GAZETTE—CITY DEPARTMENT.

PITTSBURGH:

MONDAY MORNING, JUNE 23, 1856.

DISTRICT COURT.—The following opinions were read by the Court on Saturday:

F. & W. M. Faber vs. James R. Breading; No. 447, April Term, 1853; execution attachment issued by plaintiffs against the defendant as garnishee of John Horner. The cause was tried in February, 1854, and a verdict in favor of the defendant was rendered. A motion by plaintiff for a new trial was argued in March, 1854, and held over for consideration. The reasons urged were—that the verdict was contrary to the evidence, and that the Court erred in rejecting as evidence the letter of Samuel S. Douglas to John Horner, of April 28, 1852. These reasons prevailed, and on the 15th of April, 1854, a new trial was granted, but afterwards, it being represented that a case from Clarion county was pending in the Supreme Court, which involved the question of the admissibility of this letter of Douglas to Horner as evidence, the order was stricken off. That case has been decided, and the Supreme Court, in reference to Douglas' letters, say "that they must be considered as containing merely the declarations of a third person, until it is proved that they were written under the direction of Breading." This decision sustains the opinion of this Court. The motion was refused.

T. J. Bigham *et al.*, Trustees of John F. Perry, vs. Charlotte Curry, surviving, etc. Application for a feigned issue to try how much, if any, is due on the judgment in this case. The judgment was entered against John N. Martin and Charlotte Curry on the 11th October, 1852, in pursuance of a bond and warrant of attorney for the sum of $2,000, to be released on payment of $1,000, with interest on the 7th of October, 1855. Opinion delivered by Hampton, P. J., and rule discharged on the ground that the defendant had not made out such a case as would authorize the Court to award a feigned issue.

T. J. Coleman vs. William Magill. No. 15, November term, 1854. Demurrer is overruled, and judgment by consent for $50.

Schoonmaker vs. Miller. No. 594, July term, 1854. An application to open a judgment and let the defendant into a defence, is addressed to the equitable power of the Court. In no case should the Court open a judgment and let the defendant into a defence on the naked question of insanity, except the evidence, in addition, tends to show imposition, fraud, or unfair dealing on the part of the plaintiff. The evidence in this case, strongly rebutted by the plaintiff, tends to show weakness or imbecility on the part of the intestate, but it does not tend to show fraud, imposition or unfair dealing or undue advantage by the plaintiff, or that he was aware of the intestate's incapacity to contract, or that there was anything in the transaction, which should have led him to the opinion that the intestate was of weak or unsound mind. The rule is therefore discharged.

Isaac Williams vs A. M. E. Church. This was an action of assumpsit to recover an alleged balance of salary for a year's services as pastor. The question whether under the charter and book of discipline the Trustees had the power by an express contract to bind the corporation for the salary of the Clergyman, was reserved. The Court entered learnedly into the discipline of the Church, and the law of corporations. Judgment for the defendant on the reserved question was ordered to be entered, *non obstante veredicto*.

Shoenberger vs Miller; No. 185, Nov. term, 1855. Motion for a new trial. Overruled.

Coulter vs Melvin, *et al.* Reserved question. This was an action of debt brought on a bond given by Samuel Melwin, with the other defendants as his sureties, with the understanding that he would take the benefit of the insolvent laws. The question whether the plaintiff on his own showing was entitled to recover, was reserved. It is to be regarded in the light of a demurrer to the plaintiff's evidence. The opinion then sets forth plaintiffs, evidence. It was ordered that judgment for the plaintiff on the verdict be entered on the question reserved, to which order the defendant's counsel excepts.

HEAVY COSTS.—Thomas Howard, Esq., on Saturday, moved the Court of Quarter Sessions to appoint a Commissioner to tax the costs in the Schaad and Hegemann false pretences case. He said eighteen witnesses had filed bills running up the costs to nearly $100. Many of these witnesses were not material, and they should not be allowed to crush the defendants.

D. D. Bruce, Esq., opposed the motion, as all witnesses subpœnaed were entitled to their pay.

The Court decided that neither Court nor clerk could say that witnesses lied in making out their charges. The Supreme Court had decided that all subpœnaed witnesses were entitled to fees. The clerk of Court, Mr. Horner, was appointed Commissioner.

MOTION REFUSED.—D. D. Bruce, Esq., City Solicitor, on Saturday, moved to have the nonsuit taken off the case of city vs Nicholas Snyder, to recover taxes, instituted in 1853. By some means it had never been tried. Thomas Howard, Esq., opposed the motion on the ground that the judgment was entered in accordance with the rule of Court, and he advised his client so, who had acted under it. The Court said the city had changed counsel three times within three years, and the case had been allowed to sleep all that time. He would not treat it differently than if a poor fellow with but one counsel had brought it; and he would refuse the motion.

TO BE TAKEN TO GREENSBURGH.—The Sheriff of Westmoreland county was in the city on Saturday, on a visit to Hugh Corrigan. He will remove him to the Westmoreland county jail this week. The day of execution is rapidly drawing nigh, it being now not more than a month from the present time.

GANG BAIL.—James Graham, whobas been lying in jail for some time, awaiting trial on a charge of Arson, was released on $1,500 bail on Saturday, by the Court, upon application of C. McClure Hays, Esq. The grandfather of the accused, James Graham, was taken as surety.

The regular monthly meeting of the Young Men's Christian Association will be held this (Monday) evening at 7½ o'clock. The attendance of the members and the public generally is requested. Rooms on Fifth street over J. P. Reed & Co.'s jewelry establishment.

ARRIVED.—The new Vigilant engine which has been in course of erection for some months past in Philadelphia, reached this city on Friday night. It is a very beautiful piece of workmanship, and reflects much credit upon the builders. We are it advertised that the company will parade to day at one o'clock for inspection.

CORRECTION.—In the Premium List, as published by us, a day or two ago, there was an error of omission. The second premium for the best display of Geraniums was taken by Mr. J. S. Negley.

ACCIDENT.—Thomas King, William Derbin and William Miller, were much injured in Uniontown, on Saturday last, by the premature explosion of a cannon.

P. H. COLLIER, Esq., of this city, has consented to deliver the annual address before the Literary Societies of Madison College, Uniontown, Pa.

THE BOARD OF LICENSEES, on Saturday, finished up the applicants and remonstrance lists, and this week they will give their decisions upon them.

PRESENTWORTHY.—The officers of the Pennsylvania Railroad are having the banks on either side of the railroad sodded. The workmen are now employed near East Liberty.

☞ The Great Russian Remedy.—PRO BONO PUBLICO.—Every mother should save a box in the house handy in case of accidents to the children." *SOOTHING RUSSIAN SALVE.*

It is in Boston remedy of thirty years' standing, and is recommended by physicians. It is a sure and speedy cure for Burns, Piles, Boils, Corns, Felons, Chilblains, and Old Sores of every kind. For Fever Sores, Ulcers, Itch, Salt Rheum, Nettle Rash, Tetter, Ring Worm, recommended by nurses. Whitlows, Piles, Fistula, Fever Sores, Spider Bites, Frozen Limbs, Sore Nipples, Scurvy, Sore Eyes, Sore Throat, Sore Nose Warts and Fleah Wounds, it is a Cracked Lips, Sore Nose Warts and Flesh Wounds, it is a most valuable remedy and cure, which can be testified to by thousands who have used it in the city of Boston and by druggists who have sold it for the last thirty years. To us it is known by all this variety for the last thirty years. To us it is known by all this variety for the last thirty years. To us it is known by all this variety