About 8 o'clock yesterday merning Henry McElwee, aged forty years, residing on Wood street, above Nineteeath, had his hand badly erushed at Meore's machine shop, southwest corner of Sixteenth and Spring Garden streets. The in-ared man was removed to his home.

Canal Boat Rossed.—Last night the canal boat Pawnee, lying at Pine street wharf on the Schuyl-kill, was boarded by river thieves, and rebbed of \$56 worth of rope. The watchman, it is alleged, was made intoxicated by the scoundrels.

Broke a Lims.—About a quarter of 8 o'clock this morning William Hazleton was thrown from a wagon at Twenty-fifth and Green streets, and had a leg broken. The sufferer was removed to his home, No. 145 N. Eighteenth street.

THE HANLON TRIAL.—The greatest interest is till manifested by spectators of both sexes in the Hanlon trial. This morning as many as five hundred women visited the court-room, and after satisfying their curiosity passed out again.

Insulting Frmales.—A man named Joseph Red-street was arrested last night upon the charge of in-sulting females passing Seventh and Baker streets. The prisoner had a hearing before Alderman Collins and was committed to answer.

# LEGAL INTELLIGENCE.

The Mohrman Murder-Trial of John Hanlon.

-The Defense.
Court of Oyer and Terminer-Judges Ludlow and

Court of Oyer and Terminer—Judges Ludlow and Peirce.

There was not such a rush to the Court-room this morning as there was yesterday, the interest excited by the defense appearing to be much less than that created by the dramatic chain of circumstances by which the Commonwealth sought to fasten the guilt of this horrible crime upon the young man on trial. The testimony for the defense was resumed:

Mary Quinn sworn—I am eighteen years old; I recollect the evening Mary Mohrman was missed; when I got to Hanlon's I stayed by the step till dusk, and then went into the barber shop; I picked up a weekly paper and read it; after I had sat there a good while, John and his wife and mother passed through; his wife asked for a lamp, and I heard them go up stairs; a good while after that I went into 'he yard; I did not stay at Hanlon's all night; I went home in the neighborhood of 10 o'clock.

Cross-examined—I am first cousin to John Hanlon; I did not go upstairs that evening; no one was in the barber shop with me; John's wife did not come in until he came after her with his mother; I did not notice 'f there was a clock in the barber shop; I do not remember what time they came in; it was a good while after I got there—I don't know how long; I don't think it was an hour; they all three came in together; I don't know where John was when she asked for the lamp, and don't know if she got one; the gas was lit in the barber shop; it was not half an hour after that evening in particular, because before an hour after that when I went into the yard; member that evening in particular, because before I went home I heard the child was missed, and there was great excitement; when John was suspected, was asked if I remembered that evening; it was a long time after the child was found; I don't re-member if it was a year; it was his mother told me member if it was a year; it was his mother told me John was suspected; I first knew of it when it was in the papers; when I passed through the kitchen I think John's father was lying on the settee; I did not see any other members of the family than John, his wife, and mother, Mrs. Kelly, and John's father.

Mrs. Mary Kelly sworn—I am a married woman; John Kelly is my husband; I have been married seven years; I live at No. 2059 Germantown avenue; my husband is a liquor dealer; I have one boy living I am John Hanion's sister; he was a barber; h I am John Hanion's sister; he was a barber; he commenced that business after he came out of the army in 1860 or 1867. I don't remember which; he then began business in Fifth street, below Diamond; I visited his house is September, 1868; my father, mother, two sisters, two brethers, and John's wife made up the household; I was at his house the night Mary Mohrman was missed; I don't know what time I went there, but it was some time after people had went to church; I took my little boy with me I went on Diamond street to Fifth; then I wen Fifth to my mother's; my sister Kate and consin Ellen Quinn were sitting on the step; I asked for my mother and passed in; met my mother coming through the barbershop; we had some ice-cream, and went into John's room; he was in bed and his wife was getting undressed; he and his wife were in there when I went in; I called my sister, Mrs. Steinmeyer, out of the other room, and my mother went down to get saucers for the ice cream; John took my little boy into the bed with him; the child went to the side of the bed and John lifted him up; then we all ate some of the ice cream; I sat a little while and then I went home; my mother and father remained there until the following April, I think; after that changes were made in the yard; John and his wife remained there; they took the goat-stable, and my mother and father took it with them; John took up the bricks and made a garden in the yard; John carried on business there until November or December after my mother and father left, and then he did journey work; the house belonged to my husband; after John left repairs were made upon it by my husband, and John put some repairs upon it, too; Officer Tag-

Cross-examined-John Hanlon is also related to me by marriage; in May, 1868, he married my step-daughter; as well as being his sister I am his daughter; as well as being his sister I am his mother-in-law; I bought the ice cream at Mann's, Germantown road and Norris street; it was half an hour after people had all gone to church before I bought the cream and went to my mother's; I did not see the clock; can't say how much more than half an hour; I do not know what time it was when I got heme; people were all out from church; I know this was the night, because my mother went with me to the corner, and Mrs. Mohrman passed us and Mary was lost; I don't know whether she said it to us or the children; I did not hear the bell ring; she had no bell; was not ringing it; I did not hear it; I never lived in John's house.

Re-examined—When I went there my father was

gert called upon me for the keys of the house and

Re-examined—When I went there my father was lying on the settee in the kitchen; Mary Quinn was reading in the barber shop; my brother was on the he came up to mother, and then left us to go with

Louis to hunt for his sister. Mrs. Bridget Hanlon sworn—I live in Jersey; my husband is alive; we are living at Millville; I am the prisoner's mother; he is twent; two years old; he is married; I couldn't say she is sixteen, I believe she may be more: in September, 1868, I was living at Fifth and Diamond; my husband was living there then; he was a laborer; I remember the evening Mary Mohrman was missed; John was at dinner that day; he went out near night, and came back to the house; I saw him when he returned at the cor-ner of Fifth and Diamond; I came up to the corner ner of Fifth and Diamond; I came up to the corner and his wife was talking to her uncle on the corner; I had been to my daughter's, Mrs. Kelly; my son-in-law was in the middle of Fifth and Diamond; and I stood still, thinking he would come over; John came across from Fisher's until Fifth street; he came down and came up the front steps, and I came after him; Ellen Quinn and Kate were on the front steps; when we got into the shop his wife came after him; I went into the kitchen, leaving him in the shop talking to Mary Quinn; his wife asked me for a lamp; I got it and handed it to his wife; he and his wife went up stairs into the second story back room; I next up stairs into the second story back room; I next saw him in his room when Mrs. Kelly came with the ice cream; John and his wife, Mrs. Stenmyer, Mrs. Kelly and me ate the ice cream; I went down for the saucers and spoons; after eating the ice cream we sat a little while; came down stairs and went to the corner with Mrs. Kelly; we stood there a few minutes and she went home; I stood there a few minutes and came down home; my husband was lying on the settee in the kitchen; he had a sprained knee; he was on the settee near a week with this knee; on this Sunday he remained there all night; this settee mightn't be more than a few inches from the door that led into the yard; it might be a foot or not that for from the cellar window; the kitchen was board; there was a little kindling-wood in the cellar; the cellar was nice and clean, with a gravel floor; there were no bricks in it; he used it to keep victuals in; when John went out of the house he was in his shirt sleeves, and his pants were light, with a stripe down them; he was dressed the same on his return from Fisher's; I saw John next morping in bed about 5% or 5 o'clock; I would always sweep the shop and then wake John: I woke him this Monday morning and he got up; he was dressed the same as he was the night before; he ate breakfast with me that morning; I was in the water-closet and in the cellar on this Monday morning; there was no blood or traces of it in the water-closet, in the yard, or in the cellar; I did John's washing; I washed on Tuesday; his washing was never given out; I washed the shirt he wore on that Sunday and Monday the next Tuesday; I saw no blood marks on the shirt; there none on it; I saw no blood on pantaloous or any of his clothes; re the same pants on Monday that he were on were Tuesday; there was no blood on them; none of his clothes were missing; I used to lock up the house at night and open it in the morning; I locked it on Sunday night and opened it on Monday morning; we used to go to bed in the neighborhood of 16 o'clock; on Saturday night we were up late, sometimes till 15 o'clock, on account of the shop; on this Sunday night I was up till after 12 o'clock, because my little bey went with Mrs. Mohrman's boy to hunt the child, and was waiting up for his return; I found him on Mrs. Mohrman's floor, rolling with Mrs. Mohrman's boy; this was between 12 and 1 o'clock; while I was waiting up I was in the alley talking with Mrs. Canaty, and in the kitchen with my

#### Here the Court took a recess. GOOD TEMPLARS.

The Trouble in the Camp of the Grand Temple

An Important Declaion by Judge Ailison.

Court of Cemmon Pleas—Allison, P. J. This moratng Judge Allison delivered the follow-

B. Potter vs. O. I. Search and R. H. Semple. Motion for injunction.

This bill is filed to restrain O. I. Search from acting as G. W. R. of the Grand Temple of Honor of Pennsylvania, and to compel him to surrender the seal and records and all other property and money in his pessession, or under his control, belonging to the Grand Temple: and also to restrain R. H. Sem-

the Grand Temple; and also to restrain R. H. Sem-ple from acting as G. W. T. of said Grand Temple of Honor. The contest grows out of an alleged irregularity in the trial and punishment of Search for a violation of his obligation as a member of the Order, in publishment of the Order, in publishment of the Order, in publishment Townsla of Panagariyania. his obligation as a member of the Order, in publishing for the use of the Grand Temple of Pennsylvania, subordinate and social ode-cards, not furnished by the Supreme Council, contrary to the constitution of that body, part xiv, section 2, which reads:—"The Supreme Council reserves to itself the exclusive right of publishing the subordinate and degree rituals, ode-cards, and all other matter pertaining to the work of the Supreme Council, Grand, and Subordinate Social Temples, and Councils.

Search was convicted in part upon his plea of guilty, and upon the report of this fact by the committee appointed to investigate the charge, and a resolution that such punishment should be imposed as the Grand Temple might deem commensurate with the offense, it was voted that the penalty

the offense, it was voted that the penalty

should be an admonition from the G. W. T., and in accordance therewith the admonition was given.

This is made the ground of complaint, and from this action an appeal was taken to the Supreme Council, the appellant alleging that it is not a compliance with sections f and 2 of article 8 of the bylaws of the Grand Temple. These articles require that a charge against a member shall be referred to a committee for trial; and that whenever the committee shall be of the opinion that punishment ought to be imposed, they shall report a resolution to that effect, which shall be set down for consideration at some future meeting.

offect, which shall be set down for consideration at some future meeting.

The appellant assigned for specific error in the action of the Grand Temple, "that the proceeding was irregular in that the committee did not report, that Search ought to be punished by being reprimanded, suspended, or expelled, as provided for in the first section of article eighth, and that the consideration of the resolution to bunish was acted on at the meeting at which it was reported to the Grand Temple, instead of being set down for consideration at a future meeting."

The supreme Council sustained the appeal, reversed the action of the Grand Temple, and instructed it to dispose of the case in the manner provided for in the by-laws. The supreme Council also decided that the appeal having been sustained, and the case sent back to the Grand Temple, with instructions to proceed with the trial, that Search was to be regarded as still under charges, in accordance with a decision of the Supreme Council at the sixth annual session (printed proceedings, page 29), "that no officer be permitted to occupy his chair while

no officer be permitted to occupy his chair while under charges in any temple of our order."

The defeadant Search, who was re-elected G. W. R. at the meeting of the Grand Temple at which he was convicted and punished by admonition, denies the authority of the Supreme Council to take cognizance of his case, and to order the Grand Temple to proceed with his trial, or to decide that he is still

under charges, and therefore incapable of holding his effice. Questioning the power of the Supreme Council in the premises, he refuses obedience to its command, and claims to held his office and perform its duties by virtue also of his re-election as G. W. R. Is this position a tenable one? and if it is not, can this Court grant the relief prayed for? That Search committed an offense for which he could be placed on trial is beyond question. violation of duty was an usurpation of the power of the Supreme Council. The section cited above shows an express and exclusive reservation to the Supreme Council of the right of publishing the ritual and ode cards of the order. Without an sutherization from the Supreme Council, no one can publish for the use of the order these forms and

odes without subjecting himself to the penalties prescribed for an offense of this kind. It is, in the language of section 1 of by-law 8, a violation of the laws, rules, and usages of the order. No one can do this except with willfulness, deliberation, and premeditation. It is an offense against the fundamental law of the order, set forth in terms so plain that he who runs may read. The charge was well grounded, and this was confessed by the defendant by his plea of guilty. Nor can he now escape from the censeof guilty. Nor can he now escape from the cense-quences of that plea by denying jurisdiction to the Grand Temple, alleging that if it was an offense at all it was a crime against the Supreme Council, on which they alone could take action in the first instance. We do not agree with this proposition, because the by-law quoted provides for trial and punishment by the Grand Temple of one who offends against the laws, rules, and usages of the order. This by-law is in full force by the consent of Mr. Search. In volunta-rilly joining the Grand Temple and becoming a memrily joining the Grand Temple and becoming a mem-ber of it, he made himself subject to every law of the temple which was then in force, or which may have been properly by and of rightful authority since enacted. It has not been pretended that is not a valid by-law, or that it falls outside of the power of the Grand Temple to enact it; and if such a view had been taken of it it would be clearly wrong. had been taken of it it would be clearly wrong. Holding that Search's transgression against the supreme law was triable before the Grand Temple, and as standing within not the spirit only, but the clear letter of the law, we pass from the objection based on a want of jurisdiction in the Grand Temple to try the defendant on the charge preferred against him. This, I may remark, is independent of the violation of the obligation assumed by him to recognize and support the supreme power of the Order of the Temple of Honor vested in the Supreme Council, and yield ebedience to the ceremonies, constitutions, rules, and decisions adopted by that body.

in the Supreme Council, and yield obedience to the ceremonies, constitutions, rules, and decisions adopted by that body.

Nor is the point well taken that no offense has been committed for which Search could be tried, because not done in the Grand Temple. The first clause of section 1 of by-law 8 says, "Any member in this Grand Temple, who shall be guilty of using profane expressions or discourteous language to the officers and members thereof," etc. It was argued that to make a member liable to charge, the offense must be committed during a session of the body. Perhaps this literal interpretation may be the cor-Perhaps this literal interpression and that every per-rect one, and jet it may be answered that every person is in the Temple who is connected with it. We speak of one being in a church or order who is a member of such church or order. But this criticism entirely overlooks the portion of the paragraph which follows. It reads, "or who shall otherwise which follows. It reads, or who shall otherwise violate the constitution, laws, rules, and usages of the order, shall be liable," etc. The charge against Search was for transgressing as provided against in this clause of the by-law, and had no reference to or connection with the use of impreper language to the officers or members either in or out of the order t matters not where, or under what circumstances, or at what time the constitution, laws, or usages are violated, the party so offending may properly be charged with the offense, and, if duly convicted,

punished as prescribed by the by-law.

But it is argued, conceding that the Grand Temple acted within the scope of its authority, Mr. Bearch has been tried, convicted, sentenced, and punished for the offense, and that there can be no retrial and reimposition of punishment; that whether the trial may have been regular or irreguar, the case is of necessity at an end. This would be an unanswerable proposition if the trial was a regular and legal trial, and the punishment such an one as the law of the order prescribed. But the supreme authority of the body has decided that the trial was irregular; that it was what we call in law a mis-trial; that the positive requirement the by-law was in two essential portions it disregarded; and sitting as a court of review, a case regularly taken before it on appeal, it has decided against the action of the Grand Temple, and directed it to proceed with the case in con-formity with the law of the order regulating the trial of one under charges. In this we cannot dis-cover anything of which the defendant Search can complain. It is too late to question the right of the Supreme Council to review the proceedings of the inferior tribunals after an uniform exercise of the power from the starting of the organization to the present day, and in the face of the emphatic declaration of the Constitution that it, the Supreme ration of the Constitution that it, the Supreme Council, shall exercise the supreme power of the order, there being nothing in the Constitution from which it can be inferred that its exercise is inhibited. On the contrary, as there does not appear to be any prevision by which it can, in the first instance, take jurisdiction of a case which can be tried before the inferior tribunals, it may be properly inferred that in no other way than by general review and control can it exercise the supreme power with which it is invested. Nor do we agree with the suggestion that the case was not regularly before the Supreme Council on the appeal of a member of the Grand Temple. Every member has an interest in the due

Temple. Every member has an interest in the due and regular enforcement of the regulations and laws of the order; whether the complaint be against the subordinate body with which he is connected, or against an individual member, duty to the order as well as his personal interest require that each should be kept in subordination to law; in so other way can anarchy and disorder be prevented from working ruin to all concerned. This was also the view of the Supreme Council, who heard the the view of the Supreme Council, who heard the appeal, as it was carried up, after notice to the Grand Temple, and without objection by that body. This brings us back to the question, Was the trial a regular and orderly trial, and was the punishment such as cught to have been imposed? That the command of the by-law was disregarded is not denied; there was not in the resolution reported by the committee any designation of the punishment to be imposed, and its consideration was not postponed to a future meeting. No other judgment could have been rightfully entered by the Supreme Conneil than that which was entered—that the Grand Temple erred in this manifest disregard of the positive law of their own bedy.

Connect than that which was entered—that the Grand Temple erred in this manifest disregard of the positive law of their own body.

But there was a still greater omission of duty on the part of the Grand Temple, in the imposition of the pasishment. For a violation of the constitution, laws, rules or usages of the order, an offender is liable to a reprimand, to be suspended or expelled. Search was convicted of an offense which was a clear violation of the constitution of the Supreme Council, and the penalty for this offense is in terms prescribed by the by-laws; at the pleasure of the Grand Temple he could have been reprimanded, suspended or expelled, but instead of punishing in one or the other of these modes, Search was simply admonished, as directed by the vote of the Grand Temple. To admonish is to warn of a fault, to reprove with mildness, to counsel or advise against wrong practices, to instruct or direct. A reprimand implies more than this. It is to reprove severely, to reprehend or to chide for a fault, to reprove publicly and officially in execution of a sentence. In what terms the admonition was given does not appear, it may have been no more than advice and counsel, but no admonition, properly administered, can stand as equal to a reprimand, which carries with it the idea of reproving with severity, as a censure for a fault or crime; or, in a case of this kind, as an official condemnation and reproof. A proper sentence and punishment was therefore wholly wanting in this case, and as there were no such punishment as ought to have been inficied, Search has suffered no legal penalty which the law attaches to his offense. And this is an answer to his plea of sufer fois convict which he interposes as a bar to further proceedings in his case. A mistrial is no trial in law, and a sentence different from that which is prescribed cannot

be set up to prevent a judgment according to law. As if a person convicted of the commission of a crime is fined, where imprisonment is directed, and vice versa, if the wrong sentence has been imposed, he may be resentenced according to law. In a case he may be resentenced according to law. In a case taken up to the Supreme Court, where the judgment has been wrongly imposed, that court will themselves resentence or direct the court below to do so. And in analogy to the principle and proceedings in courts of law regulating cases of this kind, we hold that it was entirely competent for the Supreme Council to direct the subordinate body over which it has jurisdiction to properly issue the cause and carry it on to the end, in accordance with the law of the order. It could treat that which had been done as extra judicial, and therefore in no proper sense as extra judicial, and therefore in no proper sense as a part of the cause. The direction is simply to take the case up where the irregularity began and

take the case up where the irregularity began and dispose of it as the law directs.

This conclusion requires us to go one step further and examine into the right of the defendant Search to occup; his chair, and to perform the duties of G. W. R., whilst under charge. The Supreme C suncti have answered this question as follows:—The appeal of J. T. Uber from the action of the Grand Townie of Fennylvania, in the case of W. H. Cho. appeal of J. T. Uber from the action of the Graad Temple of Pennsylvanis, in the case of W. H. Cluley against O. I. Search, having been sustained by this body, and the case having been remanded back to the Grand Temple, leaves aim still under charge. The committee reported that the case comes under a declision, of the sixth annual session of the Supreme Council (printed proceedings, page 29), "That no officer be permitted to occupy his chair while under charges in any temple of our order."

The report of the committee was adopted by the Supreme Council. What is the true intent and meaning of this decision, and to what extent is Search affected by it? This brings up the question of the power of the highest tribunal of the order to declare one under charges subject to the disability of not being able to occupy his chair until they are disposed of. We have already seen that it is expressly declared in the Constitution of the Supreme Council that they shall exercise the supreme power pressly declared in the Constitution of the Supreme Conneil that they shall exercise the supreme power of the order; and in article 7 this power is shown to be most plenary. The fundamental law of all bodies below the chief tribunal may be departed from by order of this higher body. The article reads:—"All grand and subordinate temples shall be governed strictly by the rules laid down in the ritua, as well as by the extehlibred constitutions, from which they by the established constitutions, from which they by the established constitutions, from which they shall in no instance depart, unless by direction of the Supreme Council." This power is the most ample that could be conferred; the fundamental law may even be put aside by their decree, and this, it must not be forgotten, is the law which the members of the order have prescribed for themselves; to which they have voluntarily made themselves subject and from which there is no essence for an account. ect, and from which there is no escape for any one so long as he remains a member of the order. If it becomes a burden too great for him to bear, the oor is open, and the way to freedom is plain and

Article 12 declares "this body shall have power to aiter, amend, applish, or explain any of the existing usages or laws, as well as to establish new ones. In this provision is contained the express authority to establish a usage or law in the language of the one under consideration, and which seems to have been just declared established at the sixth annual session of the Council. If it be regarded as explaustory of an existing usage, it is covered by the letter of article 12. If it is treated as the establishment of a new law it is equally clear that it is within the power conferred on the Sapreme Council. With this statement of the organic law as we find it in the printed constitution of the tribunal, there is, we think, an end to all controversy upon the lawfulness of the rule which has been called in question.
It yet remains to determine the true import of the

regulation and the extent of its operation.

When it is declared that no officer be permitted to occupy his chair while under charges, is it intended to pronounce him suspended for the time from the exercise of all the powers and duties of his office, or that the privilege of occupying the chair at the meetings or assemblages of the Temple, which is a mere incident of or, which percains to his office, shall alone be taken away from him until the charges are disposed of? The latter construction is not desti-tute of good and substantial reasons that can be urged in its favor. The contrary view, to some ex-tent, conflicts with the general principle that innotent, conflicts with the general principle that inno-cence is to be presumed until guilt is proved. It is one thing to say that it is not seemly that an officer of the body, charged with a violation of its laws, shall clothe himself with the regain of his office and publicly bear rule before his fellow-members; but it is a very different matter to declare that, pending trial, he shall be so far deemed guilty that his office shall be taken away from him and given to another. The exercise of such a nower is not to be favored. The exercise of such a power is not to be favored, because it is liable to great abuse. It enables any member of the body to take from one chosen to office the honors and privileges of his position, which have been conferred on him by the free voice of his fellows. Envy, jealousy, hatred, or malice by the one interpretation have given to them the freest scope by the other motive, for their indulgence is

taken away.

The general practice is in accord with the more liberal interpretation of the regulation of the Su-preme Council. And in ne case can such consequences follow impeachment, unless it has been clearly enacted or decreed by competent authority. It is only necessary to recite the recent memorable example of the President of the United States exercising the powers of his high office during all time his trial for high crimes and misdemeanors was in progress. In the Constitution of Pennsylvania there is a provision for the impeachment of civil officers, but no suspension of official powers attaches pending charges. But that which we think is conlusive upon this point is, that if the Supreme Conn cil intended to give to their law the broader si cation contended for, they have not said so; cation contended for, they have not said so; they have employed language susceptible of a different meaning, which according to a fundamental canon of construction requires us to lean to the more liberal view. This law of the body being penal in its character must be strictly construed; where a right is to be taken away, or a degradation or punishment inflicted, however lawful in itself, it must not be left in deubt or uncertainty. No indicial tribunal can be asked to give to tropes and figures of speech, which may have reasonably assigned to them different meanings, the one which violates the rule of interpretation mentioned above.

The affidavits upon the fact of usage are severely balanced; the affirmance and denial upon this point

balanced; the affirmance and denial upon this point do not advance the question beyond where the declarations of the Supreme Council have placed;it. We are therefore of the opinion that we cannot give to the law of the order a broader signification than its language demands. That reason, analogy, poli-cy and a sound interpretation alike require that the construction of the rule shall be held in its strict and literal sense; that if all that pertains to an o is to occupy the chairs at the meetings of the Tem-ple, the office for the time being is taken away; but ple, the office for the time being is that if other rights or duties appertuin to the official position of one against whom charges are pending, he is free to perform and to enjoy such rights and privileges, until stripped of them by a final and regular judgment in due form of the law of the

How then does the case stand upon the view which ve entertain of the true meaning of the rule Search is still under charges, which the Grand Temple are required by the decision of the Supreme Council to take up and dispose of in the manner pointed out in the by-laws. The committee not having proceeded according to law will be required having proceeded according to law will be required to make a report, as they should have done in the first instance, when the Grand Temple will be required to consider the report at a future meeting. Pending the cause Search cannot fill his chair at any meeting of the Grand Temple, but he can discharge all the other duties of G. W. R.; ner can he be deprived of his office by any sentence short of suspension or expulsion, or by regular triat and conviction as provided for in the law of the order.

As to R. H. Semple, assuming to perform the duties of G. W. T., his conduct is not under, but contrary to, law. His whole proceeding is revolutionary, without even color of right. The injunction as te him is granted as prayed for. Against the defendant Search an injunction will be granted to restrain him from filling the chair of G. W. R. at the meetings of the Grand Temple, and refused as to the remaining portion of the prayer for relief against the remaining portion of the prayer for relief against

In support of the authority to grant the relief prayed for, it is sufficient to cite Commonwealth vs. Pike Beneficial Society, S. W. & S., 250, where the charter provides for the offense and directs the mode of proceeding, the sentence is conclusive on the Tosam vs. Howard, Ass. 4, Barr, 319. Courts. entertain a jurisdiction to keep these tribunals within the line of order and correct abuses. Amos Briggs for complainant; W. H. Ruddiman

TO RAILROAD CONTRACTORS

for defendants.

OFFICE OF THE NATIONAL RAILWAY CO., No. 109 SOUTH THIRD STREET.
PHILADELPHIA, Nov. 7, 1870.
PROPOSALS will be received at this office until, and including, the 25th day of November, 1870, for and including, the 25th day of November, 1870, for the construction of the National Railway, extending from the city of Philadelphia to Yardieyville, on the I claware river; and the Millstone and Treaton Railroad and certain other railroads connecting therewith, and forming, with said connections, a continuous line from the city of Philadelphia to the Hudson river, opposite the city of New York.

Plans and specification may be had and examined at the office of the National-Railway Company, and also at the office of J. B. CULVER, Engineer, No. 28 MONTGOMERY Street, Jersey City, on and after MONTGOMERY Street, Jersey City, on and after the 16th of November. The Company reserves the right to reject any or all bids. 11 8 toths 3t)

ROBERT R. CORSON, Secretary. HENRY M. HAMILTON, MATTHEW BAIRD, JACOB RIEGEL, A. S. LIVINGSTON, CHARLES W. DUPUY, Committee.

# FOURTH EDITION FIFTH

#### FROM EUROPE. LATER

Armistice Questinn.

Bismarck's Account Confirmed.

Trochu Caused its Refusal

The Red Republican Movement Massachusetts Election.

Etc., Etc., Etc., Etc., Etc.

# FROM EUROPE.

Order Restored at Marselles. MARSEILLES, Nov. 5, via London, Nov. S. Esquiros reports that the people are now in complete submission to the Government authorities, and he therefore submits his resignation, asserting that it is the duty of the hour to unite sgainst the invader. The Mayor of the city has issued a proclamation annulling all acts of the revolutionary committee.

Vigorous Preparations are making at Lyons for defense, and a great quantity of provisions has been collected and all able-bodied citizens have been thoroughly armed. All communication northward from Lyons has been cut by the Prussians.

Navigation of the Eibe. Berlin, Nov. 8 .- The Prussian Government, which recently gave orders for the restoration of the lights and buoys at the mouth of the Elbe, has now countermanded these orders, and the work has consequently been suspended.

Bismarck's Account Confirmed. LONDON, Nov. 8 .- Private advices just received from Versailles confirm the account given by Bismarck of the suspension of negotiations for an armistice. Jules Favre, together with a majority of his colleagues, favored the scheme for the election of members to the Constituent Assembly, and urged the acceptance of an armistice as negotiated by Thiers. General Trochu, commander of the armies at Paris, dissented, and carried his point.

The Pope's Case.
FLORENCE, Nov. 8.—Thiers has written a letter to His Holiness at Rome, assuring him that the great powers of Europe will consider his case at the coming Congress, and a position worthy of God's vicegerent, will be provided for him. The King will officially enter Rome after the national elections. Preparations are actively making in all the provinces for the elections, which will occur on the 30th inst.

American Ministers to Denmark. COPENHAGEN, Nov. 8 .- Mr. Andrews, the retiring American Minister, had an audience of leave to-day. Kramer, the new American Minister, presented his credentials and the customary speeches were made.

# FROM NEW ENGLAND.

The Massachusetts Election. Boston, Nov. 8 .- The voting progresses quietly but actively. The vote in Boston at noon stood, for Governor Claffin, 3574; Adams, 2409; Phillips, 458; for Congressman in the Third district-Twitchell, Republican, 2340; Gaston, Democrat, 1370; Cushing, Protectionist, 99; Balford, Labor Reform, 17; Fourth district-Hooper, Republican, 1254; Morse, Democrat,

THE CENSUS.—Marshal Gregory has received an order from Washington to retake the census in this city. He will immediately proceed to the work, and it is thought will co-operate with the municipal authorities, to whom he has communicated the fact of the order from Washington.

920; Sargent, Labor Reform, 52.

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PHILADELPHIA.

THE LATEST NEWS.

FROM WASHINGTON. The Result of the Louisiana Election.

WASHINGTON, Nov. 8 .- A despatch to the Union Republican Committee from Senator Kellogg, of Louisiana, reports that New Orleans has gone Republican by 4000 to 5000, and that the State of Leuisiana is Republican by a very large majority.

John A. Simms, of Washington Territory, has been appointed agent for the Nez Perce Indians of Idaho.

# FROM THE SOUTH.

The Election in Richmond. Special Despatch to The Evening Telegraph.

RICHMOND, Va., Nov. 8 .- The election is progressing quietly. A large vote will be polled. It is thought the Republicans are ahead up to this hour, 3 P. M. Both parties are working zealously. It is thought Porter will run behind the general ticket. Ordway's friends are very hopeful. The United States troops have had no occasion to leave their quarters.

### FROM NEW YORK.

The Election at Troy.

TROY, Nov. 8 .- The election is passing off quietly, and a large vote will be polled. Only one row occurred, in the Fourth ward, where a deputy United States Marshal was assaulted. One man was arrested in the Second ward for repeating, and another is in custody for attempted bribery.

# LATEST SHIPPING INTELLIGENCE.

For additional Marine News see Inside Pages. New York, Nov. s. — Arrived, steamship Nevada, from Liverpool.
QUEBEC, Nov. 8.—Arrived, steamship Peruvian

PORT OF PHILADELPHIA.....NOVEMBER STATE OF THERMOMETER AT THE EVENING TELEGRAPH

CLEARED THIS MORNING.
Steamer E. N. Fairchild, Trout, New York, W. M.
Baird & Co.
Steamer Sarah, Jones, New York, do.
Br. bark Clara, Probst, Jr., Bremen, L. Westergaard Bark H. D. Brookman, Savin, Liverpool, ARRIVED THIS MORNING.

Steamship Pioneer, Wakeley, 60 hours from Wilmington, N. C., with cotton, naval stores, etc., to Philadelphia and Southern Mail Steamship Co. Philadelphia and Southern Mail Steamship Co.
Steamship Juniata, Hoxle, 5 days from New Orleans via Havana, with midse, to Philadelphia and Southern Mail Steamship Co. The Juniata was inadvertantly reported arrived yesterday. The following is her report:—Saw a bark off Brandywine. Off the Middle, a bark. Off the Brown, a bark. A bark off Dan Baker Buoy. A bark and three brigs off Duck Creek.

Duck Creek.
Steamer R. Willing, Cundiff, 13 hours from Baltimore, with nidse, and passengers to A. Groves, Jr.
Bark Arlington, Costello, 52 days from Liverpool,
with midse, to Peter Wright & Sons. Experienced very severe weather, with westerly and southerly winds. Oct. 6, lat. 32, long. 43%, encountered a hur-ricane, but sustained no damage.

Schr Sarah Mills, Baker, 4 days from Providence, in ballast to Knight & Sons.
Schr Maria Louisa, Snow, from Gloucester, wit Schr Aid, Smith, from Fall River. Schr Elvie Davis, Johnson, from Boston. Schr John Stroup, Crawford, do. Schr R. Vanneman, Brown,

Schr Paul Thompson, Godfrey, do. Schr Maggie Mulvey, Rowley, do. Schr R. & S. Corson, Corson, do. Schr J. M. Fitzpatrick, Smith, do. Schr Thomas G. Smith, Lake, do. Schr W. G. Dearborn, Scull,

Special Despatch to The Evening Telegraph,
HAVRE-DE-GRACE, Nov. 8.—The following boats left this morning in tow :-Casco and Harry Craig, with lumber to Craig & W. N. Carter and Minnie, with lumber to Patterson & Lippincott.
Lizzie and Laura, with flint to Baker, Adamson

J. M. Pine, with lumber to R. Woolverton Pilot Boy, with lumber to Ellis, Bruner & Ellis, Prairie, with lumber to Maul & Bro. Henry Banks, with lumber, for New York. B. A. Knight, with flint, for Trenton. Maggie, with poplar wood, for Manayunk.

MEMORANDA.

Br. ship Stanhope, Morris, for Philadelphia, sailed from Calcutta 24th inst. Ship John Ellis, Mellin, hence, at Antwerp 24th Ship Firm, Wiley, from Liverpool for Philadelphia, at Holyhead 22d uit.
Ship Veteran, Thomas, from Greenock for Philadelphia, at Holyhead 26th ult.
Ship Clara J. Adams, McFadden, hence, at Liver-

Ship Pomona, Crooker, hence, entered out at Liv-erpool 20th uit. for Savannah. steamer Maita, McDowell, for Liverpool, ci'd at New York yesterday.
Steamers Ontario, Townsend, for Cowes, and
Rapidan, Whitehurst, for Havana, cleared at New York yesterday. Bark Arcturus, Edwards, for Philadelphia, sailed from Antwerp 22d ult.

Bark Degier, Tellefone, hence, at Brouwershaven

# FOR SALL.

Bark Polly Rodd, hence for Stettin, at Elsinore

MUST BE SOLD—No. 240 S. EIGHTH Street, desirable for residence or business, four story, with large back belidings, modern throughout, in perfect order, good neighborhood. Lot 28 by 100: only \$4000 cash required. Apply on premi-

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