### EVENING BULLETIN. PUBLISHED EVERY EVENING.

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BY THE "Evening Bulletin Association." PROPRIETORS.

GIBSON PEACOCK, CASPER SOUDER, Jr., F. L. FETHERSTON, ERNEST C. WALLAGE, THOMAS J. WILLIAMSON. The BULLETIN is served to subscribers in the city s is cents per week, payable to the carriers, or \$8 00 pe

### MARRIED.

NIA 15.15.12.

BURROUGHS—BIRCH—On the 15th] inst, by the Rev. J. A. McKean, Mr. Chas. O. Burroughs, of New Jersey, to Miss Rebecca Birch of this city.

REYNOLIDS—BROHTEL—On the morning of the did., at the residence of the bride's mother, by the Rev. Samuel Irwin, William P. Reynolds to Mis Dary M. Bechtel. No cards. Berks and Chester paners blease copy.

#### DIED.

AARONSON—On the morning of the 15th instant, o scarlet fever, Amy T., daughter of Chas. B. and Sallie A. Aaronson, in the 5th year of her age.
The relatives and friends are respectfully invited to attend the funeral on Seventh day afternoon, at 1 o'clock, from the residence of her father, Northeast corner of Sixteenth and Wallace streets.

\*\*DIXON—On the morning of Fourth day, 14th inst. Henry T. Dixon, aged 41 years.
The relatives and friends of the family are in vited to attend his funeral from the residence of his brother, F. M. Dixon, No. 227 Arch street, on Seventh day morning, at 10 o'clock.

\*\*RIGHARDS—At Mount Airy, on Thursday morning, 15th Feb. Frances H., widow of the late Mark Bichards, and daughter of the late Capt. Thos. Hunt. The relatives and friends of the family are invited.

of Hunt's Point, N. Y.
The relatives and friends of the family are invited to attend the burial services at St. Luke's Church, Sunth Thirteenth steeets, on Saturday, 17th instant. at 10°clock. P. M.
STOEVER—Annie M., wife of Wm. H. Steever,
Her relatives and friends are invited to attend her funeral from the residence of her husband, corner of Main and Mebl streets, Germantown, on Monday afternoon, at 30°clock.

## WHITE MOREENS FOR SKIRTS. een watered Moreens. 6-4 and 5-4 Green Balze, White Cloth for Sacks. White Evening Silks. EYRE & LANDELL, Fourth and Arch.

### SPECIAL NOTICES.

UNION STATE CONVENTION. A Stated Convention will be held in the Hall of the House of Representatives, in

Harrisburg, Pa., on WEDNESDAY, THE SEVENTH DAY OF MARCH, A. D. 1866 at 12 o'clock, M., for the purpose of nomi nating a candidate for Governor, to be supported by the friends of the Union. The ordeal of war has tried the strength of our Government. Its fire has purified the nation. The defence of the nation's life

has demonstrated who were its friends. The principles vindicated in the field must be preserved in the councils of the nation. The arch-enemy of freedom must be struck once more. All the friends of our Government and all who were loval to the cause of the Union in our late struggle are earnestly requested to unite in sending delegates to represent them in said Convention.

By order of the Union State Central Com-JOHN CESSNA, Chairman. GEO. W. HAMMERSLY, Secretaries.

TO THE FRIENDS OF THE SABBATH.—
The first of a series of SABBATH EVENING
ERVICES, will be held on SABBATH EVENING
EXT at Rev. Dr. Adams's Church, BROAD and
REEN streets. Several addresses by prominent Lay-

HOWARD HOSPITAL, Nos. 1518 and 152; Lombard street, Dispensary Department, Med. ROLBE POOR.

REVEREND HENBY WARD BEECHER
AT CONCERT HALL.—This distinguished
divine and popular lecturer will deliver a lecture a lecture a lecture popular lecturer will deliver a lecture property.

Places for the sale of tickets will be announced in a few days.

AGENTS WANTED—To sell the Improved the Computation of the Computation GROVER'S GRAND GERMAN OPERA COMPANY will commence a brief season a

AMERICAN ACADEMY OF MUSIC, MONDAY, seb. 26, 1856, with Several Important Additions to the Company, Chorus, Orchestra, and Respectors. pertoire.
Full announcements will appear in the journals o Saturday evening, Sunday, and Monday morning. T Season sale will commence Monday morning next. OFFICE OF THE FGBERT OIL COMPANY
No. 147 South FOURTH street, PHILADELPHIA
February 15th, 1866.

The Directors have this day declared a Dividend o TWO PER CENT, on the Capital Stock of the Compa ny, payable on and after THURSDAY, February 220 Transfer Books closed on Friday, February 16th, at o'clock, P. M., and opened Friday, Februry 23d. WILLIAM M. CARTER. Secretary and Treasurer

OFFICE OF THE MCRAE AND CHERRY BUN OIL COMPANY, Southeast corner of hird and Chestnut streets, PHILADELPHIA, Februar In 1866.

Notice is hereby given to all delinquent Stockholders that unless the assessment of ten cents per share made by this Company, shall be paid on or before 12 o'clock noon, Monday, March 12th, 1866, so much of the stock of said delinquents as will be required to pay said assessment and necessary expenses as provided by law, will at that time be sold at the office of the formany at Public Auction.

ompany at Public Auction.

By order of the Board of Directors.

telfilmb12, M. BUZBY, Treasurer.

OFFICE OF THE LEHIGH COAL AND NAVIGATION COMPANY, PHILADELPHIA, December 21st, 1865.

IN SUMS TO SUIT PURCHASERS.

The Loan of this Company, due April 1st, 1884, interest payable quarterly, at the rate of six per cent. per cannum.

\*\*\*annum. This Loan is secured by a mortgage on all the Company's Coal Lands, Canals, and Slackwater Navigation in the Lebigh river, and all their Railroads, constructed and to be constructed, between Mauch Chunk and Wilkesbarre, and branch roads connected therewith, and the franchise of the Company relating thereto.

Apply to SOLOMON SHISPHERD, Treasurer, de21-rptn 122 South Second street. THE FINANCE COMMITTEE OF THE FORWAY'S CENTRAL BRANCH OF THE PENNSYLVANIA FREEDMEN'S RELIEF AS SOCIATION desire to scknowledge the following

receipts for the month of January, 1866.		_
Freedmen's Aid Society, Salem, N. J	500	00
Cullections by Rev. W. Formoss.	200	
Mrs. Emily L. Fry. Through D. P. Furtland, Honesdale, Pa	100 (	
Through D. P. Furtland, Honesdale, Pa	150	
Through Mrs. John W. Forney, Mr. H. F.	100	•
Stebbens, N. Y	100	Ωſ
Mrs. Jos. Harnson, Jr.	100	
Mrs. John P. Crozier.	100	
Mrs. Wm. L. Bucknelt	100	
Through Mrs. John F. Frazer, Mr. John Asn-	200	v
hnra:	100	a
hurst	50	
Dr. Geo B. Wood	50	
Mr Famuel Bettle.	50	
Freedmen's Aid Society, Downingtown, Pa	55	
Through B. C. Bussel & Co., Towards, Pa	35	
Mr G A Nichola	. 20	
Ladies' Aid Society, Lockhaven, Pa.	15	
Mrs. Charles Hartshorne,	10	
Mrs. John K. Goldsborough,	10	
Mrs. Parah Baker,	5	
Mrs. Harriet B. Talman,	. 5	00
Colored S. S. Class, at Church of Holy Trinity.	: 5	
Eliza Overton, Tonawanda, Pa	3	
A poor German,	3	
Collections from various Churches,	1010	2
Conections from Various Churches,	218	Đ.
_	0:00#	
Refore acknowledged	2 027	U
Before acknowledged	5,776	٥U

MARY ROSE SMITH, Chairman. ELIZA BREADY, Treasurer. Willamsport, Pa., 81,000 (one thousand dollars), but as there is still promise of a larger sum, it will be acknowledged when complete. ARMORY 810 MARKET STREET, PHILADEL, PHIA, February 16th, 1886.

PHIA, February 16th, 1886.

A meeting of the Members of Co., A and O "Grey in Reserves," will be held at the Armory this (FRIDAY) evening at 8 o'clock, to make arrangements for the Parade on Washington's Birthday. The members of other companies of the Regiment are particularly invited.

W. D. HASTINGS.

SPECIAL NOTICES.

### THE SEASON AND THE POOR UNION BENEVOLENT ASSOCIATION.

For thirty-four years this society has been going in and out amongst the citizens of Philadelphia giving and receiving their alms, and it has never ap-pealed for aid in vain. At the present crisis it needs all it can obtain to enable it to carry on its work-With a hundred lady visitors distributed over the entire city, it reaches nearly every family, and the experience of the visitors enable them to discriminate tween the worthy and the unworthy. The principle of the society is to distribute favors with a cautious hand, being convinced by long experience that this is the only true plan of right charity. Numberless or-ganizations have risen and fallen upon a different principle since its foundation, and numberles others will rise ann fall whenever they fait to recognize this principle. Indiscriminate alms.giving is the foster-father of pauperism, and is

will eventuate in filling any community with beggar There are myriads of poor who now labor willingly for a living that would not do so if encouraged in idlenes by a mistaken philanthropy, and there are myriad<sup>3</sup> who do Live without labor upon the gains of their chil dren, sent through the streets to beg. At the same time there is and always will be a very great deal of rea suffering, which it is the bounden duty of the good to seek out and relieve. These are principally womer and children, not often men, whom women can best minister to At this crisis many of these are families of dicharged soldiers, who would suffer and die in their garrets and cellars unknown to the great public, but for the efforts of our benevolent women, who thread the byways and alleys of the city, to seek out and relieve them The number of visits made by our visitors last year was 17,166, number of families relieved, 7,750, number of sick cared for, 1,090, number of persons found em ployment, 817; amount of cash distributed, \$5.684 number of tons of coal given out, 1,740: number of garments, 3,100: number of stoves loaned, 350, and 30 women were found constant employment. In all this visiting there have been, of course, numerous instance of intense hardship brought to light, which, if related would appeal to every charitable heart; but it has never seen the practice of the society to obtrudbarrowing cases of suffering before the public to excite sympathy. It has relied rather upon the intelligent judgment of the public to sustain its steady work. Its

respectable Board of Managers is a guarantee of re ponsibility, and they all now arge upon the public notice the wants of the poor at the close of the season.

Messrs. COOPER and EVANS, the authorized collectors, will in mediately make their final call for the gear. Money may also be left with EDMUND WIL COX, Treasurer, 404 Chestnut street, or with JOHN HICKS, Agent, at the Office of the Society, corner o SAMUEL H. PERKINS, President. JOHN H. ATWOOD, Secretary.

STOCKHOLDERS' MEETING.—There will be a meeting of the Stockholders of the McCLINTOCKVILLE PETROLEUM OIL COMPANY held on FRIDAY, the 23d of February, 1865, at the Board of Trade Rooms, No. 585 CHESTRUT street, at 12 o'clock, Noon, of said day, to hear the report of the Committee appointed by the Stockholders at their meeting in October last.

A. V. PARSONS, fel6,19,21,22 PROPER PRECAUTIONARY MEASURES.-If the cholera comes to this country, every family should have a box of Schenck's Mandrake Pills on hand. They keep the

stomach and liver healthy quicker and far better than blue pill. They contain no calomel, but unlock the gall bladder, keeping healthy bile flowing and the stomach free from mucus. This is all that is required to enjoy good health, and by taking one pill occasionally will keep the stomach elean and clear. In almost every complaint we have, the stomach is in fault; if we feel faint or sick at the stomach, sometimes little mint or stimulant will relieve it, showing that the cause is in the stomach; sick head poor appetite, coated tongue, bad breath nervous feelings, low spirits and many similar complaints do yield to a few doses of Schenck's Mandrake Pills. Now if the cholera comes here, eat good healthy food and as much as the system requires; do not diet or get frightened; the mind has a great deal to do with the stomach: eat hearty and physic gently with Schenck's Mandrake Pills, and fear no danger. The first symcom of cholera is purging or vomiting, or both, and shows the stomach is in fault Stimulants and malt liquors should be avoided altogether at such times, or any thing that will create mucus in the stomach. In 1832 habitual drinkers and nervous frightened persons, that were afraid to eat enough to sustain nature, were

the first victims of cholera.

Of all the great inventions of the last contury, Schenck's Mandrake Pills should be at the head, They take the place of colo-mel, something which the most learned of the faculty have endeavored for years to accomplish, but have failed. The injurious effect of calomelisits not being thoroughly carried out of the system before it settles in the bones and thereby causing so many alarming chronic diseases, that the public and even the faculty have become disgusted with it, and for many years it has been by them partially abandoned, yet when proused its effects are wonderful. In they would send for the doctor, he would carry off all the morbid matter in the stomach, and the next day the patient would be well. Now-a-days be-tween gentle allopathy and homceotween gentle allopathy and homeo pathy, pneumonia, diphtheria, ty phoid and many other new diseases hav sprung up, and all are caused by a disor-dered stomach; even diarrhea is caused by stale bile. Physic it off with Schenck's Mandrake Pills and it is gone. You will recollect the first years of the war every hospital and public building in the city was filled with sick soldiers; two-thirds had chronic diarrhea. The Surgeons found it would not do to give them blue pills and have them laying on the ground and taking cold, and it was abandoned, and Schenck's Mandrake Pills substituted. Nearly every soldier had a box of the pills in his pocket he was his own doctor, and many thousands were able to do duty that had it not been for

the timely use of these pills would have been subjects for the hospitals. Schenck's Mandrake Pills cost 25 cents a box with full directions. box, with full directions. As soon as they get the stomach and liver to act healthy they can be discontinued and nature will go on without leaving the patient constipated.

MAIL APPROPRIATIONS,-Among the items in the Post Office appropriation bill reported yesterday, are \$150,000 for steamship service to Brazil; for such service be-tween San Francisco, Japan and China \$250,000:for overland transportation between Atslusin and Folsom, and for marine transportation to California, \$900,000. The bill also authorizes the Postmaster General to employ sailing vessels for mail transportation to any foreign ports, paying compensa-tion not exceeding the sea postage accruing

on the mails so conveyed. MEXICAN NEWS .- Mr. Romeo has received official news from El Paso, the residence of the Mexican Government, up to Jan. 20th. The French have made no further attempt to move on El Paso, and the Mexican army was about taking the initiative against the city of Chihuahua, occupied by the French forces. The published protest of Gen. Orte-ga is not regarded as authentic,

### THE CITY COMMISSIONER'S CASE.

Mr. Given's Answer Sustained---The Motion to Ouash Overruled---Testimony to be Offered by Mr. Given---Opinion by the Court.

This morning, in the Common Pleas, Judge Allison delivered an opinion on the motion made by Mr. Weaver's counsel to quash the answer filed by Mr. Given. The opinion is concurred in by Judges Ludlow and Peirce, and is as follows:

In the Matter of the Contested Election of City Commissioner. This is a motion to quash the answer of assigned in support of the motion, so far the eighth, inclusive, rests upon a charge of indefiniteness, and uncertainty, as to each of said specifications. But this charge cannot be sustained, if the previous decision of this Court, and the precedents established thereby, are to be regarded as of authority, upon a question of this character. These pecifications are, to a great extent, identical in form with the specification contained in the complaint and petition of the contestant in the case of Mann and Cassiday, which he Court refused to strike from the petition holding that all that can be required is that the allegations to be proved shall be stated in an intelligible manner, and with due precision; and that the facts set up as the ground for contest, if sustained by proof, would show that there had been an

undue election and a false return. In the first specification the precise state ment is made that three hundred and sixteen votes were taken and counted for David P. Weaver in the seventh division of the Third Ward, whereas, in truth and in fact, three hundred and six votes only were received for him for said office of City Commissioner, in said division. And in each of the following specifications, from the second to the eighth inclusive, it is in so many words stated that a given number of votes were taken and counted, in each of the election divisions named, for David P. Weaver, which votes were received by the everal election officers, from persons none of whom were qualified electors. This, we think, meets the requirements of the law, nd is a sufficiently precise statement of facts material to the issue, namely, the re-ception and count for David P. Weaver of a definite number of illegal votes which, if proved at a given election precinct to be

legal, would have to be deducted from the

whole number which he is returned as naving received at said election. It is objected that the reasons upon which the charge of illegality of the votes received is based are not particularized, nor are the names of the illegal voters mentioned. But of what account is it, if a vote has been received which ought to have been rejected. whether the voter was disqualified by reason of non-payment of tax, or because of non-age, or want of naturalization, or in default in making the necessary proof of residence? It is the fact that a person not a qualified elector, is permitted to cast his vote which is of importance to be proved, and the disqualification is as well estab lished by showing one ground of illegality as another. And in Kneass's case the Court decided that the list of names appended to the specification was unnecessary, regarding it only as proof. And this was afterwards

son, in Mann's case, on the motion to quash.
Nor do we agree with the suggestion, nade at the argument, that a different rule should be applied to the answer of an incumbent from that which has been held to govern the petition of the contestants. The ame degree of liberality should be exended to one party which is allowed to the other; for although it is true that the incum-tient, who is called on to reply to the case pade out against him by the evidence of petitioners, has usually full time in which to prepare his answer, yet the privi-lege of amendment, which is so freely granted to the contestant, permits him to

remedy any defect in his complaint which may have crept into it by reason of the limited time allowed for filing the petition. The ninth, tenth, eleventh and twelfth pecifications, which are somewhat exended, when examined, ase found to conain the following distinct grounds of ob-ection to the election, as conducted in the Seventh and Eighth Election Divisions of the Fourth Ward, and the Fourth Election Division of the Twenty-fifth Ward and upon which, if proved, we are asked to strike the whole number of votes polled in said precinct from the general return. First.—A general disregard of what has

been termed the directory provisions of the election law.

Second.—A charge of fraudulent combination, by the majority of the voters in said election divisions, to deprive the minority of the right to have an Inspector at the elecion, representing their political views, contrary to the intention and spirit of the act of

Assembly.

Third.—A precise a legation that not less han two hundred illegal votes in each of said divisions were received and counted for David P. Weaver, and that in the sixth, seventh and eighth precincts of the Fourth Ward, the return Inspector fraudulently re-turned a less number of votes as having been cast for John Given, for City Commis-sioner, than were in truth and in fact polled for him, to the aggregate number of thirtyseven and upwards.

It would be a useless consumption of

time to go into an extended examination and discussion of the causes of complaint which fall within the first classification. For if one rule has been established more firmly than any other, by repeated and a consistent course of decision by this Court, n relation to an investigation of an undue election, or a false return, it is, that the careless, or ignorant, or even the wilful neglect, of the directory requirements of the neglect, of the directory requirements of the election law, cannot operate to nullify the election. In Boileau's case, Carpenter's case, Skerrett's case, Kneass's case, and the opinion of the Court on the notion to quash in Mann's case, and the later case of Thompson and Ewing, the course of decision is uniform and consistent, holding that the Courts are required to look into the good aith and integrity of an election, rather than to the manner in which it was conducted; and that the expression of the popular will is not to be defeated because of an omission to comply with the formal, though doubtless important requirements of the law, which were intended as checks and guards, thrown around the conducting of an election, with the view to maintain its purity and regularity. In Kneass's case,

2 Parsons 557, the court say, We do unhesitatingly rule that all irrelevant or general allegations and specifications which do not affect the merits of the case, or the general

result, will be stricken from the petition. But it is also as clearly and firmly settled as an established principle, that where such neglect of formal, and in themselves considered, immaterial duties, in so far as they affect the practic of the question is compled aflect the merits of the question, is coupled with the charge of wilful and deliberate fraud; of such gross misconduct on the part of the election officers, as interferes with and prevents a free election being held, and of the wilful and persistent neglect to per-form the essential duties which the law requires them to perform, which are in no proper sense directory merely, but which go to the heart of the question of an undue election and a false return; that the Court will allow such allegations to stand and in a proper case, and in due time, will go into an investigation of such charges, because they affect the merits, and are of material importance upon the issue of fraud.

The distinction between duties imposed by the law on election officers—him

by the law on election officers, which are properly characterized as directory duties, and those which are essential, and are of the substance of a valid election, is a plain and obvious distinction, which has but too often been confounded or overlooked.

The election law directs that after the qualification of an elector who offers to vote has been passed on by the officers of the election, and they have decided to receive, his vote, the letter "V." shall be marked opposite his name on the assessment list; so also they are directed to mark whether a voter was sworn or affirmed, or produced a certificate of naturalization, or other evidence of naturalization. And iso, to mark "tax" or "age" on the list. But what comparison do these requirements of the law bear to the refusal to take proof of evidence, or proof of the fact as to wnether a voter removed within the district for the nere purpose of voting therein, or to a charge of an entire disregard of challenge on he part of an elector, or the reception of votes of individuals who falsely personated persons who were dead, and whose names were on the lists of voters; or refused to require proof of naturalization; or permitting the same person to vote several times at the same election, and other charges like in character to these. To contest these several acts, is of itself to point out the real difference which exist between them.

In Mann's case, specifications containing charges of this nature were stricken from the petition, but in the final opinion of the Court, Judge Thompson, says "a portion of the original petition, which was designed to embrace the fraudulent conduct of election officers, was, as we now think, improvi-dently stricken out. That such conduct is and ought to be a subject of consideration, as connected with the investigation of election frauds; and the allegation of such trauds, insufficiently expressed in the petition, should rather have been ame than erased." And, again, it is said And, again, it is said "had we not erased from the petition, the specifi-tions alleging gross fraud and irregularity on the part of the election officers, in the us referred to, a different course would certainly have been adopted.

The entire proceedings are so tarnished by the fraudulent conduct of the officers charged with the performance of the most solemn and responsible duties, that we would not only have felt abundantly justi-tied, but it would have been our plain duty to throw out the return of every division to which we have referred." Having sat with Judge Thompson all through the pro-tracted hearing of that case, and joined him in making up the judgment of the court as pronounced by him, I then entirely agreed with the views as expressed in the foregoing quo-

tations, and have never seen any reo call in question their general correctness. In Ewing's case they were subsequently recognized and acted on as the law of the court, receiving the fullest examination and consideration by Judges Thompson and Ludlow, by whom that case was heard and decided.

The correctness of the principles as thus settled has not been in any degree shaken, by that which has been urged in support of the motion to quash the answer of the in-cumbent, and we therefore refuse to strike out from the petition that portion of it which embraces charges of irregularities ard neglect, connected with assertion of misconduct and fraud on the part of the election officers

But these allegations, contained in ninth, tenth, eleventh and twelfth specifications, are connected with the precise charge, that in each of two of the precincts refe wo hundred and upwards, and that in ach of the other two precincts, three hundred and upwards of illegal voters were taken and counted for David P. Weaver, and that in the first three of the four divisions now under consideration. John Given is returned as having received thirty-seven votes and upwards less than were actually polled for him, and these distinct allegations of fraud in the reception by the election officers of said divisions, of one thousand illegal votes, and a false return of thirtyseven votes, which were actually polled for John Given, and with which he was not credited, constitute, in the order of proof, the matters which ought first to claim our attention in the investigation upon which the incumbent has invited us to enter, by the facts set up in his answer. We have already said, that in a proper

case, and in due time, the Court will allow the parties charging misconduct, fraud and neglect of formal duties by election officers to be inquired into, where, as in the answer put in, in this case, such allegations are with precision, and in their proper connection, pleaded. This order of proof must, however, be regulated by the Court which is to hear and determine the controversy; and they must also decide whether the case either at its inception, or during a subse quent stage of its progress, is such a case as would require them to into proof of irregularities and misconduct merely, of election officers And this question must be met, in each election contest, as it is brought up for investigation and decision. This brings us to a consideration of this cause as it now stands before the court. The Return Judges upon an enumeration of votes contained in all the returns presented to them, upon an aggregate poll of 87,156 votes, reported, that John Given had a majority of 322. In this enumeration was included that which purported to be the army vote of the 19th Pennsylvania cavalry, 58th Pennsylvania volun-teers, and of the 2d Pennsylvania Heavy artillery, amounting together to 929 votes. In the complaint of the contestants, it is charged that this vote is wholly fraudulent: and that it ought to be deducted from the 43,739 which the incumbent is found by the

this would elect David P. Weaver by a majority of 607 votes.

this vote is wholly and most grossly fraudulent. That no portion of it is entitled to the least consideration, except to require at our hands the most decided expression of our condemnation of a fraud, which for its brazen effrontery, has seldom had its equal, and which for the sake of public movals, it is hond will be sake of public movals, it is hoped, will never again be repeated.

Whoever perpetrated this great wrong has so far as the testimony before us shows, succeeded as yet in shielding himself from exposure and detection, and the condign punishment which he so richly deserves, at the hands of the law. Although it is ques-tionable whether, if known, the law would be sufficient to meet his case, flagrant as it is, for whoever committed this wholesale forgery, and succeeded in imposing it on the Return Judges, in all probability did to, beyond the jurisdiction of this Common ealth; the returns having all been mailed, at either New York or Washington. It is worthy of the early and serious consideration of the Legislature now in session, to devise, if in any way it can be done, some mode of guarding against the commission of a crime so easily perpetrated by means of the army vote, and by which at any election, the honest choice of a majority of the length of the l the legal voters may be set aside, and our elections be made the sport and the play-

hing of corruption, or of bold and defiant villainy.

It is due to the incumbent, John Given, to say, that in his sworn answer he emphati-cally denies all knowledge of the fraud, or participation in its commission; nor does the testimony in any way connect him with it. Were it otherwise, we would here be disposed to rest the case, applying the principle, that he who would have equity meted out to him, must himself do equity; that his hands must be clean, and no Court, we think, ought to consume the public time in the investigation of a title to an office which rests upon a flagrant fraud, in the perpetration of which the incumbent was a party, or the benefits of which, he bad taken to himself, with a knowledge of the crime. The incumbent having purged himself, by his solemn oath, of all guilt in this transaction, he is entitled to be allowed to prove his allegations, of a poll of frauduent votes, for the contestant; and which he asserts were taken and counted for David P. Weaver, in the general return, more than sufficient, to overcome his majority of 607 votes, with the army vote cast out of the

computation. If he can successfully attack any considrable number of the votes cast for David P. Weaver, so as to approach his apparent majority, based on one view of the army vote, we will then open the door for an examination into the charges of misconduct of the election officers; but before doing this we think that direct and palpable fraud should first be met with evidence of specific raud, as to the individual voters charged by him, as having voted at the last election for the contestant, exceeding eleven hundred in number. If this cannot be done we are of the opinion that evidence should not, in a case like to this one, be al-lowed to be gone into with the view of establishing certain general allegations, from which we are to be asked to infer fraud, and upon which the entire vote of four election divisions are to be thrown out the return, and this involving as a neces sary consequence, the disfranchisement of all the honest voters of these election divisions. A consequence which may be the necessary result of the rule, which we clearly recognize as well grounded upon reason and upon authority, and of whole-some policy, when a proper case arises for its application, but which we do not feel ourselves called on to enforce at this time, nor at all in this case, unless the character and amount of evidence which we have indicated shall first be submitted.

To this order of proof, we will rigidly adhere in the examination of the incumbent's testimony, and with this emphatic enuncia ion of the course which we have deter mined to pursue in the further investigation of the cause, we will be ready at an early day to begin the hearing, with a view to speed it to a prompt decision.

There is one question which yet demands to be considered, and which may briefly be disposed of:

The majority of the electors of the Sixth. seventh and Eighth Divisions of the Fourth Ward, and of the Fourth Division of the I wenty-fitfh Ward, are charged with having raudulently divided their vote, at the elecion in October, 1864, for inspectors of elecion, so as to elect two of their own number epresenting their own political views, with he design to deprive the minority of the right to have an inspector at the following election.

We have been unable to find in the law which empowers this court to take jurisdiction of a complaint of an undue election and a false return, any authority to inquire into the truth or falsity of such a charge as this. It is no part of the election, the legality of which is questioned by the comgain'y of which is questioned by the com-plaint. If it should be shown to be true, that the voters did a year before, do that, which is a violation of the spirit and intent of the law, it cannot methinks, be embraced in this investigation, for the reason assigned, that it is not a part of the election and return to which the charge of fraud under the law can be made to apply.

But this point was decided in Mann's

case. The reason there assigned was, that if such election be fraudulent, its validity cannot be examined in a collateral proceed ing, and that an election of inspectors of election cannot virtually be nullified and set aside in such a proceeding as this. This allegation, which is continued in the ninth, tenth, eleventh and twelfth specifications must therefore be stricken from each or them, as no evidence could be received With this exception, the answer of the

answer, and the motion to quash is there

# Pennsylvania Bituminous Coal.

An article republished by you from the Germantown Telegraph, charging the Pennsylvania Railroad Company with defeating certain alleged efforts of the Reading Company to open a route for bituminous coal from the Broad Top region to Philadelphia, without being willing or able to accommodate such trade themselves, requires some reply, because it is injurious to other interests which have nothing to do with this railroad controversy, but have a great deal to do with the prosperity of the city and State.

The article referred to betrays real or simulated ignorance of the bituminous coal interests, and the well-known actual and proposed routes for its transportation to

market, to a marvelous degree.

The transportation of the Broad Top coal alone over the Pennsylvania and Reading Railroads in 1864, reached nearly 400,000 Return Judge to have had polled for him: which would reduce his vote to 42,810, and tons, and cost the shippers an average of say six dollars per ton. In the same state The evidence taken in support of the allegations of fraud, as to the army vote, establishes beyond question or doubt, that road, Even at that rate, of which but a

small proportion came to the treasury of the Pennsylvania Railroad, the latter company realized a comparative loss on every ton transported, because in order to transport this low-priced article at cheap rates, they had to give up a proportionate quantity of higher-classed freight, which, but for this cheap way freight, they could have had to move over the whole length of their road, or four times the distance they carry the coal. Now if, under these circumstances they

Now if, under these circumstances, they had sacrificed the coal interest altogether, and thus put money in their treasury, they would have done what your article charges they did do, and what, perhaps, mest private individuals would have done in their treasury. own business, under like circumstances.
But did they do so? No. They not only carried in 1864 the vast amount of a million of tons of soit coal, in round numbers, to the prejudice of their pecuniary interests, and to the injury, more or less great, of their through trade, but they have expended the whole income derived from their canals, for which, with the old Columbia railroad, they paid the State \$7,000,000, being far above their value in enlarging the egual from its their value, in enlarging the eanal from its original capacity of sixty-ton boats, to the capacity of one-hundred-and-fifty-ton boats, for the express and only purpose of giving cheap transportation to the soft coal trade. Every dollar of their canal income has been so applied ever since they acquired them from the State, and it is understood that the policy is to be continued until boats of onehundred-and-fifty-tons cargo can pass without interruption from the centre of the Pennsylvania soft coal region to Philadel-phia and New York.

This policy has been quietly but steadily pursued for years, and will begin to bear fruit the present year; for by an arrange-ment which they have made with the Union Canal Company, the latter company is now engaged in enlarging their capacity for boats of the increased size, and during the coming eason a continuous route for cargoes of 150 tons will be open from Millerstown, on the Juniata, to tidewater, while the process of enlarging the Pennsylvania Railroad Company's Canal is still being continued west-

Now if 150 tons can be carried to market with nearly the same expense as 60 tons was previously carried; or, in other words, if by this vast expenditure of funds, covering for the carrier income derived from many years the entire income derived from their canals, representing a capital of \$7,000,-000, the Pennsylvania Railroad Company can reduce the cost of transportation in bituminous coal one-third or one-half, and reduce the price of the article at tidewater in the same measure, is it true that they have done nothing for the coal interest? Is it true that, "while jealously excluding from all access to the mines of central and western Pennsylvania the great coal carrier which has all the resources adequate for their development, the Pennsylvania Company has been obliged to confess itself unable to do merely the coal business that offered, without making any pretence at all of encouraging trade.'

Such assertions entirely, and perhaps designedly, ignore the opening of the cheaper route by canal, due to the Pennsylvania, the fruition of which, long waited for, is now at hand, and which will do more for the real interests and development of the bituminous coal trade of central Pennsyl vania than has hitherto been done by all he other railroads in the State combi Let these railroad gentlemen fight out their battle as seems best to them; but do not let them make the public believe that the mighty bituminous coal fields of Penn-

sylvania are uselessly locked up, without any avenue to market. SOFT COAL Facts and Fancies.
Miss Carrie Moore is to skate at the Academy of Music. Her motto is "Icy on parler

skates." A bad boy in Worcester, Massachusetts, stole a roll of notes from his papa, worth \$400, and ran away in the cars. The telegraph and a policeman soon overhauled him. What right had they to arrest him with his pa roll in his pocket?

A man committed suicide in New York because his cousin had become a mule driver. He evidently thought it was time o get out of his cousin's way. The meat and drink of a billiard player

are said to be caromel and carum. It is stated by a New York paper that the exequatur of the Chilean Consul at that port has been revoked. He expresses great in-difference as to what is done with the ex-Equator, as Chile is in the tropic of Capri-M'lle Camilla Urso, the violiniste, is the

new lionne of the music world in Paris. To translate Urso into a lionne is mixing up the menagerie considerably, It is stated that the British government

have dismissed Captain Cowper Coles from his office of superintendent of the equipment of turret ships. It will be remembered that Captain Coles claims to have invented this kind of naval battery. Cowper's Task has thus been brought to an end.

Augustus Burlaze went up in a balloon from San Francisco. The balloon collapsed, but he was fortunately "over the bay," into which he fell, and, swimming lustily, was rescued—not quite as he went up, in a Buraze of glory.—Boston Advertiser.

Vestvali is only waiting in San Francisco

to finish a suit to return to the States. Does she pant for New York, or does she hoop for Boston, this vest-valuable actress?

Some one who has had a glimpse at the new styles announces that the spring gen-tlemen's hats are to be more bell-shaped than hitherto, with a lower crown. In these times of peace instead of a crown on Bellona there is to be a bell-on a crown-ha! The children of the town of Blue Island,

Ill., wanted a sleigh ride. An enterprising merchant of the village attached a rope three hundred feet long to his own sleigh, drawn by two splendid horses, and the boys and girls fastened their hand sleds to the line, and eighty-four in number, had a grand ride. If that is not a Slaughter of the Inno. cents, we don't know what s eighing is. Dragging children round by a single big

A new sensational drama entitled "Black Mail, or the Hour of Ten," is running at the Chestnut Street Theatre. Black males, at the eleventh hour, can be seen running for the Jersey boats any night.

If I cancel an insurance policy I can't sell

it, and if I can sell it I cancel it.
The famous Dr. Lamballe, of Paris, leaves his large fortune to a poor bricklayer, a distant relation. The doctor was a regular brick, and comes down with his dust handsomely, and his distant relative will proba-

bly reduce the pile as rapidly as possible. Maretzek's new buffo, Sarti has arrived and his voice is fine as silk. The voice may be as fine as described, but to say the "new buffer's hearty" is coarse. California, Oregon and Washington Ter-ritory all denounce Mercer's female emigration scheme. Like Portia, Mr. Mercer might have said on landing his cargo of fe-

males:
"I. delivering you. am satisfied,
And therein do account' myself well paid;
By mind was never yet more Mercer nary."