PITTSBURGH GAZETTE.

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FRIDAY MORNING, SEPTEMBER 2, 1853.

☞ READING MATTER WILL BE FOUND ON EACH PAGE OF THIS PAPER.

U. S. PITTSBURGH WEEKLY GAZETTE.—The extensive circulation of our Weekly Gazette offers to our business men a most desirable medium of making their business known. Our circulation is between four and five thousand, reaching almost every village and county in Western Pennsylvania and Eastern Ohio.

DEMOCRATIC WHIG NOMINATIONS.

FOR CANAL COMMISSIONER,
MOSES POWNALL, *Of Lancaster County.*

FOR AUDITOR GENERAL,
ALEX. K. McCLURE, *Of Franklin County.*

FOR SURVEYOR GENERAL,
CHRISTIAN MEYERS, *Of Clarion County.*

FOR JUDGE OF THE SUPREME COURT,
THOMAS A. BUDD, *of Philadelphia.*

FOR JUDGE OF DISTRICT COURT,
MOSES HAMPTON, of Allegheny.

FOR SENATE,
Dr. JAMES CAROTHERS, of Wilkins.

FOR ASSEMBLY,
JOHN M. POETER, of Tarentum.
JOHN J. MURE, of Versailles.
THOMAS J. BIGHAM, of Lower St. Clair.
JOHN E. PARKE, of Manchester.
CHARLES NAYLOR, of Pittsburgh.

FOR TREASURER,
HUGH S. FLEMING, of Allegheny.

FOR DISTRICT ATTORNEY,
EPHRAIM P. JONES, of Pittsburgh.

FOR COMMISSIONER,
EPHRAIM J. BROOKS, of Robinson.

FOR AUDITOR,
JAMES McGIBONEY, of Pine.

FOR COUNTY SURVEYOR,
JOHN KENNEDY, of West Deer.

THE SUNDAY QUESTION.—The long decision of Alderman Buckmaster, in the Omnibus case, appeared in the morning papers of yesterday. A copy was furnished us at such a late hour that we could not insert it without keeping our employees at work until after midnight, and we did not choose to incur that expense and trouble.—A perusal of the opinion has satisfied us that our readers lost nothing in consequence of withholding it from them.

The decision of the Alderman, as our readers are already aware, is in favor of those who make money by descrating the Sabbath day. The elaborate opinion in justification of this decision occupies a column and a half of small type.—Judged by lineal measure it is nearly as formidable as the decision of the High Court of Appeals of Mississippi in the Repudiation case, and exceeds, in superficial inches, some very important decisions of the late Chief Justice Gibson.—In that respect the Alderman has the advantage of the Chief Justice.

Unfortunately for the Alderman, however, decisions are not measured by the number of words they contain; and it is much to be wished that since a decision of the kind was inevitable it had either been accompanied with better reasons or none at all. The office of Alderman is not of sufficient importance to give any weight to Aldermanic opinions; and when uttered in all the formidableness of judicial length, they should contain some inherent force to give them authority.

The opinion, according to our reading of it, is a mere re-hash of the arguments urged by the counsel for the defence. It decides in favor of the Omnibuses running on Sunday, upon the plea of *necessity;* and this plea is sustained by a string of mere sophisms and special pleadings. The action before the Alderman, it will be remembered, was against one of the drivers of the Omnibuses, for following a worldly occupation on the Lord's Day; and the action is dismissed in these grave words:

"John Naser, the defendant, here, was shown to be a driver of an omnibus; that the omnibus constituted a part of a line which had become a necessity to a large number of persons situated on the route; he, as an employee of that line, became as necessary to its existence or useful-ness, as did the horses which drew the omnibus; by his engagement he was compelled to act in the capacity of a driver, and by his being thus situated, it became to him a necessity, being part and parcel of his contract. Being thus placed in that condition, he is brought within the exception mentioned in the proviso, it to him being a work of necessity."

Who shall say that this is not conclusive? The act of Assembly which enacts a penalty for violating the Lord's Day, excepts from the penalty those who are engaged in works of *necessity.* John Naser, it seems, had entered into a contract to drive an Omnibus on Sunday, and *therefore* his driving is (to him) an act of necessity! But then, oh! most learned jurist, was it *necessary* for John Naser to make any such contract? Was there nothing he could do whereby he could earn a living within the prescribed six days of the week, that he was necessitated to seek an employment that embraced seven? A man cannot take advantage of his own wrong. If he enter into a contract to do an illegal thing, he cannot justly plead his fulfilment of it as a "work of necessity." A "work of necessity" is that which cannot be avoided; but the omnibus driver *could* have avoided Sunday labor, if he had chosen. It was with him a matter of choice, and not of necessity.

But, says this new luminary in the judicial heavens, "the Omnibus constituted a part of a line which had become a necessity to a large number of persons situated on the route." This is the burden of the whole opinion before us.—The Alderman assays to regard an omnibus line, established for money-making purposes to its proprietors as a public *necessity.* Nothing could be farther from a proper conception of the case. It results from confounding a convenience with a necessity. That the omnibus line is a great *convenience* to many persons on the route is a fact not questioned; but that it is therefore a *necessity,* does not follow. A "necessity" is defined to be "that which *must* be, and cannot be otherwise." Now it is undeniable that people along this omnibus route came and went before this line was started, and could do so still, if it were taken off to-day. They could not do so as conveniently and comfortably as they can now, but so long as their powers of locomotion remain unimpaired, an omnibus line is not a thing which they *cannot* do without. The question involved in the running of omnibuses on Sunday is a mere question of *convenience,* and it is the shallowest of all sophistry to affect to regard it otherwise.

But even admitting, for the sake of the argument, that omnibuses are absolutely necessary, as was contended on its trial, to bring people along the route to church and take them home again that would only justify their running at such hours as are common to church-going people.—But the omnibuses run all day, long before and long after church hours; and they are not run, so far as we can learn, with any special reference to the convenience of religious people. The omnibus company make no inquiries as to the purposes of their patrons. They do not know, nor do they care, whether they are piously or wickedly inclined; whether they are on the way to church or the rum shop; whether the are aiming for heaven or hell. All is grist that comes to their mill; the libertine and the saint are alike welcome; and he who descerates the Sabbath, if he pay his five cents, is carried to his destination with as much promptitude as he who observes it. If the omnibuses, therefore, are necessary to religious people, let their running be restricted to such hours as will accommodate that class only; but if this is not done, let not the public ear be outraged by such a foolish plea as that upon which we have commented.

If it is possible, we hope the lucid opinion of our Aldermanic fellow citizen will be taken up for review before some competent legal tribunal. The Supreme Court of the State has decided that a Jew or a Seventh-day Baptist may not work on the Lord's day, even though he plead *conscience* in his behalf; how much less, then, shall he be allowed to do it who can offer no such plea? We should like, also, to have the opinion of that body upon the question, whether the necessity to do an unlawful act upon the Sabbath is a "work of necessity" within the meaning of the Act of Assembly in such cases made and provided. Until that body sustains the decision of Alderman Buckmaster, we shall continue to take the liberty of differing from him.

RELIEF FOR NEW ORLEANS.—The whole amount collected in Cincinnati for the relief of New Orleans was $16,016 65. Of this sum $2,852 were contributed by benevolent societies; the sum of $1,564 25 was contributed by *sundry exhibitions, circuses, &c,* and $9,764 70 by the citizens.

THE NOMINATIONS.—The Democratic papers of this city do not like the Whig nominations. We are gratified to find that they do not. Nominations that dont please them are generally of the right stripe.

The *Post* is very unjust and unfair towards Dr. Carothers. It says:

"The most important nomination that was made, was Dr. Carothers, for the State Senate. The Doctor seems to have a pre-emption right to this office. For many years he has held it with as determined a nature as the biggest bump you can find on the largest log in Allegheny county. Dr. C., although a gentleman personally, has, we are sorry to say, been a most useless member heretofore. He has neither the capacity nor the inclination to attend to public business in the manner that the great interests of Allegheny county require. He is one of the Whig fogies, who commenced political life thirty years ago, and the only progress he has made is the annual addition of one year to his age."

Dr. Carothers has held the office of Senator for just one term, and was never an office-hunter; the *Post* either forgets, or is ignorant of political history, when it speaks of him as having "a pre-emption right" to it, and as holding it "for many years." If report speaks true, his probable opponent is a man who has been before the people ten times as often as the Doctor. Nor is it true that "he has been a useless member heretofore." Every body that we ever heard speak of him, from experience at Harrisburg, represented him as one of the most useful, industrious and valuable members of the Senate.—His attention to public business and the interests of his constituents we have never heard complained of, but often praised. As to his being a "fogy," the *Post* knows better. On all the leading questions of the day Dr. Carothers is as progressive as any man in the Whig party.

The *Union* does not like the nomination of Mr. JONES for Prosecuting Attorney, because he is young, and has not yet given indications at the bar of being a legal giant. We shall see how much the Democratic convention will improve upon the selection. The *Union* also endeavors to be witty at the expense of Mr. Hampton, with how much success the public must judge. We were sorry to see, however, at the close of the *Union's* article, a departure from editorial propriety which no excuse can justify. Such attempts at facetiousness may win approval in questionable resorts, but are beneath the dignity of a respectable sheet. We have heretofore cheerfully accorded to the *Union* the credit of conducting its political controversies in a gentlemanly way; but if it is going to resort to *double-entendre,* and low personal allusions, we shall leave it to enjoy whatever glory it may earn in that field. We may also take occasion to say, here, that the inuendo it threw out on Wednesday that the Whig Legislative ticket would be selected from men who could just "keep sober long enough to vote for the Maine law," was hardly up to the standard of political fairness.

WESTMORELAND.—A democratic meeting has been held in Westmoreland county, it seems which, in general terms, endorsed the State nominations of the party. This, according to the Pittsburgh *Union,* is conclusive as to the popularity of Judge Knox in that county, and completely ignores the opposition of its democratic press to that gentleman's nomination. The *Union* speaks of the resolutions of this meeting as "the hearty, cheerful expression of opinion by the people;" but, somewhat unfortunately, prefaces its account of the assemblage with the statement that it was a meeting called upon a short and poorly circulated notice. We copy from the *Union.*

"On the motion of Gen. H. D. Foster, it was agreed to adopt the resolutions which pledged the meeting to a hearty support of the State and County tickets recently nominated; another, favoring the sale of the Public Works; and another, expressing regret at the decease of Judge Gibson, and veneration for his profound talents and integrity. And, *inasmuch as the notice for the meeting had not been published in the newspapers, or sufficiently made known through the country, so as to entitle the assemblage to express the sense of the county,* Mr. Foster further moved, that the Committee of Correspondence be requested to call a Mass Convention of the people from all parts of the county, to meet together at the November Court, and then to instruct the delegates to the 4th of March Convention, in reference to the nomination for Governor the next term. These motions were unanimously adopted."

Now, if, as this extract asserts, "the notice had not been published in the newspapers," and had not been "sufficiently made known through the country, so as to entitle the assemblage to express the sense of the County," by what right does the *Union* undertake to construe the resolutions adopted into an expression of "the sense of the County?" The meeting did not assume to act for the County, but called another meeting for that purpose.

THE PENNSYLVANIA ROAD.—The following paragraphs, from the Philadelphia *North American,* convey important and pleasing information, and the prospect they hold out will diffuse general satisfaction throughout the West.

"As regards the progress of the work, it is expected that the mountain division will be finished, with a double track, by the 1st of January next, when the company will be able to run the trains all the way through from Philadelphia to Pittsburgh, avoiding entirely the inclined planes of the Portage, by which so much delay is now occasioned in making the trip. Forty miles of the Western division are graded for a double track, and part of the rails laid. The residue is being similarly graded to meet the mountain division, and the rails will be put down as fast as they can be furnished by the contractor. The Eastern division, extending from Harrisburg to the mountains, where it meets the planes, has two-thirds of its distance graded for a double track, and the remaining third is being prepared for grading.

"We learn that on the completion of the mountain division, which will certainly take place about the 1st of January, 1854, the Company intend to run an express train which shall regularly go through from terminus to terminus in at most fourteen hours. It is expected, however, that the trip can, and will, be made in even less time. There will be no stopping, except to wood and water, unless at one or two principal stations. No way passengers will be taken on this express. An express train is now running over the Ohio and Pennsylvania and the connected roads, which make the trip between Pittsburgh and Cincinnati in fourteen hours and a half; and when, in the beginning of next year, the express cars are run on the Pennsylvania Central road, in conjunction with those on the line beyond, the journey between this city and Cincinnati will be accomplished in twenty-six hours.

MR. HOPKINS AND THE PUBLIC WORKS.—The *Union* of yesterday, in answer to our query as to how it happened that resolutions in favor of the sale of the Public Works were laid on the table in the democratic convention of Washington county, says:

"The resolutions were not offered until a late hour, after two-thirds of the delegates had withdrawn, in consequence of which it was laid over, at the suggestion of one of the officers of the Convention, who expressed himself in favor of the measure."

Very well; we were not aware of this fact, and are glad to receive the explanation. In answer to the query of the Union, that; "Had the whig party control of the Public Works, would our neighbor of the *Gazette* desire the delightful "pickings" that now smell so strongly in his offended nostrils, placed beyond the scent of his political brethren?" we answer, yes; we care not who has or may have the management of them, we are in favor of their sale; and will cheerfully co-operate with a majority of the Canal Board in laboring to obtain that desirable consummation.

THE POTATO BLIGHT ABROAD.—According to present appearances, the potato disease will prevail to a great extent in Great Britain the present season. Indeed it has already commenced its ravages—as will be seen by the following extract from the Bath (Eng.) Chronicle:

"Complaints of the ravages of the potato blight round Bristol and the adjacent district of Somerset shire are very numerous, and in some instances the visitation is as severe as in any year since its commencement. Everywhere the haulms may be seen, presenting an appearance similar to the effects of a severe frost; the tubers however, having attained a larger size than usual before the attack, hopes are entertained that they may turn out better than last season. The blight first shows itself by the appearance of small black spots on the uppermost leaves, which gradually spread the infection to other leaves, until the stock is entirely denuded of its foliage; it then seizes on the haulm, which also gradually disappears, with a powerful fetid smell. Near Wells, the disease is committing sad ravages among the crop; it has, doubtless, been accelerated by the late heavy rains. A large breadth of potato is planted on the Moor, at Weston Zoyland, in the neighborhood of Bridgewater, nearly the whole of which has been struck. Indeed, there is scarcely a patch to be found, from one end of the county to the other, that is not more or less affected by the disease."

HOWARD ASSOCIATION.—The Association have under their charge, at this time, seven Infirmaries for the reception of the sick—one devoted exclusively to convalescents discharged from their infirmaries as cured, but unable to go to work, and three Asylums for orphan children, or those of sick parents. Many of these are full, and others are fast becoming so. Their Hospitals, however, embrace but a small proportion of those taken care of by this philanthropic body. Single persons only, and those who call on a member of the association before the fever has reached a point that it would be dangerous to remove them, are taken to infirmaries. Others are attended at their residences, Nurses, provisions, ice, etc., furnished.

The rules of the association require weekly reports from members of their list of sick and their publication, but the severity of the epidemic has been such, that it is impossible for those who live in the more infected districts to comply with the rule, without neglecting those under their charge, and they have been excused under the circumstances.

We might instance the case of the directors in the third district—Reverend Mr. Whitcall and Mr. Vandegrift. From the breaking out of the epidemic they have been incessantly engaged, sacrificing their entire time, night and day, with a most commendable spirit of charity and benevolence, to the poor sick, and have had the care of some eight or nine hundred. They have no time to report. Others there are, too, equally occupied.

The association have taken charge of 6000: and of these 2500 are supposed to be now under treatment—3500 discharged as cured or dead.—If the fever continue to 1st of October, they cannot anticipate from present indications a total of less than 10,000, and it may reach higher figures.

We are only surprised that so many can be taken care of and provided for by a body of 30 men; but recently they have added some 15 to their number, as assistant members, which they have a right to do, though by their constitution restricted to 30 active members.

Nothing but a devotion of their entire time to the cause in which they have gratuitously embarked, would enable them to accomplish so much.

At the suggestion of one from whom we obtain much of the information given in this article, we present some statistics of a comparative character between 1847, which was considered a very bad epidemical year, and this of 1853, and they are taken from the records of the Howard Association. In 1847, they had in twelve weeks 1252 cases, at a cost of $12,500—a fraction less than $10 each. This year, in consequence of a higher rate of provisions, and scarcity of nurses, to whom higher prices must be paid, the cost is at least $12 each. Of the 1252, 94 per cent, or 1 in 11 died. This year, the deaths have been 25 per cent, or 1 in 4. This we consider a fair index of mortality, compared with that of 1847. In private practice the per cent is doubtless less, as in 1847 it was only 1 in 17.

To such of our readers as may suppose that the Howard Association is receiving more money than they will have any use for, we can state, that the actual receipts up to this time, including donations in this city of about $20,000, are less than $60,000, while they will require at least $120,000. They, have, however, through the papers and other sources, advices of further remittances. What would they have done but for the noble and generous aid given them by others out of the city? The North, South, East and West have stepped forward in a *loving* manner of their sympathy for our suffering city. Without this assistance where would the Howard Association have been? Without necessary funds, they must have ceased their labors, or incurred a fearful responsibility.

We can give no better idea of what the Association is doing, than by a reference to the labors of the worthy Secretary and Treasurer.—The former, besides giving his active time, has one clerk constantly employed, and another a portion of the time, in recording cases, reports, &c. The Treasurer has the aid of three, and a part of the time four, in receiving and examining bills and their vouchers, and paying the same. With all of this help, we saw, a day or two since, a bushel or more of documents received, not yet disposed of.—*N. O. Bulletin.*

THE FRENCH MISSION.—The President is doing the Country service by aiding to open its eyes to the helplessness and insignificance of our costly Foreign Embassies. Six months have transpired since his inauguration, and yet no envoy has been appointed to the Court of France, our earliest and most efficient ally in our struggle for Independence, and for a thousand years one of the most powerful among civilized Nations. Mr. Rives, our late Embassador, long since came home, presuming that his successor was probably on his way to Paris. But he is yet undesignated. Meanime the destinies of Europe hang trembling in a balance which, next to Russia, France holds in her hands. If a tremendous war shall result from the Russian aggression on Turkey, its immediate cause will be the resolution of France, not to permit further encroachments in that quarter. If peace is to be assured by the recent demonstration of the very bad diplomatical year, and this of 1853, and they are taken from the records of the Howard Association. In 1847, they had in twelve weeks 1252 cases, at a cost of $12,500—a fraction less than $10 each. This year, in consequence of a higher rate of provisions, and scarcity of nurses, to whom higher prices must be paid, the cost is at least $12 each. Of the 1252, 94 per cent, or 1 in 11 died. This year, the deaths have been 25 per cent, or 1 in 4. This we consider a fair index of mortality, compared with that of 1847. In private practice the per cent is doubtless less, as in 1847 it was only 1 in 17.

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