## Daily Evening Bulletin.

GIBSON PEACOCK. Editor.

OUR WHOLE COUNTRY.

F. L. FETHERSTON. Publisher.

VOLUME XXIII.—NO. 236.

PHILADELPHIA, THURSDAY, JANUARY 13, 1870.

PRICE THREE CENTS.

TARTH CLOSET COMPANY'S COM-MODES and apparatus for fixed closets, at A. H. FRANCISCUS & CO.'s, 513 Market st. dezitu th s2015 WEDDING INVITATIONS EN-V graved in the newest and best manner, LOUIS DREKA Stationer and Engraver, 1032 Chestnut street, fe20 tf

MARRIED. CHAPMAN-POLK.—In New Orleans, Jan. 8, 1870, t Christ Church. by the Rey. Dr. Leacock, Mr. Edward hapman to Lucia R., youngest daughter of the late fev. Bishop Polk.

Rev. Bishiop Polk.

LEWIS—BUTCHER.—On the lith inst., at the Second Presbyterian Church, Germantown, by Rev. W. E. jams, Percy M. Lewis to Ella H., daughter of Theo. B. jutoher. DIED.

BACHE —As Philadelphia, on the 13th inst., Mrs. N. C. Bache, relict of the late Alexander Dallas Bache, I Washington papers blease copy.]
HAINES—On the 12th inst., Annie E., daughter of Samuel and the late Sallie A. Haines, aged 20 years, I Funeral from her father's residence, 1129 Callowhill street, on Friday next, at 11 o'clock A. M. Interment at South Laurel Hill.
McMULLIAN—On the 11th inst., James McMullan, aged 14 years. McMULIAN.—On the 11th inst., James McMulian, aged 14 years.
His relatives and friends are respectfully invited to attend his inneral from the residence of his brother-in-law. Andrew Brown, 1731 Callowhill street, on Friday afternoon, the 18th last, at 2 o'clock. Services at the Church of the Covenant, Filbert street, west of Seventeenth. To proceed to Weodiands.

TUILER.—Suddenly on Tuesday morning, 11th inst., Charles Tuiler, Sr., in the 68th year of his age.

The relatived and his male friends are respectfully 4nyiled to attend his funeral from his late res dence, 822 North Kifth street, on 'facturdsy marning, 15th inst. at 10 clock, Interment at South Laurol Hill.

WHISTLER.—At Brighton, England, Dec. 24th, 1829, George William Whistler, formerly of Baltimore, Md., in the 45th year of his age.

DESSON & SON WILL OPEN TO DAY.

1 case Black and Purple Figure 1 De Laines, 22c.
1 case Black and White do. do. 22c.
1 case Black and Maile do. do. 22c.
1 case Black and Black Chintzes, 122cc.
MOURNING DRY GOODS HOUSE,
No. 918 CHESTNUT STREET. ja86t

TNGLISH BOMBAZINES.

Just received, one case Black English Bombazines, all one lass from \$1.50 to \$74.7ard.

LESTING S.D.-MOURNING DRY GOODS.
NO.918 CHESTNUT STREET. 188 5t CRAPE DEPARTMENT. TOW IN CHAPES, ENGLISH TELEMING CRAPES, ENGLISH VEIL CHAPES.

ENGLISH YELLS BALLED
AROUTE ANGLISH GRAPE VEILS
Of every quality and size modulactured.
BESSUN & SON.
Mourning Dry Goods House,
918 Chestnut street

RANCY SILKS,

REDUCED IN PRICE TO CLOSE THEM.
LIGHT SILKS FOR EVENINGS
WHITE CLOTHS and ASTRACHANS, for the Opera.
BEST BLACK SILKS IN THE CITY.
EVER & LANDEGN. A 1935

SPECIAL NOTICES. A.T. Y

COST AND LESS THAN COST. Finest Ready-Made Clothing at

COST AND LESS THAN COST.

The Balance of Our Winter Stock at COST AND LESS THAN COST.

All our Boys' Clothing and

Furnishing Goods at

COST AND LESS THAN COST.

Elegant Piece Goods in the

Custom Department at

COST AND LESS THAN COST.

Coats, Coats, Pants, Pants, Vests, Vests,

JOHN WANAMAKER'S

CHESTNUT STREET Nos. 818 and 820

CLOTHING Establishment.

Philadelphia.

Chestnut Street,

YOUNG
MENNERCHOR
GRAND
BAL MANQUE.
BAL MANQUE.
BAL MASQUE.
AMERICAN ACADEMY OF MUSIC,
THURSDAY EVENING,
JANUARY 27TH, 1570.
TICKETS. TICKETS, ADMITTING A GENTLEMAN

ONE LADY.
FIVE DOLLARS.
EXTRA LADIES' TICKETS.
ONE DOLLAR.
FOR SALE PRINCIPAL MUSIC STORES, NEWS STANDS CONTINENTAL HOTEL, THE MANAGERS, ja6 th a 6t datros

THE PHILADELPHIA, WILLSMINGTON AND BALTIMORE RAILROAD January 16, 1570.

At an argual meeting of the Stockholders, held this day, the following persons were elected Directors for the annuing year.

and the londwing persons were rected brickeds for the ensuing year:

Isaac Hinckley,
Samuel M. Felton,
Wm. Sellers,
Samuel Welsh.
Jusse Lane,
Joseph Bringhurst,
Samuel Harlan, Jr.,
At a meeting of the Board Austin.

A HORNER Secretary and Treasurer.

Jan 33 the Board Austin.

A HORNER Secretary.

A HORNER, Secretary.

THE BANK OF NORTH AMERICA THE BANK OF NORTH AMERICA.

PRILABELPHIA Jan. 12, 1870.

At the annual meeting of the Stockholders on the 11th instant, the following gentlemen were unantineasly dected Directors of the Bank for the ensuing year:

Thomas Smith,
Tavid Scull,
John II. Brown,
John M. Whitall,
Lemuel Coffin.

Mm. B. Kempton,
A. J. Lewis,
At a meeting of the Directors held this day, the following officers were unanimously elected:

\*\*Testidut—THOMAS SMITH.\*\*
Soliction—R. RUNDLE SMITH.
SMITH SMITH SMITH SMITH.
SMITH SM

OFFICE OF THE DELAWARE AND RABITAN CANAL AND CAMBEN AND COMPANIES. PHILADELPHIA, Jan. 6, 1870.

The holders of the new scrip in the above Companies are hereby notified that the time for paying the last instalment will expire February 10, 1876. At any time before that date it may be paid by those holding the receists of RIGHARD S. TROWBRIDGE, Cashier, or F. L'ONOVER, Transfer Agent, to Mr. TROWBRIDGE, at his office, who is authorized to receipt for the same, on the back of the receipt for first installment, julo-tfepp RICHARD STOCKTON, Treasurer.

F EVENING HOUR LECTURES AT THE MERCANTILE LIBRARY.—Professor HFNRY HARTSHORNE, M. D., will deliver the first Lecture of this Course on SIXTH DAY (Friday), the 14th inst, at 8 o'clock. Subject.—Mental Health and Mental Power." Tickots, 23 cents. For sale at 304 Arch ctreet, 109 North Tenth street, and at the, desk of the Library.

MERCANTILE LIBRARY.—THE
Annual Meeting of the Stockholders of the Mercantile Library Company will be held in the Library 100m, on TUESDAY EVENING, Jan. 18, at 8 o clock.

jal3-th s tu-3trps Recording Secretary.

1109 GIRARD STREET. 1109

TURKIEM, RUSSIAN AND PERFUMED BATHS, Departments for Ladies. Baths open from 6 A. M. to 9 P. M.

Sin: Will you give the words of a criminal

SPECIAL NOTICES.

THE INSURANCE COMPANY
OF THE STATE OF PENNSYLVANIA.

PHILADELPHIA, Jun. 12, 1870.
The following gentlemen have been duly elected Directors of this Company for the year 1870:
Henry D. Shorrerd,
Charles Macabaster,
William S. hmith,
George C. Carron,
George G. Carron,
Fedward G. Knight,
Samuel Grant, Jr.,
Thomas B. Wattson,
At a meeting of the Board of Directors, held this day,
HENRY D. SHEBHERD. Eaq. was unanimously reelected as President of the Company.

lected as President of the Company. jai3:3t J. H. HOLLINSHEAD, Secretary. PHILADELPHIA AND TRENTON

RAILROAD COMPANY. OFFICE 221 SOUTH
DELAWABE AVENUE.

The Transfer Books of this Company will be closed on
the 15th instant, and reopened after February 1st
prox.

J. PARKER NORRIS,
jal3-3t

Treasurer.

HOWARD HOSPITAL, NOS. 1518

and 1220 Lombard street, Dispensary Department.

Michigai treatment and medicine qualitated gratuitously to the root. THE LAST NEW YORK SCANDAL

RETURN OF THE ELOPERS

Attack of the Reverend One on an Editor

A PENITENTIAL CARD

The mysterious elopement of the Rev. Horaca Cooke, of which, yesterday, we gave the facts and the circumstances attending the same, very nearly terminated in a tragedy last evening. The report which was published in yesterday's World is totally contradicted by the parishioners of Mr. Cooke in Flushing and Manaroneck. Each one might be refuted particularly, for the facts denying them were furnished to our reporter by representatives of those congregations. Not a word of scindal, not an intimation of a dishonorable nature, has ever been attached to Mr. Cooke's name until this sad occurrence. The attack so victously made was calculated The attack so victorsly made was calculated the attack so viciously man was calculated to aggravate the grief of two families, already sufficiently great, and to blacken the character of a man who has already injured himself beyond repair. If the credulity of the people is equal to the inventions of those who conrived the scandals, no doubt all this has been

Miss Johnson returned to her home vesterday evening, about 5 o'clock; and about the same time Mr. Cooke registered his name as Am. Daly at French's Hotel. At about 60'clock in the evening, Mr. Brown, a son of Paul R. Brown, and ar intimate friend of Mr. Cooke, met the latter opposite the Astor House, and walked with him up Broadway as far as Bond street. Mr. Cooke was fiercely agitated in manner, and drew his pistol, four times, and suddenly returned it to his pocket. His movements were very nervous, and he exhibited a strange excitability of temper. Mr. Brown sought to calm him, and asked him to go up to a restaurant, and take dinner, and enjoy a smoke. Mr. Cooke declined the invitation, saying he had caten nothing, and did not desire to partake of anything. He asked Mr. Brown to go with him to the World office, and he would "tear the Editor to pieces." Finally Brown appointed a meeting with Cooke at a later hour in the evening, and they separated. Mr. Cooke pro-ceeded to his house, and, entering the room, his wife saw the revolver, and frightened lest he might do desperate injury to himself, sent into the church adjoining for some one to come in to the parsonage. Mr. Carter, a trustee of the church, went in, and, engaging Mr. Cooke in conversa-tion, quietly abstracted the revolver from his overcoat, which he had left on the sofa. Suddenly Mr. Cooke left the house, and ran swiftly down Third avenue and escaped Mr. Carter, who pursued him. It seems he went to the World office, and remained outside the building some time, when he entered the counting-room and assailed an Editor of that paper. Cooke was so weak at the time that he was hardly able to stand, and did little more than shake him roughly.

Before proceeding to violence, he introduced himself to the editor by announcing that his name was Cooke. An officer was called in, who conducted him to the Second Ward Station House. The editor of the World lodged tion House. The editor of the World lodged a complaint against him for assault, his name was booked, and he was locked up in a cell. The Captain left orders that no one should see him. The eloping party have been in an adjoining city, and have seen the papers each day. Mr. Cooke said last evening that all reports of indiscretions heretofore, as published in the World yesterday morning, are lies, and under these scandals, that have been innosed upon the public Cooke seems most imposed upon the public, Cooke seems most to mart. Cooke also says that he returns Miss Johnson as pure, so far as he is concerned, as

Mrs. Cooke told our reporter last evening that her husband, the night before he left, took a dose of laudanum and chloroform, which was enough to kill, and he awakened his wife and told her he thought he had poisoned himself fa-tally. She resuscitated him, and begged him never to touch it again, but he said he would go crazy if he did not indulge in these opi-

He has been partaking of these drugs for a long time past, and has betrayed a nervousness of manner quite antagonistic to his na-ture. So marked has been the change in his demeanor that many have referred to it, and inquired of him what so troubled him. His answer was that neuralgia was causing him great pain. Last evening he said to his wife:
Oh, every one has deserted me; I have not a single friend left." This belief seemed most to perplex him.

On Tuesday evening Mr. Cooke was seen on On Tuesday evening Mr. Cooke was seen on Broadway, entering a cigar store, and after purchasing and lighting a cigar he walked out and stood on the curbstone a few moments, when he flung the cigar away and walked hastily away. He has moved boldly through the city, and has taken no extraordinary measures to conceal himself. His speech is disjointed and his thoughts wandering.

Miss Johnson has been entirely secluded

since her return, and the parents say that if it is proven that sho is as Mr. Cooke says, as pure as ever, efforts will be put forth to have the matter speedily quieted.

Reports which showed that Miss Johnson vas more than imprudent in her relations with Mr. Cooke are strengthened by further information from his wife. When Mr. Cooke first entered on his pastorate in Seventh street, and before his wife had become acquainted with the parishioners, Miss Johnson used to enter the parsonage through the basement of the church and the rear entrance of the house, and go into the parlor and play on the piano, with a view of attracting her paster to the room. At first Mrs. Cooke asked her husband what it meant, and he said he did not know. She went down into the parlor, but the young lady escaped by the rear entrance. For some time Mrs. Cooke did not know who she was. She pretended a great love for Baldwin, theson, and the week before the elopement, in coming out of the church, she threw her arms about the boy's neck and said she was very glad to see him. The day before she left she passed the parsonage and bowed very graciously to Mrs. Cooke; this was the last that she saw of her. Mr. Johnson told Mrs. Cooke that he had noticed a little flirtation between her husband and his daughter, but thought very little of it, and fancied that she would soon cease to engage in it.—Mrs. Cooke told him that he

It all in the beginning.
We have received the following letter, which tells its own story, and which we print precisely as it reached us:

To the Editor of the Tribune:

did her a great wrong in failing to tell her that. She feels confident that she could have crushed

a place in your columns? I do not ask totexa place in your columns? I do not ask to ex-cuse myself. Oh no! I only wish the TRUTH to be known. If I could only write, I would "a plain, unvarnished tale" deliver, but my head and my heart hurt me so that I cannot. On this day the young lady will be returned to her home, as pure and as good as whon first I saw her. She has been with me as my sister. Of course we did not intend that, but my wretched heart stung me at the beginning, and my only desire is to repair (as far as I can) the injury I have done to all my friends—so good to me—and to the church but if the

blots, they were caused by the snapping of the pen.)
I wish that I could write, but I cannot. Let

me make a few statements, and for God's sake BELIEVE me:
First-1 did not-I have not seduced Miss First—I did not—I have not seduced Miss Johnston. If I had, why should I bring her back? If I was villain enough to ruin her, would I not have been villain enough to keep her? It is no fear of personal injury that prompted ma, because I could have eluded excrybody, if I chose, and I am back now, and ready to pay any penalty the family may require, only don't let anybody else come near me; for inasmuch as the papers say I am a wolf, it must be remembered that wolves bitte.

Second-I did not correspond with her when in Europe.

Third—I never visited the school until the day

we left the city.

Fourth—I was never in an assignation house. with her or any one else, in my life.

Fifth—No "panel-thieves" have blackmailed me, and I defy and challenge any living mai or woman to lay anght against my character since I have been a Minister of the Gespel. If anybody—panel-thieres or anyone else—have letters of mine, let them publish them. As I hope for mercy—no, I don't hope for any; but on my soul—on everything that men hold sacred, even the most depraved—I swear it is not true.

have done wickedly enough, but don't point me blacker than I am. What I was be-fore I entered the Ministry englit not to damage my character for veracity now. Many actors are better than I am, and because I have turned out a reprobate, that is no reason why such villainous tirades should be launched against the Church. If I could be five minutes in the presence of the man who wrote the report in the World, I would be

My chiefest anxiety is about the young lady Oh, 1 am certain that those who know me who have been intimately connected with me will believe me. I never did wickedly at Mama-roneck or Flushing. I don't wonder they write so, for a man who would do what I have done, it is very naturalito suppose, would do

anything.

Don't understand that I am trying to excuse myself. I am not. I want neither pity nor mercy. Let that be understood—perfectly. I say, again, the young lady is pure as snow

and I am ready to do anything that will tend to confirm my assertion. Pardon me for troubling you, and put this in good shape, for I can't write—although I want to.

Wednesday, P. M., Jan. 11, 1870.

HOBACE COOKE HORACE COOKE.

THE COURTS

THE INFIDEL SOCIETY. A Charitable Bequest to it Declared Void.

Justice Sharswood, in the Supreme Court this morning delivered the following interest ing and important opinion involving the question of a bequest to an Infidel Society. James

s. Zeisweiss. Error to the Court of Nis It must be conceded that the devise by the will of Levi Nice to Mary A. Conover and Anna M. James in fee simple, is reduced by the subsequent words to a life estate to the nable, however, on their both refusing to re-side on the homestead known as Oxford Lodge for the space of two months. The testator declares that in that event the said

testator declares that in that event the said real estate is to go as directed in the next clause of his will, that is to say, in the same manner as if both of the devisees were dead.

The next clause is as follows: "Immediately after the death of both my said grand-nieces, then it is my will that my real estate aforesaid shall go to and be held in fee simple by the Infidel Society in Philadelphia, hereafter to be incorporated, and to be held and disposed of by them for the purpose of huilddisposed of by them for the purpose of building a hall for the free discussion of religion,

olitics: &c." If there was an Infidel Society in Philadel phia at the date of the will, it was not then incorporated, the testator expressly referring to it as thereafter to be incorporated. If we are to infer the nature and objects of the corporation from the name, it means an associa tion of infidels or unbelievers for the purpos of propagating infidelity, or a denial of the doctrines and obligations of revealed religion. It must be so understood according to the commonly-received meaning of the term. Such an association, it would seem, could not incorporated under any of the general laws

be incorporated under any of the general laws of the Commonwealth. The Acts of April 6, 1791, 3 Smith, 20, and of October 13, 1840; Pamph. 2, 1841, p. 5, provide for the incorporation of societies for any literary, charitable or religious purpose, and beneficial societies or associations. It could scarcely be considered as within either the letter or spirit of these acts. It is highly invirable that the Levislature will away in improbable that the Legislature will ever in-corporate or authorize the incorporation of such an association. Supposing it, however, to be possible, it is potentia remota—that a corporation should be created, and with that name—a possibility upon a possibility, which, as Lord Coke tells us, is never admitted by intendment of law. Co. Litt. 25-6, 184 a. It is like a remainder to the heirs of a person unborn— that a person should be born and die during the continuance of the particular estate-or to an unborn son of a particular name. Fearne, 251. Indeed, the very case is put in the old book that if a remainder be limited either by feotlment or devise to a corporation which is not in existence at the time of the grant or de-vise, the remainder is void, even though such vise, the remainder is void, even though such a corporation should afterwards be erected during the particular estate, because it is potentia remota. Sir Hugh Chartulay's case, 2 Rep., 51 a.; Lane vs. Cowper, Moor, 104; Counden vs. Clarke, Nab. 83; Noc's case, Winch, 55; Simpson vs. Southwood, 1 Ral. Rep., 254. In the Year Book, 9 Hen. VI., 24, it is laid down that if one devise lands to the priests of a chantry, gr of a college in the church of it, at which time there is no chantry and no college, the devise is void, not with and no college, the devise is void, notwith-standing the devise is by license of the king and if after a chantry or college is made in the same place, yet they shall not have the land, because at the time of the devise there was no corporation in which the devise could take effect. We must conclude then that this remainder, limited to a corporation thereafter to be created was void, because there was no de vise competent to take at the time, and the possibility that there might be such a corporation during the particular estate for life, was too remote.

But it may, nevertheless, be true that if the purpose for which the devise over in remainder was made, be a valid charitable use, which can be enforced and administered in a cour of equity, it will not be allowed to fail for want of a trustee. McGirr vs. Aaron, 1 Penna. Rep. 49. Such an use may be vague and indefinite, so that no particular person or persons may have such an interest as will give them a right to demand the execution of it, yet that forms an objection to a charity if there be a forms an objection to a charity if there be a competent trustee named clothed with discretionary power, either express or implied, to carry out the general objects of the donor or testator. As was said by Gibson, C. J., in Whitman vs. Lex, 17 S. and R. 93: "It is immaterial whether the person to take be in esseor on not, or whether the legated were at the time of the bequest a corporation capable of taking or not, or how uncertain the objects. Indeed, I would go further, and adopt the sentiment and language of Mr. Justice Duncan in the case just referred to: "It would prove a nursery of vice, a school of

may be, provided there be a discretionary preparation to qualify young men for the power vested any where over the application of the testator's bounty to those objects." To the same effect are McGirr vs. Agron. i Penna. The same effect are McGirr vs. Agron. i Penna. of the testator's bounty to those objects." To the same effect are McGirr vs. Aaron, 1 Penna. Rep. 51. Martin, vs. McCord, 5 Watts, 495. Beaver vs. Filson, 8 Barr, 335. Pickering vs. Shotwell, 10 Barr, 23. The Domestic and Forgign Missionary Society's Appeal, 6 Casey, 425. "A charitable gift," says Comstock, C. J., in Beekman vs Bonsor, 21 New York, 308, which first both interplacement were constant. "definite both in its subject and purpose, and made to a definite trustee, who is to receive good to me-and to the church-but "the damned blot" will never out. (Excuse the the fund and apply it in the manner specified, is to be maintained, although it would be void by the general rules of law, because the par-ticular objects of the gift or persons to be bene-fitted by it are unascertained. Such a gift is capable of being enforced by a judicial sen-tence; and it affords neither room nor justification for an exercise of the cypris power. So much then of that which is peculiar in the English system of charitable trusts ought to much then of that which is peculiar in the English system of charitable trusts onglit to be considered as settled in the jurisprudence of this State. But beyond this we cannot go, without exercising functions which are not judicial; which in England rest on prerogative, and are there exercised by the sign manual of the sovereign, or by the Court of Chancery, as the keeper of his conscience." Goddard vs Pome roy, 36 Barb. 546. Le Page vs. McNamara, 5 Clarke 124. Owens vs. The Missionary Society, 4 Kernan 380. The discretion which must, in such a case, necessarily be vested somewhere, cannot be assumed by a Court, for it would not be a judicial function; nor can it, therefore, be reposed in a trustee or trustees of their selection. When there is no competent trustee named, or he dies or resigns, and no provision is made by the testator for the continuance of the trust, the charity must fail. Fontain vs. Raveael, 17 Howard S. C. Rep. 389. In that case executors were divected to make distribution of the estate among C. Rep. 309. In that case executors were directed to make distribution of the estate among such charities as they should deem most bene ficial. But they died without doing so.
"There must be some creative energy," said
Mr. Justice McLean, "to give embodiment to an intention which was never perfected. Nothing short of the prerogative power, it would seem, can reach this case. There is not only uncertainty in the beneficiaries of this charity, but behind that is a more formidable objection. There is no expressed will of the testator. He intended to speak through the executors, or the survivor of them, but by the acts of Providence this has become impossible. It is, then, as though he had not spoken. Can any power new speak for him except the povens patria? Had he declared that the residue of his estate should be applied to certain charitable purposes under the statute of 43 Eliz., or on principles similar to those of the statute, effect might have been given to the sequest as a charity in the State. those of the statute, effect might have been given to the fequest as a charity in the State of Pennsylvaria. The words as to the residue of his property were used in reference to the discretion to be exercised by his executors. Without their action he did not intend to dispose of the residue of his property." "Power to act at discretion," says Gibson, C. J., "need not be expressly given if it can be implied from the nature of the trust." Pickering vs. Shotwell, 10 Barr, 28. No doubt an unincorporated society may be a trusteex invested with such a society may be a trustee invested with such a discretion, and may perpetuate itself by the succession of its members. This is the doctrine of the learned and elaborate opinion of Mr. Justice Baldwin in Sarah Lane's will, Magill Justice Baldwin in Saran Lane's will, Magill vs. Brown, Brightly's Rep., 346. nat., sustained and affirmed by the Court in The Domestic and Foreign Missionary Society's Appeal, 6 Casey, 425, and the Evangelical Association's Appeal, 11 Casey, 316. Now, if the use in this case be a valid charitable use, it is certainly of a very indefinite nature, and requires to be administered according to a discretion to be convenient of the convenient of ministered according to a discretion to be confided to some person or persons. The testator named the Infidel Society, in Philadelphia, which might have been well enough, if there was such a society, though unincorporated; but he made it an essential quality of the society thus selected, that it should be incorporated. That, as we have seen, was a potential remata, which made the devise over in remainder, after the life estates, a void devise. There was no trustee then competent to exercise a discretion in the administration of the cise a discretion in the administration of thee charity. Building a hall may be an object sufficiently definite; but the trust was not to end there. It is evidently a permanent, perpetual one. The hall, when built, must be kept up and maintained. Some person or persons must regulate the free discussion in religion and politics, and determine what is to be included and a true the comprehension.

> ever, it must not be understood that I mean to concede that a devise for such a purpose as was evidently contemplated by this testator, even if a competent trustee had been named, would be sustained as a valid charitable use in this State. These endowments originated in England at a period when the religious sentiment was strong, and their tendency was to run into superstition. In modern times the danger is of the opposite extreme of licentiousdanger is of the opposite extreme of heentousness. It is necessary that they should be carefully guarded from either, and preserved in that happy mean between both, which will most conduce to the true interests of society. Established principles will enable the courts to accomplish this. Charity is love to God and love to our neighbor, the fulfilment of the two great companyments upon which have and love to our neighbor, the fulfilment of the two great commandments upon which hang all the law and the prophets. The most invaluable possessions of man are faith, hope, charity, these three; but the greatest of these is charity. Love worketh no ill to her neighbor, therefore love is the fulfilling of the law. It is the fountain and source whence flow all good works heneficial to the souls or hodies of good works beneficial to the souls or bodies of men. It is not easy to see how these are to be promoted by the dissemination of infidelity, which robs men of faith and hope, if not of charity also. It is unnecessary here to discuss the question under what limitations the prinis to be admitted that Christianity is part of the common law of Pennsylvania. By third section of the ninth article of the Constitution it is indeed declared "that all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences; that no man can of right be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent; no human au-thority can, in any case whatever, control or interfere with the rights of conscience; and no preference shall ever be given by law to any religious establishments or modes of worship." tris in entire consistency with this sacred guarantee of the rights of conscience and religious liberty to hold that, even if Christianity is not part of the law of the land, it is the is not part of the law of the land, it is the popular religion of the country, an insult to which would be indictable as directly tending to disturb the public peace. The laws and institutions of this State are built on the foundation of reverence for Christianity. To this extent, at least, it must certainly be considered as well settled that the religion revealed in the Bible is not to be openly revited, ridiculed or blasphemed, to the aunovance of sincere believers who to the annovance of sincere believers who compose the great mass of the good people of the Commonwealth. Updegraff vs. The Com-monwealth, 11 S. & R. 394. Vidal vs. Girard's Executors, 2 Howard (U. S.) 198. I can con-

cluded inder the comprehension, "et cetera." It is plain that no court would ever undertake to administer a charity of this character, or to

exercise the discretion necessary for that purpose, through a trustee or trustees appointed by them. It would be a matter entirely for-

eign to any proper judicial function. If this ourse of reasoning be sound, it follows that

this devise now is void as a charity, and that the reversion, subject to the life estate, de-

scended to Amanda James, the niece of the testator, and his heir-at-law, under the Intes-

tate Act, and that a conveyance by her and

the life-tenants will vest a good title in fee simple in their grantee.

In placing the decision on this ground, how-

such a debating-club as a common nuisance and disgrace to the city." Judgment affirmed.

SUIRENE COURT-Chief Justice Thompson and Justices Read and Sharswood.—The following judgments were entered this morning.

Carson et al. vs. Bird et al. Decree at Nis Prius is reversed and the record is remitted to be proceeded in agreeably to the suggestic ns made in the opinion.

Bradbury vs. Brinton. Error to C. P. of
Philadelphia. Judgment affirmed.

Rushton vs. Rowe. Error to D. C. of Philadelphia. Judgment affirmed.
City of Philadelphia vs. Birely et al. Error to D. C. of Philadelphia. Judgment affirmed.
Barclay's appeal from the Orphans' Court of Philadelphia. Decree affirmed and appeal dismissed at the cost of the appellant.

Social Life in Prussia.

The following extract from a private letter from a Bostonian passing the winter in Berlin, relates to matters of general interest on this side of the Atlantic. Under date of December 17, he writes:

"Night before last we attended a grand soirce given by Americans at Hotel der Rom, where we stayed until into the small beauty. where we stayed until into the small hours. Several notables were present, among them Herr Von Auerbach, author of 'Villa on the Herr Von Auerbach, author of 'Villa on the Rhino,' etc.; also some very elegantly dressed German ladies, and altogether had quite a brilliant entertainment. Last evening we attended the reception at Consul Kreissmann's, which was a still more brilliant gathering than the one at Hotel der Rom. Among the lions present were our Minister, Mr. George Bancroft; Mr. Bliss, Secretary of Legation, and his wife; Mr. and Mrs. Burlingame, Chinese Minister; Auerbach and his wife, and a Miss Austin, from Milwaukee, who has recently become quite a noted singer. She sang two pieces last evening; accompanied by the piano, played by a celebrated Berlin musician, and the music was very fine. As the customs here of giving a very fine. As the customs, here of giving a reception are somewhat different from ours perhaps a partial description would be interesting to you. When the guests arrive, say from eight to nine o'clock, tea, with sometimes a few little cakes, are passed around to all. At about half-past ten, long narrow tables are brought into the reception room, all ready laid with the supper, consist ing of severalkinds of hot meats ready carved. vegetables, salads, with the usual amount of of wines of great purity. The German cooking is of course quite different from ours; but we have succeeded in cultivating our taste to like it very much, so that even the children are very fond of saurkraut."

## AMUSEMENTS.

-At the Academy of Music, last evening, At the Academy of Music, last evening, Norma, was given, before a small addience. The caste was only moderately good, but the performance was better than was expected. This evening a novelty is offered in the comic opera of Pipelé, by a composer named Ferrari. The story is based upon a comic episode in Sue's "Mysteries of Paris," and it is full of the leading parts are taken by Miss. fun. The leading parts are taken by Miss Kellogg and Signor Ronconi. In New York this opera had a most brilliant success during the late season. To-morrow evening Il Trovatore is to be played, and on Saturday, at the matinée, Linda di Chamouni.

-To-morrow at 4 o'clock, P. M. Mr. Carl Wolfsohn will give his "Mendelsso Matinée" with the following programme:

Mr. Wenzel Kopta.

Mesers. Wolfsohn, Kopta and Hennig.
All of this music is new to the Philadelphia public. The fantasie in F sharp minor is one public. The fantasie in F sharp minor is one of Mendelssohn's earlier works. In its first movement we find a sympathetic air elaborated in a manner peculiar to Mendelssohn. The allegro following is fresh and beautiful. It embodies the principal air which the composer brings in again in the presto. The presto, the last movement, foreshadows the music of the Midsummer's Night's Dream, and this illustrates the fact that many of Mendelssohn's trates the fact that many of Mendelssohn's works, like this movement, had already that fairy-like character which is brought to perfection in the music of the *Dream*. The other solo of Mr. Wolfsohn's is of an entirely different character. Its theme is solemn and church-like, and it is worked up in the different variations in the most ingenious and scientific manner.

in the most ingenious and scientific manner.

Mendelssohn displays in this piano composition his entire knewledge and complete mastery of the instrument. The climax of the programme, however, is the trio in C minor; this glorious composition is more familiar to consider the parameters. familiar to concert goers than any other in the list, but we need only remind those who know the trie, of the splendid finale, with its dramatic elaboration, to induce them to be present at this performance. An additional attraction will be the performances by Miss Ninnger, Mr. Kopta, Mr. Hennig and Sig. Barili. Miss Nininger is a pupil of the latter gentleman, and is a very competent singer.

-At the Chestnut Street Theatre last evening Miss Keene produced Mercy Dodd, a new play by Boucicault. A large audience was present, and the performance was of the most successful and satisfactory character. The play will be repeated to-night, and the comic drama, A Husband to Order, will also be given. To-morrow night Miss Keene will have a farewell benefit, when the three following plays will be offered: Matrimony; Is She Mad? and The Actress by Daylight. She deserves to have a big house, as she has striven arduously to supply the highest class of entertainments, and has made her theatre one of the most delightful places of amusement in the country. -At the Walnut this evening the military drama, Not Guilty, will be repeated. This

play has proved an immense success. -Little Em'ly will be repeated at the Arch this evening, with a great cast and bautiful scenic effects. In many respects the entertainment one of the most delightful ever given in this city. -The American Theatre offers a first-rate

—The American Theatre offers a first-rate bill for this evening. Mr. Gibbons the famous gymnast will appear and will perform novel and wonderful feats, such, for instance, as walking upon the ceiling with his head downwards, and there will be, besides, ballet singing; farce, burlesque, and performances by trained dogs.

dogs.

—Messrs. Carneross & Dixey announce an attractive entertainment at the Eleventh Street Opera House this evening. A number of novelties will be produced. -Messrs. Duprez & Benedict, proprietors

Seventh Street Opera House, will give an entertainment of more than usual excellence this evening. Their bill includes pantonimes, farce, negro delineations, vocal and instrumental music, and a multitude of good

-Signor Blitz, with his son Theodore, will

indulge in magic and legerdemain at Assembly Buildings every night this week and on Wednesday and Saturday afternoons. -The concert of Mr. Fred. Tiedemann, in aid of the German Hospital, will be given this evening at the German Theatre, on Coates street, near Franklin. A fine programme has

been arranged for the occasion. —A few years ago an ingenious gentleman managed to get drunk free of expense almost daily in the streets of London by falling down Don't bleed me, but give me a glass of hot Pennsylvania Prisons and Almshouses

The Annual Visit of Inspector Dickinson

His Report to the Governor

Mahlon H. Dickinson, Esq., transmitted to the Governor the following interesting general of his annual visit to the prisons and almshouses located in the several counties of this

State: To His Excellency John W. Geary, Governor of Pennsylvania-Sir: On the 21st day of May. 1867, I had the honor to receive from you a commission to visit the prisons and almshouses of the Commonwealth, which duty I have continued to perform from the time of my appointment until the present moment, and am gratified to know that some good has resulted from the information gained by personal inspection of these institutions, and that

resulted from the information gained by personal inspection of these institutions, and that the suggestions made in my several reports to your Excellency, and by you communicated to the Legislature, have received from that body prompt and favorable consideration.

The erection of an additional asylum for the reception of the insane poor, whom I found chaned in loathsome prison cells, and in the damp basements of county poor houses, suffering for want of proper attention, has been provided for by legislative enactment; and at no distant day these helpless beings will, by this humane and benevolent act of our State authorities, be cared for and their sufferings mitigated, and, as far as their condition will permit, they will made happy.

A nobler or more meritorious work never engaged the attention of the Legislature of Pennsylvania. And in view of the great misery endured by the many who are now confined in these unfit places, or who are wholly unprovided for, the workso well begun ought not to be delayed.

The new building should be completed as soon as possible, and those for whom the institution was designed gathered within its walls, in order that they may be, by kind and judicious treatment, improved in mind, and many of them, it is to be hoped, restored to

judicious treatment, improved in mind, and many of them, it is to be hoped, restored to reason and society.

In my former reports I found it necessary to say much in condemnation of some of the prisons visited, especially those located in counties at a distance from the great thorough-fares of travel, where visitors seldom reached. These were described as being unsafe, where prisoners could not be held, unless loaded prisoners could not be held, unless loaded with chains; where the sexes were not separated, where there was no discipline, or any efforts made towards the moral or religious improvement of the inmates; the buildings totally unfit for prison purposes; and where the prisoners became schooled in vice, and eventually graduated, prepared for a life of lawlessness.

It affords me great satisfaction to be able to within a few years, an awakening on the part of the citizens and authorities of many counties of the State to the necessity of reform in prison structure and prison discipline. This has been manifested more especially in

the counties of Lycoming, Northampton, Lehigh, Blair, Carbon, Potter, Clearfield and Cambria, all of which have, since my first visit to them, either commenced or entirely completed new prisons. These have been erected in accordance with plans given by, and under the direct supervision of, able architects, who have made this branch of their profession a specialty, and who, judging from the struc-tures already completed and from the plans of others now being erected, understand the requirements of a Pennsylvania county jail; where, if those in charge have the disposition, they may enforce the discipline established by the laws of the Commonwealth. In the above-named counties the authorities,

in adopting plans for new jails, have in adopting plans for new jails, have done so, apparently, with a view to the introduction of the system of separate confinement, as required by existing laws; and where convicts sentenced for a term of years will receive proper punishment and discipline, with moral and religious training; and as each cell is large enough for a workshop, be, if skilled as a mechanic, profitchly apply apply and the sentence. ably employed; or if they have no trade or calling, be taught some useful branch of in-dustry, in order that they may, when released from prison, be enabled to maintain themselves

by honest labor.

I regret to say that in some of the counties where new prisons have been built, or are in the course of erection, as strict attention has not been paid to the manner of construction as a due regard for the safety and comfort of the prisoners requires. Centre county has recently completed a new

prison. It is built upon an eminence in the town of Bellefonte, and as far as the mechanical work is concerned is creditable; but it lacks the one great essential for a jail—that of being the one great essential for a jail—that of being ire-proof. In a county prison, where the supervision is of necessity not so close as in the pemtentiaries, there is always danger to be apprehended from fire, either from accident or carelessness on the part of the persons in charge, or design on the part of the prisoners, who may, and have in several instances which have come within my knowledge, fired the have come within my knowledge, fired the building in order to effect their escape. No design or plan for a prison should be approved unless it be fire-proof. Another bally designed prison is the one now being erected in Luzerno county. This, though fire-proof, is for many reasons more objectionable than that of Centre county, and on account of its architectural and its unfitness for the purposes of a county jail, deserves more than a passing no-In the spring of 1868 the Commissioners of

Luzerne county commenced the erection of a new prison. This building, now closely ap-proaching completion, stands on the side of a hill in the upper part of the town of Wilkes-barre, fronting the Susquehanna river, and is elevated about fifty feet above the level of the stream, which gives it, viewed from the river, a very imposing appearance. In the rear of the building the ground is so much elevated as to give to persons on the highest point a full view of the interior of the yard, affording facilities for the prisoners' friends to hold, by signals, communication with them when they are permitted to take exercise in the open air. This is the only objectionable feature in the location, and will, I fear, be a constant source of trouble to the officers of the prison. The Commissioners of the county before de-

The Commissioners of the councy, before de-ciding upon any plan, made personal visits of inspection to many of the prisons and peni-tentiaries in this and in the adjoining States, which unhappily resulted in the adoption of the design now being carried out in this

building. Mr. John McArthur,Jr., a well-known architect of Philadelphia, was selected to make the drawings and superintend the erection of the prison.

The style of this structure is the castellated,

or usual prison style.

The pile consists of a centre building, sixty feet wide and forty feet deep, two stories high, exclusive of the basement, with two towers on the front, each of which has an additional story.

ditional story.

This portion contains the residence of the Warden, the Registering Office, and the Board and Committee Rooms. The exterior walls of the edifice are constructed of beautiful drab sand stone, obtained from the quar-ries of James Holgate, Esq., in the vicinity of

Wilkesbarre.

In the immediate rear of the centre building, and divided from it by a corridor ten feet wide, is a one-story structure, used for a kitchen, bakery, pantry, and engine and boller