# THE EVENING TELEGRAPH.

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## FIRST EDITION

### THE PUBLIC BUILDINGS.

### JUSTICE TRIUMPHANT.

### Decision by the Supreme Court.

### The Injunction Dissolved

### All Delays Defeated.

### The Voice of the People Heard.

### Penn Square the Site.

### The Work to Go Forward.

### The Decision in Full.

*Supreme Court at Nisi Prius—Chief Justice Thompson and Judges Agnew, Read, and Williams.*

This morning the Supreme Court finally settled the public buildings question by dissolving the injunction heretofore granted against the commissioners. The opinion was read by Judge Read, who reviewed the case at great length, and in conclusion dissolved the injunction. The following is the opinion in full:—

Matthew Baird and others vs. John Rice and others, in equity. Sur bill and amended bill. Sur motion for injunction.

Read, J.:—

On the 30th March, 1870, was passed an act in relation to a site for the public buildings in the city of Philadelphia, providing for their erection on the site which the largest number of voters shall declare their preference for by their ballots. The only material part of this law now is the proviso that the buildings shall not be placed on Independence Square.

On the 5th of August, 1870, another act was approved by the Governor, appointing certain persons commissioners for the erection of the public buildings required to accommodate the courts, and for all municipal purposes in the city of Philadelphia; and they were authorized and directed to locate them on either Washington Square or Penn Square, as may be determined by a vote of the legally qualified voters of the city of Philadelphia, at the general election in October, one thousand eight hundred and seventy. At this election the qualified voters of the city cast 51,625 votes for Penn Square, and 32,825 votes for Washington Square, being a majority of 18,800 for Penn Square; thus establishing, beyond all question, the unbiassed choice of her citizens.

The board, which had organized under the law, proceeded to execute the duties prescribed, and were met by a bill in equity, filed by six citizens, and an amended bill by the same individuals.

The first bill was against the commissioners. The amended bill was against the commissioners and the members of the Select and Common Councils. Each bill has two prayers for injunction; and a motion for a preliminary injunction has been very fully argued on the merits before the Chief Justice and his brethren, whom he has called in for advice.

The question really presented is, whether the plan proposed by the commissioners, to place the public buildings at the intersection of Broad and Market streets, and upon the streets themselves, is legal, or, according to the language of counsel, "constitutional." "The plans now being made," says Mr. McArthur, the architect, "have streets of 135 feet in width, on the southern and eastern and western fronts, and 205 feet in width on the northern front. These widths are from the extreme projections of the building, the average widths being much greater."

This involves the original plot of the city as laid out by William Penn, with a square of eight acres in each quarter of the city, to be kept open forever, and a centre square of ten acres in the centre of the city for public buildings for public concerns. Out of 1280 acres the founder devoted 32 acres for open gardens for ventilation and health, and ten acres for public buildings. These dedications were made by Penn more than one hundred and seventy years ago, and upon the faith of which lots were sold, and the city built. The plan before us proposes to carry out one part of Penn's plan, by placing in the centre of his city a magnificent and most useful structure, to accommodate the municipal business and concerns of near a million of people.

"There are also in each quarter of the city a square of eight acres, to be for the like uses as the Moorfields are in London." Here is a specific dedication, and when we find what were the uses in Penn's time (1682) of the Moorfields, we then see what were to be the uses of the four squares of eight acres.

William Penn was an Englishman, and his early colonists were Englishmen, and their habits, customs, manners, usages, and terms were English; and in seeking their meaning we are obliged to look to the mother country. He was born in London in 1644, and died in 1718; and he was twice in Pennsylvania, once in 1682 for two years, and again in 1699 for two years.

It appears by a map of London as it was in 1563, that there were north of the city walls two fields marked on it—one called Schmyt Fyelds which for a long series of reigns was the field of gallant tilts and tournaments, the other called Finsburie Fyeld. The first is now West Smithfield, in which market the most lucrative and largest business is transacted for the sale of all kinds of cattle in the world. The second comprised gardens, fields, or morass, the last being the original state of this part of London. This tract was in the manor of Finsbury, or rather Fensbury, and in the days of the historian Fitzstephen was an errant fen. This map represents the Moor Gate in London Wall opening into it, and a marked tract as far as Finsburie court with a Dogge House some distance to the right of the gate.

These Fields were outside of the city of London, and there is a memorandum on the plan or map, "Moorfields not divided nor planted." At the close of Queen Elizabeth's reign and the commencement of King James' reign, Moorfields was divided and planted, as we find by the concurrent authority of Seymour and Maitland in their valuable accounts of London. In Seymour's "Survey of London," vol. 1, p. 17, it is said, speaking of Moorfields:—

"In the mayoralty of Sir Leonard Halliday (Anno 1606) these fields (before an unhealthful place) were turned into pleasant walks, set with trees, compassed with brick walls, and made convenient by sewers under ground for the conveyance of water, which cost the city five thousand pounds, or thereabouts. The lower part of them has been gravelled and railed in a very strong and handsome manner, and the plantations there, which are like so many gardens in the four quarters, were not finished until the present year (Anno 1733), in the mayoralty of John Barber, Esq."

These fields, called Moorfields and West Smithfield, were absolutely prohibited from ever being built upon by the charter of King Charles the First of the 18th October, 1638, granting them to the corporation of the city of London, it being an express condition of the grant, in this positive language:—

"We will also, and by these presents for us, our heirs and successors, declare and grant that the said mayor and commonalty and citizens and their successors forever may have, hold, and enjoy all those fields called or known by the name of the Inward Moor and Outward Moor, in the parish of St. Giles, without Cripplegate, London, St. Stephen in Coleman street, London, and St. Botolph without Bishopsgate, London, or in some or any of them; and also all that field called West Smithfield, in the parish of St. Sepulchre, St. Bartholomew the Great, St. Bartholomew the Less, in the suburbs of London, or in some of them, to the uses, intents and purposes after expressed; and that the said mayor, commonalty, and citizens and their successors may be able to hold in the said field, called Smithfield, fairs and markets there to be held, and to take, receive, and have pickage, stallage, tolls and profits appertaining, happening, belonging, arising out of the fairs and markets there, to such uses as the same mayor, commonalty, and citizens or their predecessors had held or enjoyed, and now hold and enjoy, or ought to have, hold and enjoy the said premises last mentioned, and to no other uses, intents or purposes whatsoever; and that we, our heirs or successors, will not erect or cause to be erected, nor will permit or give leave to any person or persons to erect or build a new one, or any messuages, houses, structures, or edifices in or upon the said field called Inner Moor, or the field called Outer Moor, or the said field called West Smithfield, but that the said separate fields and places be reserved, disposed, and continued to such like common and public uses as the same fields heretofore and now are used, disposed, or converted to." Maitland's History of London, p. 312.

This charter is specially stated in "Norton's Commentaries on the History, Constitution, and Chartered Franchises of the city of London" (third edition revised, 1869), p. 400:—"The King declaring that he will not allow these fields to be built upon." In an article in the twenty-eighth volume of the "Law Magazine and Law Review" on the Charters of the city of London, Mr. Serjeant Pulling, very high authority, says, page 270, "Charles I granted further the tracts of open ground, then called Moorfields, and also expressly confirmed the city title to West Smithfield, with a proviso that they should not be built upon."

In 2 Maitland's History of London, p. 892, is a print, dated 1754, representing the lower quarters of Moorfields as four rectangular gardens, planted with trees and surrounded by walks. See, also, 1 Id., 432 The City and Liberties of London after Great Fire of 1666, and Id., 369, London as fortified in 1642 and 1643.

Even Pennant, in 1790, recognizes this state of things, for he says, p. 253, "Successive attempts brought the ground into the state we see it at present, most part of which, except the still neglected Moorfields, is covered with streets."

The enclosed moorfields, under the names of Finsbury Square and Finsbury Circus, two railed squares, or gardens or six and four acres, and West Smithfield, six acres, are to be found in the map of London, in Bohn's Pictorial Handbook of London, 1854, or in that of the Great London Directory of 1855. "Squares," says Bohn, p. 769, "are an excellent feature, peculiar to the large towns of England, but more particularly to London, being distinguished from the Piazze, Piazzas, Places, etc., of continental cities, by having originated in a sacrifice of building ground, not to the purposes of ornament and architectural beauty, but to the pure necessity of ventilation. They are therefore in the newer parts of London, more numerous and larger than in other capitals, but not appended to any public buildings (which usually hide in obscure secondary streets), and not making any pretension to more adornment than the ordinary dwellings. A garden inclosed by open railing serves to hide the ugliness of sham art, refreshes the eyes, wearied with the sombre monotony of our rude dwellings, and though occupying some of the space, hardly impedes the circulation of air, but, according to modern chemists, actually helps to renew it."

After speaking of Inigo Jones' attempt to introduce the Italian Piazza in Covent Garden, he says:—"His next attempt of the same kind (Lincoln's Inn Fields) has been more fortunate, remaining still the largest ventilation of London, next to its parks (more important even than they, from its central situation), and now by far the best grown with timber. The equilateral form of this prototype of our squares has been pretty generally followed in all of them till within the last twenty years, but we now have them of all proportions, up to a lengthy slip, besides one oval (Finsbury Circus), and many semicircles or segments, called crescents. For all rectilinear figures, even triangles, the term square is retained."

"The following are the chief squares of the older class (rectangular, with their sides nearly or quite equal), with the approximate area of each in acres: Lincoln's Inn Fields, 12; Russell Square, 10; Belgrave, 10; Grosvenor, 7; Portman, 7; Park Square, Portland Place, 7; Euston, 7; Finsbury, 6; and seventeen others."

Of an oblong shape, 13.

Openings of other regular forms:—Finsbury Circus, 4; and five others.

Places of irregular forms:—Smithfield, 5; and three others.

"All openings exceeding an acre or two have now been planted with railed gardens, except Smithfield and Trafalgar Square."

The last is called an artificial stone quarry.

In the Commonwealth vs. Alburger, 1 Wharton, 473, Judge Sergeant, speaking of Holme's map, says: "The plan was engraved and impressions taken for the use of those interested;" and says of the original, it is "an official paper on file in the proper office, of great antiquity and public importance;" and it is so treated by Judge Smith in his learned note in 2 Smith's Laws, p. 107.

"Now," says Judge Sergeant, p. 474, "the first of these plans (Holme's) lays down the streets of the city, and the five public squares, lying across the streets, so as not to be mistaken, or confounded with the rest of the ground assigned for lots or left vacant. The lots of the first purchasers are marked on the plan by numbers. In three of the squares the lots run up to them and in front of them, giving ten lots on the south and east of the northeast public square, six lots on the north and east of the southeast public square, and five lots on the north and west of the southwest public square, but no lots are placed on the squares. So the lots continue along High street to the centre square, both from Delaware and Schuylkill Front streets, but stop at its boundaries. The second plan agrees with the former; but in addition, the northeast and southeast squares have written on their face "eight acres for public uses;" the northwest, "eight acres for public uses, by William Penn, Esq.," the southwest, "eight acres allotted for public uses," etc." On the "Centre Square, ten acres." This is strong evidence to show that these spaces of ground were laid out as squares for public uses, distinct from the streets and lots, and other property in the city bounds, when the original plan of the city was made by its founder.

"The advertisement annexed to the list of first purchasers stands on the same footing as the list itself. After describing the site of the city and its advantages, it says:—'In the centre of the city is a square of ten acres; at each angle are to be houses for public affairs, as a meeting-house, Assembly or State-house, market-house, school-house, and several other buildings for public concerns. There are also in each quarter of the city a square of eight acres, to be for the same uses as the Moorfields in London.' Moorfields were secured to the city of London by charter, dated October 18, 1638, from being built on, and that they should be put to such like common and public uses as they had been and were used for."

"That five public squares were thus laid off by the founder, and the first purchasers here, in the original plan of the city, in 1683, and were then dedicated to public uses, is thus a fact as clearly established as any ancient fact can be by evidence, especially as no plan or draught or statement to the contrary has ever been made or suggested in these times or for a long time after. If there is any fact in the history of the city, universally acknowledged without question by its inhabitants, its founder, its historical writers, its maps and plans, and owners of property and settlers, it is that Penn laid off five public squares for public uses." Commonwealth vs. Alburger, 1 Wharton, 475.

The Centre Square is distinctly mentioned in his charter to the city, dated the 25th October, 1701, "and the one-and-twentieth year of my government." In a map of the improved part of the Province of Pennsylvania, by Thomas Holme, Surveyor-General, in the right hand corner, there is a small plan of the city with the five squares on it. Broad street and High street are represented running up to the Centre Square, on which appear four buildings, one at each angle, and a building directly in the centre of the square, or what might be called the intersection of the two streets, if continued through the square, with a steeple or belfry. I have been furnished by Henry E. Keene, Esq., a descendant of John Lukens, Surveyor-General from 1761 to 1789, with an engraved map of the city, found among his papers. On the upper part of this plan are the names of the first purchasers, and below them a view of the State-house, which was finished in 1734. Upon the plan are the four squares, on each of which is engraved, "a Publick square, 8 as." On the Centre Square it is, "a Publick square, 10 as., Center." "The old court-house had been built in 1707, in Market street, above Second street, and was used not only as a hall of justice, but also as a legislative hall, in which the provincial assemblies transacted their business, and the general elections were held there."

A market-house had been built from the court house to Third street, and by an act of Assembly of 23d March, 1786, the wardens of the city were authorized and required to extend the market-house from Third to Fourth streets, and under a subsequent general act the market-houses were extended to Eighth street, and built west to Broad street, and on Broad street, south of Centre Square.

Under the word "watering," the city of Philadelphia erected their water-works. They consisted of two receiving basins on the Schuylkill, above Chesnut street, an engine-house, on a hill corner of Chesnut and Front streets, with a brick-arched conduit to conduct the water to the Centre Square, where it was pumped up into the centre engine-house for distribution in the city. This building at the intersection of Broad and Market streets was placed there by the city without the authority of any legislative act, and remained there for a quarter of a century, until removed useless by the improvements at Fairmount.

The public records remained in Philadelphia from 1681 to 1799, when the seat of government was removed to Lancaster, where the Legislature sat in the brick court-house, at the intersection of King and Queen streets, the two principal streets, until its removal to Harrisburg, in 1812. The court-houses in Reading, York, Easton, and other county towns were similarly situated.

The original square was 10 acres, and this area could only be obtained by including Broad and Market streets; but this can make no difference, for the Legislature is simply appropriating the square and the streets to the purposes to which the square was originally dedicated. But the power of the Legislature over the streets cannot be a matter of discussion, and it is provided that, "In the event of the ultimate selection of Penn Squares as the site for the said public buildings, the said commission shall have authority and they are hereby empowered to vacate so much of Market and of Broad streets as they may deem needful; provided, however, that the streets passing around said buildings shall not be of less width than 100 feet."

It is objected that this act is a law impairing the obligation of contracts, and therefore unconstitutional by the Constitutions of the United States and of this State.

On the 26th March, 1866, the Legislature passed an act authorizing the improvement of Broad street, the real object of which was the removal of all railroad tracks from it, and their prohibition in it for the future. These railroad tracks were to be removed by money voluntarily subscribed by the citizens to compensate their owners, and the improvements on said street, such as repaving by Nicolson pavement, were to be paid for by the owners of property abutting upon the said street, and in consideration of either one or the other, or both, no railway tracks or other obstructions prejudicial to the purposes of said act should be laid, constructed, or maintained upon it. It is clear this act has no application to such a building as the present; and if it had, no voluntary subscription of a single dollar ever has been made, and the Nicolson pavement never has been paid for, but the city is left to pay nearly the whole cost, being upwards of $100,000.

Of the plaintiffs there are but two who have paid a cent for any part of the Nicolson pavement, and they are the owners of 100 or 200 feet front on this great street, eleven and a half miles long, or having a front of 121,540 feet, and who seek to represent all the other owners of property on it. There is nothing in the act of 1866 preventing this erection either in its language or its spirit, and the two plaintiffs have shown no case for the interference of this court.

The city of Philadelphia has expended, and is still expending, large sums of money for a great public park for the health and recreation of her citizens, whilst she has entirely neglected the comfort and convenience of the inhabitants in the daily transaction of judicial and municipal business. Our courts are not adequately provided with proper court-rooms, consultation and retiring rooms, or rooms for jurors and for witnesses, and have no fire-proof offices for the preservation of valuable records; the Recorder's office is in the second story of a bank, and the various city offices are so scattered in every direction as to require a special directory for a citizen having business with the city authorities.

This site has been selected by the public voice, and it should now be the business of every fair-minded citizen to see the buildings pushed to a speedy completion.

Injunction dissolved.

### NEW YORK MORALS.

**Bigamy in High Life—The Bridegroom Goes to the Altar Prepared to Blow His Brains Out if His Villainy is Discovered.**

The N. Y. *Post* of last evening has an editorial article telling this strange story:—

Not many days ago there was a fashionable marriage in one of our up-town churches. The bridegroom was a remarkably handsome man, of nearly thirty years of age, well known in what is called fashionable society as an agreeable, liberal bachelor and "ladies' man." The bride was a lovely girl, belonging to one of our best known families, and esteemed for her character as much as admired for her beauty.

The friends of both were present; and nothing surprising occurred at the ceremony, save that all present remarked upon the appearance of the bridegroom. He was apparently so oppressed by some great sorrow or anxiety that he could not smile nor command a cheerful word.

The pair had spent but a few days together, when the husband, after an interview with his young wife, which left her almost crushed in mind, hastily called at his late bachelor rooms, which he had not yet given up, burned a large number of papers, packed up a few precious articles, and suddenly disappeared; and no one of his friends now knows where he is to be found.

But one dreadful truth reached their ears too quickly. At one of our new hotels in the centre of the city, but a few blocks from the church in which the marriage was performed, there were found a woman and several children bearing his name, and she found no difficulty in establishing her right to it. She is many years older than he.

They were married when he was scarcely more than a boy, and have never published the marriage; but they never quarrelled nor separated. He still supported her and visited her, and on the very day of the second marriage, at noon, he made her a long visit, in his usual manner.

This event has been a sudden shock to both families, and the absolute concealment of his marriage from all his friends for many years, while his wife and children openly bore his name in public hotels in this city, is as unaccountable to them as it will be to others. The young man was for several years an internal revenue officer in this city, but for some years past has been employed in a bank down town. He has paid three thousand dollars a year for the board of his wife and children, while receiving a salary of only two thousand; and her yet maintained his bachelor life with lavish expenditure. In his rooms are said to have hile not far from a hundred suits of clothes, with expensive books, and many other evidences of wealth. But his accounts at the bank are said to be entirely correct. His full understanding of what he was doing appears from the fact that he carried to the altar a pistol, with the avowed purpose, as he afterwards said, of blowing out his brains there if the ceremony should be interfered with.

**The Mystery Solved.**

The *Post's* sensation has been verified by further discoveries. It is indeed a sad story of duplicity, infatuation, and desertion.

Calvin R. Cross, the nephew of Mr. James M. Cross, and son-in-law of Cornelius Vanderbilt, is the cause and hero of the scandal. He has been employed in the Central National Bank. Five years ago, in Boston, he married a Miss Patton, with whom he lived at the Ashland House on Fourth avenue. He meanwhile passed in society as a bachelor, and as such occupied elegant apartments in West Fourteenth street.

On the 23d of November he married Miss Luckey, the daughter of Nelson Luckey, of New Hamburg, carrying a pistol, as it has since been learned, with the purpose of blowing his brains out in case of interference. In a few days he disappeared. His first wife is now residing at West Thirteenth street. The second wife has returned to her father's home.—*N. Y. Standard o-day.*

—Hon. George Robertson, Chief Justice of the Court of Appeals of Kentucky, is thought to be the oldest living ex-Congressman. He entered Congress in 1815, and is now in his eighty-first year.

—The authorities of New Orleans have made war on the concert saloons, and notified the proprietors that theatrical performances, music, singing, and dancing in these establishments must cease at once and forever.

—Four mills of the Hazard Powder Company at Hazardville, Conn., exploded about 7 o'clock on Wednesday morning, in rapid succession. There were four big noises and much destruction of property, but no loss of life.

—General Ely A. Elliott, and his wife, Mrs. Susan M. Elliott, were but a few hours divided in their death, after over fifty-three years of married life, and their remains were buried together on Tuesday in Clinton, Conn.

—The Labor Reformers' candidate for State Senator, in the First district of New Hampshire, has refused to accept the nomination, saying he must act with his own party—the Democratic.

## SECOND EDITION

### News from the Pacific

### China and Japan.

### DOMESTIC AFFAIRS.

### The Seventeenth Penna. District.

### Special Election Ordered

### The Ficken Shooting Case.

### A Compromise to be Effected.

### Etc., Etc., Etc., Etc., Etc.

### *FROM THE PACIFIC COAST.*

**Another Japanese Embassy.**

SAN FRANCISCO, Jan. 17.—Among the passengers by the America is his Excellency Ito Fugai Hinfusmi, Minister of Finance of the Empire of Japan, who is accredited as Commissioner to the Government of the United States. His suite includes secretaries, physicians, aids, etc., in all twenty-two persons. They will remain here for two weeks and visit the public institutions of San Francisco before proceeding to Washington. He-Wis-Ing, a famous Chinese missionary, formerly a resident of New York, is also among the passengers.

Ito Fugai Hinfusmi was formerly Governor of Nasato. It is announced that his mission to the United States is to study our financial system; the currency, financial, and revenue laws. It is said that he is a man of liberal views, and is well disposed towards foreigners in Japan. He has been liberally educated. Physically he is a man of fine appearance. Several of his companions are Japanese bankers. The movements of the party on this coast will be under the direction of Mr. Charles Walcott Brooks, the Japanese Consul.

**The Chinese Question.**

Under a recent decision of the Supreme Court of California, that Chinamen cannot testify against white men, George D. Watson, who has been in jail under an indictment for stealing $100 from a Chinaman, was discharged without a trial to-day.

**Japanese Advices.**

At the date of the departure of the steamer from Yokohama business in Japan was utterly stagnant.

The American Minister, Mr. De Long, and Sir Harry Parker had been on a visit to Losirna, where strong disaffection against Satsuma exists. The latter had massed a large number of troops there, and it was feared that the civil war could not be much longer deferred.

The roads in the vicinity of Yokohama were again becoming unsafe. Foreigners were frequently attacked. The Government had ordered a vigorous prosecution of the work on the railroad between Osakiana and Kioto. The negotiation of the English-Japanese Railroad loan was progressing, but not satisfactorily.

**Suicide.**

Mr. Cranert, an old merchant of Yokohama, committed suicide in a fit of despondency caused by losses in business.

**The Rice Crop.**

In the southern provinces the rice crop had suffered severely from unseasonable weather, and also from the effects of an earthquake.

### *FROM THE STATE.*

**Religious Amendment to the Constitution.**

*Special Despatch to The Evening Telegraph.*

HARRISBURG, Jan. 18.—A meeting was held last evening in the hall of the House, at which Governor Geary presided, and delivered an address urging an amendment of the Constitution of the United States acknowledging Almighty God. Addresses were subsequently delivered by two ministers from Pittsburg on the same subject.

**Special Election for Frankford Ordered.**

The Speaker of the House has issued his writ for an election to fill the vacancy occasioned by the death of Joseph A. Campbell, of Frankford. The election will be held on the first day of February.

[illegible]

**The Fifth-Ward Contest.**

[illegible] held a meeting this morning, and [illegible] Henry Demming, stenographer. The next general meeting will be held on Monday e[illegible], 30th inst., when the answer of Judge Lyn[illegible] will be filed.

**New York Produce Market.**

NEW YORK, Jan. 18.—Cotton dull and heavy; sales 1000 bales at 10½d. Flour less active, but without decided change; sales 11,000 bbls. Wheat quiet and nominally unchanged. Corn firm; sales 20,000 bushels new mixed Western at [illegible]. Oats firm; sales 24,000 bushels Ohio and Western at [illegible]. Beef unchanged. Pork quiet; new mess, $[illegible]; old, $21·25. Lard steady; steam, 11½@11[illegible]; kettle, 12@12½c. Whisky dull and nominal at 90c.

### *FROM CHINA.*

**Arrival of the America at San Francisco.**

SAN FRANCISCO, Jan. 17.—News from China has been received by the steamer America.

**Four Gun Boats are at Tien-Tsin,**

and are to remain there during the winter. A feeling of security exists.

The French Minister is much blamed for the manner in which he settled the massacre matter.

**Mr. Seward and His Party**

returned from Tien-Tsin on November 30, and on the 7th of December they left for Hong Kong. At Pekin they visited the Yaman and received a cordial visit from Prince Kung, who thanked Mr. Seward for the continued friendship of America and his good offices in the matter of the Burlingame Embassy.

**Twenty German Vessels**

are laid up at Amoy on account of the war.

### *FROM THE WEST.*

**The Colorado Colony.**

CHICAGO, Jan. 18.—The locating committee of the Chicago (Colorado) Colony, consisting of Judge Fenry, of Rockford, recently of Enfield, Conn.; H. D. Emery, editor of the *Prairie Farmer;* and P. T. Kelly, of New York, started for the Far West to-day, under the guidance of W. N. Byers, of the Denver *News.*

**Specie Shipments.**

NEW YORK, Jan. 18.—Export of specie to-day, $250,000; to-morrow $292,000 will be shipped.

**New York Money and Stock Market.**

NEW YORK, Jan. 18.—Stocks steady. Money easy at 7 per cent. Gold, 110¾@110⅞. 5-20s of 1862, coupon, 109¾; do. 1884, do., 108¾; do. 1865, do. 108¾; do. 1865, new, 107¾; do. 1867, 107⅞; do. 1868, 108⅜; 10-40s, 107¾; Virginia 6s, new, 61; Missouri 6s, 89¾; Canton Co., 67½; Cumberland preferred, 26; New York Central and Hudson River, 92; Erie, 22½; Reading, 98⅝; Adams Express, 66; Michigan Central, 117¼; Michigan Southern, 89¾; Illinois Central, 133; Cleveland and Pittsburg, 104¾; Chicago and Rock Island, 109⅝; Pittsburg and Fort Wayne, 93¼; Western Union Telegraph, 47¼.

### ARMS FOR FRANCE.

**Shipments from the United States Since September.**

The New York *Tribune* to-day says:—

France has for the past few months been the principal buyer of arms in the American market. She has, as a rule, purchased none but those of the best quality. The shipments of artillery have been small, though some invoices have been sent, altogether about $150,000 worth.

A considerable quantity of harness, doubtless for artillery purposes, appears on the manifests of French vessels which have cleared for Havre during the winter. Over 50,000 knapsacks have been shipped to the same port, to replace those thrown away by the French soldiers in their numerous routs. With a cargo of arms shipped in September, 500,000 pounds of navy bread was sent; and 4300 barrels of flour were part of the cargo of military supplies shipped in the Avon in November.

The following is obtained from official sources, and represents quite accurately the amount of arms shipped from this port, under contract with the French Government, since September 3, 1870. Previous to that date only a few small shipments were made for the French. One manufacturing firm is now under contract with the French Government for its entire production of weapons of an improved pattern, and is finishing 1000 daily.

Of the guns shipped, about 75,000 were Enfield rifles, which were originally imported from England, and were last fall obtained from the United States Government at the sales by proposals. The War Department has still on hand a large surplus of arms which were awarded to bidders last fall. The bidders proved to be, in numerous cases, the agents of authorities hostile to France, and were furnished with means for making good the usual forfeiture ($10,000) for non-compliance with the conditions of the proposals.

| Date. 1870. | Steamer. | Value. | Destination. |
|---|---|---|---|
| Sept. 3 | Pereire | $42,945 | Havre. |
| Sept. 20 | Lafayeette | 390,445 | Brest or Havre. |
| Oc., 4 | Ville de Paris. | 874,063 | Brest or Havre |
| Oct. 28 | Pereire | 784,995 | Havre. |
| Nov. 7 | Ontario | 1,764,928 | Cowes f. ors. |
| Nov. 2 | Avon | 707,000 | Plymouth. |
| Nov. 15 | Lafayette | 930,950 | Havre. |
| Nov. 26 | Erie | 1,744,080 | Cowes f. ors. |
| Nov. 28 | Ville de Paris. | 1,053,200 | Havre. |
| Dec. 13 | Pereire | 605,000 | Havre. |
| Jan. 4 | Lafayette | 850,000 | Brest or Havre. |
| Total | | $9,727,606 | |

### DELAWARE.

**The Saulsburys and the Senate.**

A Dover despatch to the Wilmington *Commercial* of yesterday gives the following interesting account of the fight in the Saulsbury family for the Senatorial nomination:—

The Democratic caucus for United States Senator was held this evening. Every member of the Legislature was present. There had been some objection to holding any caucus, but the result proved that there was such a contest between the three Saulsbury as made it absolutely necessary to have one.

Upon going into a ballot it was found that three members from New Castle county were for re-electing Willard, four were for Gove, and the other three were in favor of Eli. The contest, however, was between Gove and Willard, and after they had, on the third ballot, equally divided the whole number of votes (one excepted), the whole of the Willard faction, and one original Eli man, who had voted for Gove on the third trial, went over to Eli, and gave him 16 votes to his brother's 14.

The following is the balloting:—

| | First. | Second. | Third. | Fourth. |
|---|---|---|---|---|
| Willard Saulsbury | 13 | 13 | 14 | 0 |
| Gove Saulsbury | 14 | 14 | 15 | 14 |
| Eli Saulsbury | 3 | 3 | 1 | 16 |

### LEGAL INTELLIGENCE.

**A Pawnbroker's Retribution.**

*Nisi Prius—Judge Sharswood.*

Yesterday a case was tried in this court which [illegible] of personal interest. Matthias Kaas, a pawnbroker of some fame in this city, was sued by Johnson & Co., of Springfield, Ill., for the value of silks stolen from them and traced to his possession. The goods were estimated to be worth $1000. Kaas declared having received or seen the goods, and was the only witness, notwithstanding the plaintiff's had the testimony of the very man who stole the goods and sold them to him.

Judge Sharswood ruled that the loser of property by robbery was not delayed in his civil action for damages which he had prosecuted the felon—a case where issues strongly upon all the pawnbrokers and receivers of miscellaneous goods in this city. The jury rendered a verdict in favor of the plaintiffs for $[illegible], exemplary damages, which Judge Sharswood said they might give in a case of [illegible].

The result of this case is one of the most opportune things that could have occurred in this community, for those who lose property by burglary can take some hope of being compensated by those who encourage such robbery by affording a ready market to receivers. Kaas had been before the criminal court on several occasions but had always been too sharp for the Quarter Sessions, and had each time got off clear. His peculiar game has been to throw away dubious goods for two years, and then after the statute of limitation has barred criminal prosecution, to dispose of them at handsome profits. But the Nisi Prius, as conducted by Judge Sharswood, has been too just to suit his purposes, and has established a most excellent precedent; and Mr. Constant Ollion, who prosecuted the case for the plaintiffs, is deserving of special commendation for the honest spirit and earnestness he manifested in accomplishing his end, and we would recommend more proceedings of this kind, for we can safely assure the public that the fewer pawnbrokers we have the fewer thieves will live amongst us.

### SOUTHERN PLEASANTRIES.

**A Lady and Gentleman Exchange Pistol Shots Through a Misunderstanding.**

The Memphis *Avalanche* of the 14th inst., says:—

The town of Helena, Ark., indulged in a first-class excitement on Wednesday last, caused by a shooting affair between a gentleman and a lady, the reason for which is a mystery that has given rise to all sorts of rumors, as well as any quantity of gossip. A planter residing some distance back of Helena rode up to the house of Mr. McKelvey, a merchant, and made some remark to Mrs. McKelvey, which caused her to

DRAW A REVOLVER AND FIRE UPON HIM.

The planter drew a pistol and returned the fire, fortunately without effect. Three shots were fired in all, two of which, it is reported, were fired by the lady. It is not known whether the planter was wounded or not, as

HE IMMEDIATELY RODE OFF,

and has not since been heard off. Several members of the lady's family went in pursuit of the planter. A man named Thomas Brooks, who is also a planter in the neighborhood and a justice of the peace in an adjoining township, was arrested as the supposed person. Mr. Brooks bears an irreproachable character, and easily proved to the satisfaction of all concerned that he was holding court several miles away from the scene of the shooting at the very hour of its occurrence. It appears that some one had indulged in

WRITING OBJECTIONABLE NOTES OR LETTERS

to Mrs. McKelvey; who is an estimable lady of unblemished reputation, and belongs to a family of the first respectability. The lady's husband gave her a revolver, and instructed her to use it if necessary. Mr. Brooks was suspected of being the author of the letters, the writing closely resembling his chirography. It turned out, however, that he had nothing whatever to do with their authorship.

### FINANCE AND COMMERCE.

EVENING TELEGRAPH OFFICE, Wednesday, Jan. 18, 1871.

There is an increased supply of currency this morning, and it is in excess of current wants. Lenders advance freely both on collaterals and good commercial acceptances. There is no material change in the rates, which continue to favor borrowers. Strictly call loans may be quoted at 5½@6 per cent., with some transactions as low as 5 per cent., the latter on Government collaterals. The money market is very easy in the absence of any regular business demand. There is very little commercial paper offering, and it is taken freely at 7 to 8 per cent. There is no difficulty in obtaining loans of this class for three or four months at these figures.

The gold market is free from speculative excitement, and the premium continued at 110⅝ from the opening to noon without a single fluctuation.

Government bonds appear unsettled, and it is difficult to state whether strength or weakness is the prevalent feature. There is an advance and a decline on some of the issues, which are difficult to account for in the present state of the market.

Stocks were exceedingly active, and a general advance in prices was obtained. City 6s, old bonds, sold at 100¼, and new do. at 100⅜.

Reading Railroad sold largely at 49¼@49⅝; Pennsylvania advanced, selling at 62½@62⅝, b. o.; Oil Creek and Allegheny sold at 46@46½; Philadelphia and Erie was in demand, with sales at 27@27⅛; and Lehigh Valley at 60¼.

In Canal shares there was a very lively movement in Lehigh, with large sales at 33½@33¾, an advance of ⅜. Schuylkill common changed hands at 8⅝.

Chesnut and Walnut Streets Railroad sold at 44. The balance of the list was in demand and strong, but inactive.

PHILADELPHIA STOCK EXCHANGE SALES.

Reported by De Haven & Bro., No. 40 S. Third street.

FIRST BOARD.

| | | | |
|---|---|---|---|
| $3200 City 6s, N | ls.100⅛ | 200 sh Penna.ls.b30. | 62⅛ |
| $500 do.....mun | 100⅛ | 100 do.....b20. | 62 |
| 200 do.....Old | 100⅛ | 50 do.....c. | 62 |
| $2000 do.prior to '62 | 101½ | 18 do..... | 62⅛ |
| $4000 do.....ls | 100⅛ | 300 do..ls.b30. | 62⅛ |
| $3600 N Pa 7s.....c. | 94 | 100 do...2d.sn. | 62⅛ |
| $1000 Pa R Con m bs | | 100 do.....b45. | 62⅛ |
| Cp..... | 94 | 99 do.....ls. | 62⅛ |
| $1000 Pa 1 m 6s | 100⅜ | 67 do.....c. | 62⅛ |
| $1000 Phila & E 7s | 87½ | 200 do.....b60. | 62⅛ |
| 100 sh Read R | s30. 49⅜ | 15 do.....ls. | 62⅛ |
| 100 do....b60. | 49⅜ | 300 sh Leh Nav.ls.c. | 33⅛ |
| 199 do.....b30. | 49⅜ | 100 do.....b30. | 33⅛ |
| 700 do...b5wn. | 49⅜ | 300 do...ls.b5. | 33⅛ |
| 300 do.....ls. | 49·31 | 200 do..ls.b60. | 33⅛ |
| 18 do.....c. | 49·31 | 200 do..ls.s60. | 33⅛ |
| 26 do.s5wn.trf.ls | 49⅛ | 100 do.....b60. | 33⅛ |
| 100 do.b5wn&1. | 49⅜ | 309 do....c.ls. | 33⅛ |
| 200 do.....ls. | 49⅜ | 300 do..ls.b60. | 33⅛ |
| 100 do..s30wn. | 49·31 | 266 sh Leh Val..ls. | 60⅛ |
| 300 sh Phil & E R.ls. | | 33 sh W Jersey R.. | |
| s5.... | 27 | b4.... | 61 |
| 300 do....b30. | 27⅛ | 100 sh Sch Nv. b60. | 8⅜ |
| 6 sh O C & A R.. | 46 | 17 sh Sch Nav Pf.. | 17 |
| 100 do....b30. | 46 | 35 sh Ch & Wal.ls. | 44 |

MESSRS. WILLIAM PAINTER & CO., No. 36 S. Third street, report the following quotations:—U. S. 6s of 1881, 110¾@111; 5-20s of 1862, 109½@109¾; do. 1864, 108⅜@108¾; do. 1865, 108⅜@108¾; do. July, 1865, 107⅝@107¾; do., July, 1867, 107⅝@108; do. July, 1868, 108¼@108¾; 5s, 10-40, 107⅜@107⅝. Gold, 110⅝@110¾. U. S. Pacific R. R. Curr'cy 6s, 110¼@110½.

NABB & LADNER, Brokers, report this morning Gold quotations as follows:—

| | | | |
|---|---|---|---|
| 10·00 A. M. | 110⅝ | 10·55 A. M. | 110⅝ |
| 10·45 " | 110¾ | 1·00 P. M. | 110½ |
| 10·52 " | 110⅝ | 1·02 " | 110⅝ |
| 10·53 " | 110¾ | | |

### Philadelphia Trade Report.

WEDNESDAY, Jan. 18.—Seeds—Cloverseed meets with a fair inquiry at 10½@11c ℔ pound. Timothy is firm at $6 and Flaxseed at $2 to $2·10.

Bark—In the absence of sales we quote No. 1 Quercitron at $25@30 ℔ ton.

There is a good demand for Flour from the home consumers, and on the better grades of spring wheat families we advance our quotations fully 25 cents ℔ barrel. About 1400 barrels sold, including superfine at $4 50@4·75; extras at $5@5·50; Iowa, Wisconsin, and Minnesota extra families at $6·25@7·25; Pennsylvania do. do. at $6@6·50; Indiana and Ohio do. do. at $6·50@7·50. Rye Flour may be quoted at $5·12½@5·25. In Corn Meal nothing doing.

The Wheat market is very strong, but there is not much demand except for prime lots, which are in small supply. Sales of 400 bushels Indiana red at 1·58; some Pennsylvania do. at $1·45; and amber at $1·65@1·67. Rye may be quoted at 95c. for Western