

2 SPIRIT OF THE PRESS.

Editorial Opinions of the Leading Journals Upon Current Topics—Compiled Every Day for the Evening Telegraph.

"A TALK WITH A FOOL."

From the N. Y. World. Under this heading, which is a characteristic specimen of the Tribune's impotent bluntness, that journal makes a long reply to a correspondent who complains of the difficulty of finding employment. If there were nothing in the article better than the following extract, it might have been fifty enough entitled "A Talk with a Fool." We keep the Tribune's italics:—

"A remedy for this deplorable state is a steady increase of the number of buyers, with a corresponding diminution of that of sellers. Let us suppose, for illustration, that all those who have expended \$100 per annum on time and money together for liquors and tobacco, throughout the last twenty years, had foregone the indulgence and saved the money, would there not be at this moment many more people able and willing to buy labor, with many fewer anxious to sell it, than there are? And should not we all—rich and poor alike—be in better circumstances than at present?"

This nonsense is noticeable only as coming from the author of a treatise on political economy. He asserts, in substance, that the demand for labor would be increased by the destruction of particular employments. If there were no consumers of tobacco, there would be no producers; and, of course, no demand for the labor which is employed in that branch of production. The cultivation of tobacco not only gives employment to the tobacco-growers, but it furnishes an additional market for, and therefore stimulates the production of, other commodities which the tobacco-growers consume. If, instead of raising tobacco, they were all engaged in cultivating corn, there would be more corn than could be consumed, and its price would fall so low that corn-growers would not have the means of paying out more money in wages than they do at present. Men who use tobacco must earn money to pay for it; and they get more wages in consequence of the larger market for the products of their labor which is created by this branch of industry.

The same reasoning applies to liquors. If none were drunk, none would be manufactured, and the vast market for grain which is created by distillation would be annihilated. If grain were not used for this purpose, less grain would be produced; and it requires a very peculiar penetration to perceive that diminished production would increase the demand for labor. Let all the tobacco-fields and hop-yards be abandoned next year, let all the distilleries stop, let the acreage of grain be so narrowed as to proportion the supply to the diminished demand, and what would be the consequence? Why, such multitudes of laborers would be thrown out of employment, that the labor market would be overstocked and glutted; wages would fall; agricultural and manufacturing industry would stagnate; and if the following year should be a year of short crops, thousands of people would perish of starvation. The use of spirituous liquors may be, in some respects, an evil; but the evil is offset by great advantages. It not only stimulates labor to earn the money which is spent in their indulgence, it not only enlarges and steadies the market for other productions, but it is a perfect insurance against famine, by causing, every year, the growth of large quantities of grain not needed for breadstuffs.

In a year of dearth the prices of grain rise so high that little is distilled. In such a year, laborers have not money enough to buy both spirits and bread; and the supply of bread is always adequate by the release of grain which would otherwise be used for distillation. There would probably be as many shiftless, hand-to-mouth people, and certainly as many idle people, in Mr. Greeley's anti-tobacco, anti-liquor millennium, as there are at present. But why stop with liquor and tobacco? Silks, satins, and laces, gawags and finery, are a great gulf of expenditure which swallows up a large part of the earnings of the community: why not preach them down too, and restrict human wants to simple food and plain clothing? Such a limitation of expense, if universally adopted, would not enable the people to save, because it would render it difficult for them to earn. Savings must be made out of earnings, and little would be earned if we were thus to destroy the motives and employment for industry by extinguishing men's artificial wants. Mr. Greeley's advice would carry society back to the idleness of the feudal ages. This is, indeed, regular enough in point of consistency, for his whole system of political economy has a retrograde tendency.

THE SUPREME COURT OF THE UNITED STATES.

From the Pall Mall Gazette.

Before the Constitution of the United States fell into what to speak plainly may be called its present discredit, there was no institution created by it which interested the foreign observer more strongly than the Supreme Court of the Federation. Although its decisions could only be called forth by private disputes, M. de Toqueville justly speaks of a court which had the power of declaring whether a law consented to by all existing authorities was valid as "standing at the head of all known tribunals." The language of the continental writers who described it before 1860 was invariably eulogistic, and many of them noticed, as an honorific characteristic of the English race, the fact that the branch of it which organized the greatest democracy of the world had placed under the protection, not of a string of pretended eternal truths, nor under that of the people at large, nor under that of the legislative body, but under the guardianship of a bench of irremovable judges. The writer of a very interesting paper in the Nation of New York calls attention to a crisis which is just occurring in the history of this august tribunal, and incidentally describes the fall and rise of its credit among the people of the United States. "Thirty years ago," we are told, "the Supreme Court, and, indeed, the judiciary generally, stood as high in the estimation of the public as it is given to mortal authority ever to stand. No doubt of its purity lurked in men's minds; no political bias was believed to influence its decisions; it was looked upon by the common consent of all parties as the great landmark, the one great bulwark of society which was sure to withstand all storms, and to secure the nation whose laws it administered in the blessings of life, liberty, and the pursuit of happiness." The first sensible decline of its reputation is alleged to have occurred when it pronounced the famous Dred Scott judgment. But this loss of popularity must only be understood of the section of the population which became ultimately dominant, since it is probable that the South rejoiced as much as the North mourned over the decision of the Supreme Court that Congress was incompetent, by an enactment sanctioning a compromise, to fix or ever the territorial limits of slavery. Though most inopportune and most unfavorable in the long run for those who elicited it,

SOAP AND WATER LEGISLATION.

From the N. Y. Herald.

A Democratic member of Congress from California, named Johnson, last introduced in the House a bill providing that every State suffering from filthy habits, or degrading vices or customs practiced by Chinese residents—against whom the bill is especially directed—"any, if such habits, vices or customs become a nuisance, protect itself by State legislation, notwithstanding the existence of any treaty between the United States and the Chinese Government."

Now, there can be no question that every State should be permitted to protect itself against nuisances, that may prove detrimental to good health, dangerous to the police, or damaging to the sound morality of any community. But suppose the member from California, whose instincts as a Democrat well qualify him to judge on the subject, should take a broader view of the question, and not confine his observations and objections to the poor Chinese alone. There are more extensive and more putrid fields for the operations of a law against the accumulation of filthy and bad habits and other nuisances than exist in California. Therefore let Mr. Johnson give the law universal application, and see what he shall see.

For example, there is the noble Capitol of the nation in the great city of Washington. It is not likely that there is any member of the party who does not feel they are very near the wind indeed, and it was notoriously the hope that the Supreme Court would declare them unconstitutional which animated President Johnson during his struggle with Congress.

It is all but certain that, if the judges had laid down during the war the law which most lawyers expected from them, the people of the North would have set aside their authority; and in that case the wreck of the institutions of the United States would have been all but complete. But the error, we are told, gave no really important decision (if we except those on heliogravure) during the whole of the war. In spite of this prudence, it seems to have been regarded by the majority of Northerners as a dangerous partisan body, and every attempt was made to change its character by filling all the seats on the bench which became vacant with persons qualified for them only by stubborn devotion to the cause of the North. More open attacks were made on the court when all power fell after the war into the hands of the Legislature. An act of Congress taking away an appeal in a case already pending threatened the most extreme measures; but an extraordinary bill rendering a majority of two-thirds of the judges necessary before a law passed by Congress could be declared unconstitutional, and allowing a bare majority to declare it constitutional, was permitted to drop, though doubtless the Republicans could have carried it. This, however, seems to have been the last attempt on the independence of the court, and we are assured that its credit and popularity have been rising ever since. It is not without natural and justifiable pride that the writer in the Nation points to this tendency in the ship of the State to right itself.

THE BONAPARTE MURDER.

From the N. Y. Tribune.

The lists are being drawn in France. Prince Pierre Napoleon Bonaparte, cousin of the Emperor Napoleon, has murdered M. Victor Noir, friend of that champion hater of the empire, M. Henri Rochefort. The latter had been challenged by the Prince, who would have warmly embraced any fair opportunity to shoot him; but as it was, M. Groussé insisted upon his right to a duello, which article in M. Rochefort's paper, the *Marsellaise*, was the cause. Accordingly, two friends of the trenchant writer waited upon the Prince, who, in the course of an altercation, but not until (as he himself says) he had been slapped in the face by M. Noir, drew a pistol and shot that gentleman dead. The deed was one of dreadful rashness; in short, a murder. The Prince received doubtless such keen reprobation as to have made a veteran of his ardent temper anxious to kill or be killed in an encounter with that prince of bitterness, M. Henri Rochefort. M. Rochefort has at one time claimed rank and title, and would have been no unworthy match for a bad-tempered prince, willing to do his family a service. But the wrong man has been shot, and the murder gives a new argument to those who are eager to excite the greater duel, not between a count and a prince, but between the people and the empire.

Such is the meaning of the demands which M. Rochefort has made, with increased temper, in the Legislative Body. Another well-known Deputy, M. Guyot-Monpays, has moved that princes of the royal blood shall be made amenable to the law, by which we are to understand that, unless the Legislature takes some special action on the case of Prince Pierre, nothing can be done to him. It is plain, from the report by him, that the proceedings of the Corps were the subject of the murder have been unusually demonstrative and menacing. M. Ollivier, speaking for the Government, is represented to have said:—"We are justice, moderation, law; if you force us, we will be power." These are brave words, spoken on the strength of a great many bayonets and of an absolutism still strongly fortified in France. The threat of the Minister in reply to that of the Deputies illustrates the temper of the proposed duel between the Empire and the people, and it must be again acknowledged that the former counts upon vast odds. Even the shooting of a man by the people by a prince of the blood is not enough to drive Paris or Lyons into frenzy; for it will be remembered, perhaps, that Prince Pierre Napoleon Bonaparte has been, with all his faults, one of the most democratic of those who have borne his name. The empire, however, stands ready to champion the cause of its own blood, for we observe that it has retorted upon the demands of the incensed radicals by moving for the arraignment of M. Rochefort for an outrage against the Emperor, and for exciting violence. This action will serve to define more sharply the expected battle in the Legislative Corps. M. Rochefort charges a prince of the House of Bonaparte with murder; the Emperor charges M. Rochefort with outrage; and on this issue France is called to decide. Here are materials for many scenes in the French Legislature, with perhaps a chance for the exhibition of bayonets.

TESTS OF INSANITY IN CRIMINAL CASES.

From the N. Y. Sun.

Since insanity was first regarded as furnishing an excuse for crime, at least in some cases, the opinions of lawyers on the subject have undergone a great change. The question has recently been discussed at considerable length by professional writers, but we are still without any exact statement of the progress which the so-called law of insanity has made up to the present day.

The latest adjudications of the courts in England have gone so far as to decide that the proper test of sanity in the commission of a crime is the ability to distinguish between right and wrong—the knowledge on the part of the accused that the act he was about to commit was wrong or punishable by law. From this knowledge of the difference between right and wrong, and the ability to apply it to the particular crime in question, the English law infers the existence of the power, in the person who committed the act, to obey the right, and to refrain from the wrong. There, this inference is purely one of law, though of course it is presumably founded upon facts which have been elucidated by science. The court, in all such cases, instructs the jury that if they find from the evidence that the prisoner, when he did the act for which he is on trial before them, possessed a knowledge of right and wrong in regard to the act in question, they must render a verdict of guilty.

Generally, the American decisions on this subject have advanced no further than those in England. In particular cases, however, greater progress has been made. In Pennsylvania, recently, it has been substantially decided that, in addition to the elements of knowledge, which is the test of the English law, the defendant must be shown to have had "the power to adhere to the right and to avoid the wrong" before he can be declared guilty. There have been decisions similar to this in New York and New Hampshire. The rule which these decisions seek to establish is, that the power of action consequent upon a perception of the distinction between right and wrong must be proved of itself; it is not properly susceptible of being inferred from the perception. The English rule is, that the existence of the perception or knowledge supports the inference that the prisoner had the power of acting in accordance with its dictates.

Up to this point the subject of the tests of insanity in crime has been adjudicated. The most important question which it presents is that based upon the difference between the English rule and the American decisions referred to. Ought power of action on the part of the person said to be insane to be inferred from his knowledge of the difference between right and wrong in regard to the alleged crime? or ought the existence of such power to be proved or disproved by further evidence?

OUR NEW POSSESSIONS—THE CHANCES OF ACQUISITION.

From the N. Y. Times.

The footy in the West Indies which has long been an object of quest by the United States is now in a fair way of attainment. The Babcock-Gautier treaty for the cession of San Domingo is before the Senate, with the chances in favor of its ratification. Will that popular vote, which is nominated in the treaty as needful to its becoming of full and binding effect, result in a majority for annexation?

This is one of the interesting queries of the hour. Weighing all the chances, it seems to us that the islanders will affirm the treaty. We are mindful that ever since the spring of 1867 the little republic has been rent in twain by civil strife over this very issue. We recall that Cabral, once President, and now a powerful rebel, has rested his cause mainly on this ground. We are aware that this chieftain still hovers on the western frontiers, at the head of some four or five hundred men, bent on deposing Baez; that General Luperon, bent on a service, declares that Sagel and his men are still in full sympathy with Cabral, and that, so soon as Salnave is effectually done for, he will have the entire Haytian force at his disposal, including the fleet that lately defeated Salnave at Fort-au-Prince. We do not lose sight of any of these facts, nor of the likelihood that the business now in hand will prove the signal for a storm of revolt from the Haytian insurgents.

But, on the other hand, let us put in array the favoring facts, and see what sort of show they make. In the first place the administration is thought to be a unit in favor of annexation, being moved thereto by strong personal motives—partly an empty purse, and partly their precarious tenure of office. Baez, like Barkis, is "willing," and, indeed, very anxious. So, certainly, is Gautier, who has acted as Commissioner, and shown promptness and a conciliatory spirit, together with Del Monte, with Hungaria, and with Curiel, who, as Secretary of the Treasury, is deeply versed in the mystery of negative quantities. Baez had found it needful for political effect to let the impression prevail, last spring, that he was opposed to annexation; but he really is its strongest advocate. Rather than not come into the Union at all, the Dominican administration consented to have the island introduced as a Territory. We think, therefore, that we may count on the Executive patronage being wholly thrown in favor of the treaty.

Next we come to the leading public men. We know already the feeling of Messrs. Fabens and Gabb. The Church dignitaries are not to be considered; and our Washington correspondent tells us that their leader, Don Domingo la Roche, one of the most influential citizens in the republic (and the reputed owner of one-seventh of it), expressed to General Babcock the strongest desire for annexation, and his willingness to use his great influence in the prevailing Church to that end. Then we approach the Senate, composed of the representatives from the seven provinces; the body ratified the treaty at once. Finally, as to the chief, the treaty is with them the all-absorbing topic, and in San Domingo City, Samana, Porto Platte, Santiago, and all the considerable

THE PATERNITY OF IT.

From the Cincinnati Times.

The Catholic journals protest that the question of the Bible in the schools is not a Catholic question. They go so far as to say that if the Catholic Bible, with the Catholic notes and commentaries, were to be substituted for the King James version, it would in no whit lessen the objection to the public school system. They demand the exclusive education of their own youth, by their own teachers, and in their own way. On this subject the *Freeman's Journal* says:—"We tell our respected contemporary, therefore, that if the Catholic Bibles of Holy Writ, which is to be found in the homes of all our better-educated Catholics, were to be dissected by the object of the theologian in the hand, and merely lessons to be taken from it—such as Catholic mothers read to their children, and with all the notes and comments in the popular edition, and others added, with the highest Catholic endorsement—and if these admirable Bible lessons, and these alone, were to be read in all the public schools, this would be not a diminution, in any substantial degree, the objection we Catholics have to letting Catholic children attend the public schools. This declaration is very sweeping, but we will prove its correctness."

"First—We will not subject our Catholic children to their teachers. You ought to know why, in a multitude of cases. "Second—We will not expose our Catholic children to association with all the children who have a right to attend the public schools. Do you not know why?" This is Pharisaical self-righteousness gone mad. It is legitimate bigotry. It has an illustrious parentage. It descends from the hermit's cell of the second and third centuries, and from the Fathers of the Church at a later period, the period when monachism with its monks superstitious asceticism with its most devout hermits. Generally the hermit's cell was the scene of perpetual mournings, tears, and sobs, and frantic stragglings with imaginary demons, and paroxysms of religious despair were the texture of his life, and the dread of spiritual enemies and of that death which his superstition had rendered so terrible (we quote Lecky), embittered every hour of his existence.

The duty of a monk, says St. Jerome, "is not to teach, but to weep." We fear there would be more weeping than teaching in Catholic schools. St. Anthony, the true founder of monachism, "refused, when a boy, to learn letters, because it would bring him into too great intercourse with other boys." This is the paternity of the feeling expressed by the *Freeman's Journal*. And yet these pious men did not hesitate to tell very large stories. At a time when St. Jerome had suffered himself to feel a deep admiration for the genius of Cicero, he was, as he himself tells us, "borne in the night before the tribunal of Christ, accused of being rather a Christian than a Christian, and severely flogged by the angels." Had the Saint given this as a dream it would not have been so outrageous a lie—a lie believed to this day for truth, and probably believed by the editor of the *Freeman's Journal*.

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SPECIAL NOTICES.

OFFICE OF WELLS, FARGO & COMPANY, No. 84 BROADWAY, NEW YORK. December 25, 1869.—Notice is hereby given, that the Transfer Book of Wells, Fargo & Company will be CLOSED on the 15th day of JANUARY, 1870, at 3 o'clock P. M., to enable the Company to ascertain who are owners of the stock of the old Ten Million Capital. The owners of that stock will be entitled to participate in the distribution of assets, provided for by the agreement with the Pacific Express Company.

OFFICE OF THE BOARD OF DIRECTORS OF THE AMERICAN MERCHANTS' UNION EXPRESS COMPANY, No. 115 BROADWAY, NEW YORK, November 25, 1869. The Board of Directors of the American Merchants' Union Express Company have this day declared a dividend of THREE DOLLARS (\$3 per share) on the outstanding capital stock of the Company, payable on the 15th day of January next. The transfer books will be closed on the 1st day of December next, at 2 o'clock P. M., and reopened at 10 o'clock A. M. on the 16th day of January next. By order of the Board. J. N. KNAPP, Secretary.

OFFICE OF THE BELVIDERE MANUFACTURING COMPANY. Notice is hereby given to the stockholders of the BELVIDERE MANUFACTURING COMPANY respectively, that accounts amounting to SIXTY FIVE PER CENT of the capital stock of said company have been made and paid to the name of the stockholders on the 1st day of February, A. D. 1870, and that payment of such a proportion of all sums of money by them subscribed is required for and demanded from them on or before the said date.

OFFICE OF CENTRAL PACIFIC RAILROAD OF CALIFORNIA, No. 54 WILLIAM STREET, NEW YORK, December 17, 1869.—The SIX PER CENT interest coupons of first mortgage bonds of the Central Pacific Railroad of California, due January 1, 1870, will be paid at the National City Bank of New York, No. 5 NASSAU STREET, New York. C. P. HUNTINGTON, Vice-President.

OFFICE OF THE HOUSTON AND TEXAS CENTRAL RAILWAY COMPANY, No. 53 WALL STREET, NEW YORK, Dec. 27, 1869.—The Coupons of the Mortgage Bonds of this Company, due Jan. 1, 1870, will be paid in gold coin on and after that date at the National City Bank, New York. D. H. PAIGE, Vice-President.

OFFICE OF CENTRAL PACIFIC RAILROAD OF CALIFORNIA, No. 54 WILLIAM STREET, NEW YORK, Dec. 17, 1869.—The Seven Per Cent Interest Coupons (Bonds of 1860) due Jan. 1, 1870, will be paid at the banking house of Eugene Kelly & Co., No. 1 Nassau street, New York, on and after the 15th day of January, 1870. C. P. HUNTINGTON, Vice-President.

OFFICE OF CALIFORNIA AND OREGON RAILROAD, No. 54 WILLIAM STREET, NEW YORK, Dec. 17.—The Six Per Cent Interest Coupons of First Mortgage Bonds of the California and Oregon Railroad, due Jan. 1, 1870, will be paid at the Banking House of Fisk & Hatch, No. 5 Nassau street, New York, on and after the 15th day of January, 1870. C. P. HUNTINGTON, Vice-President.

OFFICE OF THE CITY TREASURER, PHILADELPHIA, Dec. 31, 1869.—Notice is hereby given to the stockholders of this Company, that No. 8240 will be paid on presentation at this office, interest ceasing from date. JOS. F. MAROER, City Treasurer.

OFFICE OF THE UNITED SECURITY LIFE INSURANCE AND TRUST COMPANY OF PENNSYLVANIA, S. E. corner FIFTH and CHESTNUT STREETS. The Annual Election for Directors of this Company will be held at their Office on WEDNESDAY, the 15th day of January, A. D. 1870, at 10 o'clock A. M. C. E. BETTS, Secretary.

SHAMOKIN COAL COMPANY, PHILADELPHIA, Dec. 31, 1869. The Annual Meeting of the Stockholders of this above-named Company, and an election of Directors to serve for the ensuing year, will be held at their Office on WEDNESDAY, the 15th day of January, A. D. 1870, at 10 o'clock A. M. O. B. LINDSAY, Secretary.

EAST MAHANOY RAILROAD COMPANY, Office No. 27 1/2 FOURTH STREET, PHILADELPHIA, Dec. 31, 1869. Notice is hereby given to the stockholders of this Company that a Dividend of Three (3) per Cent, free of State taxes, has this day been declared, payable on the 15th day of January, 1870. RICHARD COE, Treasurer.

SURQUEHANNA CANAL COMPANY, PHILADELPHIA, Dec. 31, 1869. Notice is hereby given that the semi-annual interest on the Preferred Bonds of the SURQUEHANNA CANAL COMPANY and the Priority Bonds of the TIDEWATER CANAL COMPANY, falling due on the 1st of January, 1870, will be paid at the office of the Company in Philadelphia and Baltimore, on and after the 31st proximo, on presentation of the coupons thereof, amounting to the coupon of the same, numbered 34. ROBERT D. BROWN, Treasurer.

THE ANNUAL MEETING OF THE BOARD OF DIRECTORS OF THE SUMMIT BRANCH RAILROAD COMPANY, PHILADELPHIA, Dec. 31, 1869. Notice is hereby given that the semi-annual interest on the Common Bonds of the SUMMIT BRANCH RAILROAD COMPANY, falling due on the 1st of January, 1870, will be paid on and after the 31st proximo, at the First National Bank of Philadelphia, on and after the 15th day of January, 1870, on presentation of the coupons of the same, numbered 34. WILLIAM B. FOWLER, Secretary.

CAMBRIA IRON COMPANY—THE Annual Meeting of the Stockholders of the CAMBRIA IRON COMPANY will be held at their Office, No. 20 CHESTNUT STREET, PHILADELPHIA, on the 15th day of January next, at 4 o'clock P. M., when an election will be held for Seven Directors to serve for the ensuing year. JOHN T. KILLE, Secretary.

UNION PACIFIC RAILWAY (SOUTHERN BRANCH). Coupons of the Six Per Cent. Gold Bonds of this road due on 1st prox. will be paid on and after that date, free from Government tax, by CLARK, DODGE & CO., No. 31 WALL Street, New York.

THE COUPONS DUE JANUARY 1, 1870, of the first mortgage bonds of ST. PAUL AND PACIFIC RAILROAD COMPANY (First Division Branch Line) will be paid on and after that date upon presentation at the Office of DABNEY, MORGAN & CO., No. 25 EXCHANGE Place, New York.

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