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THE WEEKLY GAZETTE.
TWO EDITIONS,
WEDNESDAY AND SATURDAY.
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The Pittsburgh Gazette

FOR THE ACCOMMODATION OF PERSONS leaving the city during the summer months they can have the GAZETTE mailed to their address, by ordering the same at the office, for fifteen cents per week for one week or more.

THE PRESENCE of what is called "genuine Asiatic cholera" in different sections of the United States should excite our citizens to redoubled sanitary precautions. It is confidently believed, in some circles, that the dread pestilence prevails in a number of the larger cities to a more alarming extent than has been made public; that we do not receive truthful reports from neighboring communities regarding public health. Whether there is much or little truth in the surmises matters not. We certainly have just occasion to anticipate and provide against a visit from the disease. The city is ripe for the harvest of death, and should the scourge come our way the mortality lists will prove fearful. The recent rains have hardly improved our sanitary condition. Much filth was swept into the river, but much more was left exposed to the sun's fierce rays to pollute and poison the atmosphere. The alleys and by-ways, and, indeed, the greater number of streets, are in an exceedingly filthy condition, some of them being entirely innocent of the scavengers' attention since last Winter, or perhaps the Autumn preceding. There is no cause for immediate alarm, but every citizen should resolve himself into a sanitary committee of one to see to righting his own premises and looking into those of his neighbor. A few days work, well directed, will accomplish much good, and perhaps may save hundreds of lives. In apathy, there is decided danger; in being fully awake to the impending danger, will do no harm, but be productive of much good.

IT WAS ANNOUNCED early last week that the libel suit brought by MR. GERRIT SMITH against the Chicago *Tribune* had been settled. The libel was alleged to consist in a statement that Mr. SMITH knew beforehand of Mr. JOHN BROWN's raid into Virginia, furnished money in aid thereof, afterwards feigned insanity, and went to a Lunatic Asylum to escape responsibility. In settling the suit this charge was virtually withdrawn.

On Saturday last, Mr. HORACE WHITE, one of the editors of the *Tribune*, published over his own signature a card, in which he says he was from home when the settlement was made, and is dissatisfied with it. Hendds:

"I am in possession of information which enables me to affirm that Mr. Gerrit Smith was fully advised of John Brown's purpose to make an armed invasion or raid upon Virginia, for a long time prior to such invasion or raid; that the said Gerrit Smith assented to, and co-operated in such invasion or raid, with advice, money and counsel; that interviews took place between John Brown and Gerrit Smith at the residence of the latter in Peterboro, New York, in the summer of 1859, at which John Brown unfolded to Gerrit Smith his plan so far as it was then matured, informing him particularly that Chambersburg, Pennsylvania, had been fixed upon as the place to which arms should be first sent; that the plan contemplated not merely a method of running off slaves, but a military occupation of the country and a general insurrection of slaves, accompanied by violence and bloodshed, and that Gerrit Smith knew it, assented to it, and furnished money to carry it forward."

The Oldest Relic of Humanity.

The oldest remnant of mortality extant is the skeleton of one of the earlier Pharaohs incased in its original linen robes, and wonderfully perfect, considering its age, which was deposited about eighteen or twenty months ago in the British Museum, and is justly considered the most valuable of its archæological treasures. The lid of the coffin which contained the royal mummy was inscribed with the name of its occupant, Pharaoh Mykerinus, who succeeded the heir of the builder of the great pyramid about two centuries before Christ. Only think of the monarch whose lurking-filling bones and leathery integuments are now exciting the wonder of numerous gazers in London, reigned in Egypt before Abraham was born, and only about two centuries or so after Mizraim, the grandson of old father Noah and the first of the Pharaohs had been gathered to his fathers.—*Exchange.*

Whoever wrote the foregoing would do well, before proceeding farther, to devote some time to chronology. This Pharaoh is described as having lived only two hundred years before Christ, and only about two centuries after Mizraim, the grandson of Noah! As Abraham is commonly computed to have been born 1921 years B. C., and the deluge in which Noah sailed, to have happened 427 years before Abraham's birth, the writer of the above would seem to have blundered unaccountably.

WHAT is called the concrete pavement is received with great favor at the east, and has been recently tried at the west with success. It is constructed with a foundation of cobble stones, tarred and covered with coarse gravel, and the surface is completed with fine gravel. This is soon made as hard and even as stone, and gives a pavement elastic, yet firm. Its construction is the work of only two or three days, after which it is as hard and solid as a traveled and beaten road. Time has proved it to be very durable, and its many other excellences have made it very popular. Some of its advantages are that it is always hard and dry, it does not crack with frost, nor is it affected by either heat or cold, and it always remains level and dry. It costs about the same as brick, yet does not break or yield, but presents as even and hard a surface as stone.

IN the event of the triumph of the manhood suffrage measure in Ohio, some of the Democratic journals of that State threaten to elect, so far as it is in the power of the party to elect, negroes to office. This homeopathic threat is put forth to frighten Republicans out of voting affirmatively on the question, but it cannot have much weight. In some Democratic districts the minority might welcome a change in the men who manage to get office, even if blacks should be substituted for whites.

THE Mayor St. Louis recently so far forgot the dignity of his office as to strike with a cane and kick a respectable negro woman of that city. He was brought up before a Justice of the Peace and tried by a jury of six men, who found him guilty of the charge and assessed him to pay a fine of three dollars and costs—a very light penalty for so grave an offence.

THE political feeling runs very high in Tennessee. Maynard and Etheridge met accidentally at Greeneville, last week, when a personal recontre took place, the latter striking the former. They were separated before any damage was done either.

DURING the past two weeks six citizens of Lancaster, Pa., died, whose ages aggregated four hundred and seventy years.

A JOURNAL devoted to the interest of the game of base ball has made its appearance in New York.

THE Board of Health of St. Louis has promulgated an order forbidding the sale, in that city, of indigestible vegetables and fruits, such as cabbages, melons, cucumbers, unripe apples, &c. This measure looks very much as if the cholera has made its appearance in the neighborhood. Such rare precaution is seldom taken before the presence of the danger.

An Almost Unexampled Career of Villainy and Crime.

Old citizens of Cincinnati are still familiar, doubtless, with the name of John W. Green, who, a number of years since, resided here, and was engaged in the manufacture and sale of Japan ware. During this time he made the acquaintance of, and finally married, a highly respectable lady, and one much admired amongst a large circle of friends. For a time everything seemed to go well with Green and his wife. He continued in business, and apparently flourished in it. Three children were successively born to the couple, and Green began to be looked upon by some as one of the "solid men" of the city. Others, however, distrusted him from the first; and several little peculiarities which came to light after a couple of years, caused so close a watch to be kept upon him, that he was unable to practice here any rascality upon a large scale. This did not suit him. Unknown to his acquaintances, he disposed of every bit of his property, and suddenly leaving the city, he was heard of no more for years. His wife and children were left behind. The latter were well cared for; but our impression is now, that the betrayed and deserted woman died some years ago.

Many who never thenceforth heard of the scoundrel hoped that he, too, was dead. But it was a portion of his plan of operations to assume false names, and under different aliases he seems to have carried on a career of unmitigated swindling, imposture and villainy, up to the present time. The following from the New Haven (Connecticut) *Journal*, of Monday last, will, if we mistake not, convince our readers that Green is one of the most consummate rascals of the age:

"The Hartford *Post* of yesterday, gives an account of a Methodist clergyman stationed at Middlefield, who called at Samuel Cullison, but whose real name is John W. Green, who has turned out to be a swindler, forger and incendiary and the husband of four wives—one in Western New York, with five children; one in Cincinnati, Ohio, with three children, one in Baltimore, and one with him. He has been in the State four years, and by his efforts a church has been built at Middlefield, over which he was made pastor. He is a Lieutenant of a Pennsylvania Regiment who was a great lady-killer, and prided himself thereon. On one occasion he introduced a young man found a lady who could waltz—a rare accomplishment among the rustics of Tennessee and Kentucky—to use in exclaiming as the damsel was all in good-looking, paid her any number of compliments both on her dancing and beauty. In fact there is no knowing where his flattery would have led, had it be bad of been brought up all unwilling by a brief statement of fact, which was as follows: "Ha no stranger! you call me good-looking *now!* Why you ought to have seen me before I had the *diarrhea!*"

—A writer in the New York *Gazette* contrasting Spurgeon and Beecher, says "No man in the world understands his physical system better than Mr. Beecher. Eating, sleeping, exercise all conform to the laws of health. He is thoroughly temperate in all respects. He has reached a half century with a sound constitution in a healthy body, and has twenty-five years good service in him yet. Spurgeon is a young man. His fleshy appearance and the gout that has already overtaken him, show that physical laws must be obeyed as well as moral. Mr. Beecher lives plainly. He simple in his dress and in his habits, and if met in the streets, would sooner be taken for an express man in a hurry for the cars than a minister. Spurgeon dresses in true English clerical style, is a free liver, dispenses an elegant hospitality, keeps his coach and coachman, lives in a fine mansion, and boasts as good a turn-out as the Archbishop of Canterbury.

—In the Michigan Constitutional Convention, a clause extending the right of suffrage to Indians has been adopted. A motion was made to amend by the clause extending the right of suffrage to all male Indians, natives of the United states, by returning that they shall be civilized, but it was afterward rejected on the ground that it was of no practical value. It was also moved to require that it should apply only to Indians who have dissolved their tribal relations. It was argued that this would cut off every Indian vote, and this was defeated. All Indians are therefore now voters, under the clause.

—The Mayor of Utica has prohibited the spitting of tobacco juice on the sidewalks. If that Mayor can put a stop to his indecency, we would wish that our enterprising Mayor could confine his powers.

FIRST EDITION.

MIDNIGHT.

FROM WASHINGTON.

(By Telegraph to the Pittsburgh Gazette.)

WASHINGTON, July 27, 1868.

FRACTIONAL CURRENCY.

A quarter of a million of fractional currency was sent to the United States depository, at Chicago, during the week.

INTERNAL REVENUE.

Internal Revenue receipts for the week were $1,073,563.

NATIONAL BANK LOSSES.

The Pequonnock National Bank, of Bridgeport, Connecticut, has lost by its teller, about fifty thousand dollars, as far as ascertained. Government examiners are investigating its condition.

SARTORI CONVICT AGAIN.

The Court having overruled the motion for a stay of execution of the sentence of Sanford Conover, the warden is preparing to take him to Albany.

CREW FOR THE SPONSWALL.

The entire crew for the Sponswall, for Japan, has been shipped, and it is likely she will leave about Thursday or Friday, stopping at Norfolk, where she will go on the dry dock for an examination of her hull.

LAND OFFICE PATENTS.

The Commissioner General of the Land Office, within the last ten days, transmitted seven hundred and seventy-six patents to individuals for lands in the following Districts, viz: Huntsville, Mo.; St. Cloud, Minn.; Traverse City, Mich; Springfield, Ill.; Carson City, Nevada.

CADETS APPOINTED.

The War Department has issued an order appointing the Cadets recently graduated at West Point to Second Lieutenants, and specifying the regiments to which they are gazetted.

POLITICAL COALITION WITH SLAVES.

Several South Carolinians, opposed to Republicans, who have recently been in Washington, say the leading conservatives have proposed terms of political bargains to some leading colored citizens, to the effect that the conservatives will help the blacks to elect the latter's candidates to Congress without regard to color, provided the blacks will give the whites control of the State government.

THE MEXICAN MINISTER.

Senor Romero intends soon to return temporarily to Mexico, having received leave of absence from his post after eight years of absence from his country, and intermittent attention to the duties and responsibilities which devolved upon him as the representative of the Mexican republic in this country.

LIST OF PATENTS.

The following are the designations of regiments of Cadets of the Military Academy, just appointed Second Lieutenants of the Corps of Engineers, Cadets: Earnest H. Rudder, John S. Mallory, Clinton B. Sears, Thos. Tarrie, J. E. Griffith, Wm. E. Merriam, Lewis S. Morris, Edward Hagner, F. A. Mahan, C. F. Powell, F. A. Dinsmore. Ordnance Department cadets: John A. Tyler, John Dunsmore, Peter C. Hains. Cavalry cadet, Henry A. Hoff. Third Cavalry: Jacob Ellis, Seventh Cavalry: Jacob Almy; Seventh Cavalry: John M. Johnson, Edward Moale. Fourth Cavalry: E. R. Byrd; First Artillery: William P. Hunt, Jr., John M. Wright, Chas. Bridget, Thos. A. Harbor, Alvin Capron, Edw. Harrison, Lewis Ker Throop, Jas. Allen; Second Artillery: E. R. Rogers, Thos. L. Thoumburg, F. T. C. Hammond, James Rankin, D. Schenck, Edward Gilmore, Jas. Wagner, M. Crawford, J. A. Campbell, J. H. Gifford. Infantry: Thos. Wright, C. S. Hemstead, H. P. Gagood, Sandwick, Pratt, Henry Jones, Jr., Charles C. Rogers, Chas. Edward Davis, C. C. Walcs, Fourth Infantry: Jas. Mills, Chas. Chase, H. Redhart, Samuel R. Jones, Charston G. H. Garretson, Walter Howe, Horatio W. Jones, C. Gerrish, Fifth Infantry: Jas. Gilsey; Charles Shaler, Jr., Lalat Lyons, Jas. Gaston, Lewis Merrill, Jas. Lee, Trent Lee, Stanislaus Roman, William J. Roe, Jr., Wm. E. Lockwood, Sixth Infantry: Jas. Pentecoh Infantry: Wm. J. Sartle.

FROM NEW YORK.

(By Telegraph to the Pittsburgh Gazette.)

NEW YORK, July 27, 1867.

SHIP ARRIVAL.

The steamer Columbia, from Glasgow, arrived to-day.

EPISCOPAL COUNCIL.

Bishop Melfvaine, of Ohio, sailed per City of Antwerp, to-day to attend the Council of Grand Council of the Episcopal Church in September.

CITY MORTALITY.

The deaths in this city of New York for the week were six hundred and seventy-eight, an increase of ninety-seven over last week. The mortality is chiefly among children.

ALLEGED FORGER ARRESTED.

George Williams, George M. Wilkes and Benjamin S. Ostrander were arrested, charged to be concerned in a large number of forgeries within several months, including that of a check for $17,000 on a Boston bank, purporting to be signed by the Board of Education.

RAILROAD DISAGREEMENTS.

The *Express* says that at the meeting of the representatives of the Trunk lines, held on Friday afternoon, there was some disagreement, and Erie withdrew from the compact, and will now act independently. The latter road, it is said, will have difficulty in some time ago, the only parties to the compact remaining are New York Central and Pennsylvania Central, and it is therefore considered virtually at an end.

AN ACCIDENT SUPPOSED.

George W. Chandler, *alias* Garrison, an actor of some repute, has been arrested for alleged desertion. He pleads an Indiana divorce in the bar.

CHOLERA IN QUEENS COUNTY.

A fatal case of cholera occurred in the township of Newton, Queens county, and it is reported that several other persons were attacked in the same house. The premises have been disinfected.

THE SURRATT TRIAL.

Evidence Closed—District Attorney Carrington begins the Argument.

(By Telegraph to the Pittsburg Gazette.)

WASHINGTON, July 27, 1867.

The case being considered closed, so far as the evidence is concerned, Judge Fisher ruled on certain points of items of evidence. He struck out the evidence about Jacob Thompson, also the evidence relative to telegraphic communication between Montreal and Richmond, and the Montreal letter. He admitted the evidence relative to the attack upon the Vice President and Secretary Seward, and that as to the shooting of Union prisoners escaping from rebel prisons.

The defense noted an exception to the admission of the evidence.

After some debate as to the course of procedure in the argument, Judge Fisher ordered the counsel to proceed.

District Attorney Carrington commenced the balance of the day for the prosecution in a speech of one hour, and will take up all of Monday on questions of fact.

Counsel for defense will follow.

Mr. Pierrepont will close the argument, which is expected to last all of next week.

FROM NEW ORLEANS.

Levee Commissioners, Appointed by General Sheridan, ordered to Commence Operations—Government of Texas.

(By Telegraph to the Pittsburgh Gazette.)

NEW ORLEANS, July 27.—An order was issued from headquarters to-day, renewing the functions of the Board of Levee Commissioners, appointed by General Sheridan, and ordering them to commence operations immediately.

A dispatch says General Sheridan will probably appoint Judge Pendell Governor of Texas, in place of Throckmorton.

FROM BOSTON.

Attempt to Rob—Public Library Not to be Opened on Sunday.

(By Telegraph to the Pittsburgh Gazette.)

BOSTON, July 27.—An attempt was made to rob Charles W. Andrews, at his lodging room, on Union street, last night, of $14,000 in greenbacks. Andrews was struck with a liver or the head, but seized his assailant and with the help of an officer arrested him. His name is Robert Dunlap. He was held for trial.

The Committee on City Council reported against the opening of the Public Library on Sundays.

FROM CANADA.

Arrival of British Troops—Mine Explosion—Trinity Rock Blown Away.

(By Telegraph to the Pittsburgh Gazette.)

QUEBEC, July 27.—The troop ship Lemnar, with the 78th regiment, arrived to-day.

A mine near Fort Point Levi exploded, killing a man named Francoeis and seriously wounding three others.

NIAGARA, July 26.—The remaining portion of Table Rock was blown away from the main rock this afternoon by a blast of two hundred pounds of powder.

FROM RICHMOND.

Re-Assembling of Boards of Registration—The Filling of Official Vacancies.

(By Telegraph to the Pittsburgh Gazette.)

RICHMOND, VA., July 27.—Gen. Schofield will, on Monday, issue an order arranging the details for the re-assembling of Boards of Registration. Vacancies are to be filled by Assistant Commanders. In the filling of judicial offices which may become vacant in the state, nominations will be sent to the Governor. For all other vacancies nominations will be sent direct to headquarters.

Driving Park Opened—Ten Mile Trot.

(By Telegraph to the Pittsburgh Gazette.)

NEW YORK, July 27.—The Schenectady driving park was formally opened for races today. The attachments, Judge for five hundred dollars, between Nellie Gayton and Carrie Sharp, this evening, was won by Nellie Gray. Time, 33:2.

Base Ball in Chicago.

(By Telegraph to the Pittsburgh Gazette.)

CHICAGO, July 27.—The base ball match to-day, between the Nationals of Washington and Excelsiors of Chicago, the former won. The score stood forty-three to four. The Excelsiors were whitewashed six times.

SECOND EDITION.

FOUR O'CLOCK, A. M.

FROM EUROPE.

(By Telegraph to the Pittsburgh Gazette.)

ENGLAND.

SUSPECTED FENIANS—CONVICTION OF HIGH TREASON.

LONDON, June 27.—The names of the persons recently arrested at Cork on suspicion of being Fenians, are Callaghan, Griffin and Gould. Reilly, who has been on trial for some time, charged with complicity in the recent outbreak in Kerry, was found guilty of high treason.

JAPAN.

AMERICAN SHIP LIBELLED.

LONDON, July 27.—*Evening*—Late Japanese advices receives via Hong Kong, report that the American ship Anna Kimball, Capt. Williams, had arrived at Noyasok, Japan, with a cargo of rice, which it was alleged she had taken from a port of China which had not been opened to foreign trade by any treaty stipulations. The facts having been reported to the commander of the United States squadron, she was by his orders seized and heavily libeled for an infraction of the treaty made between the Chinese Government and the United States.

AUSTRIA.

ARRIVAL OF THE SULTAN.

VIENNA, July 27.—The Sultan arrived here from England, and is the guest of the Emperor, Francis Joseph.

FRANCE AND THE TREATY OF PRAGUE.

The official journal says it is right and to the interest of the Emperor Napoleon to enforce the treaty of Prague.

The same paper says that the Czar has sent a note to King William of Prussia to the foregoing effect.

GREECE.

FEVER HAS GONE DEAD.

LONDON, July 27.—A dispatch from Munich announces the death of ex-King Otho, of Greece, of measles.

FRANCE.

EMPRESS EUGENIE ON AMERICAN WAR VESSEL.

CHERBOURG, July 28—The Empress Eugenie yesterday visited the United states steamer Colorado, now lying in this harbor, and was received with all the honors built, long her exalted rank. At her approach salutes were fired, the yards manned and the vessel was gaily decked with colors. Officers of the American squadron, all the French Men-of-War, and all the shipping in port, were profusely decorated with bunting. The Empress was received by the Captain of the Colorado and his officers and conducted through the apartments of the ship. At the conclusion of the inspection her Imperial Majesty expressed herself highly pleased with the appearance of the ship, and gratified with the warm of her reception. She departed amidst the enthusiastic cheers of the sailors, who manned the yards and a royal salute from the great guns of the Colorado.

ROYAL DINNER TO ADMIRAL FARRAGUT.

PARIS, July 28—On Saturday evening Admiral Farragut was entertained at a dinner by the Emperor Napoleon. The dinner was especially given by the Emperor in honor of the American Admiral. The French Minister of Marine and other members of the Imperial Cabinet, and the ambassador of the United States, General Dix, were among the invited guests.

A STATEMENT OFFICIALLY DENIED.

The *Moniteur* positively denies the truth of the statement that the Emperor Napoleon has taken any steps to induce Denmark to agree to surrender the Danish Dominions of northern Schleswig to Denmark.

RUSSIA.

AFRICAN POSSESSIONS.

ST. PETERSBURGH, July 28.—The Emperor has returned a decree to the effect that the territory lately conquered by the Russian forces in Central Africa, is constituted one government, under command of General Chernaieff.

FRANKFORT, July 28.—*Evening*—United States bonds are stronger to-day and quoted at 72½ for new.

LIVERPOOL, July 27.—*Evening*—There has been but little rain in England within the last week. Weather dry.

PRUSSIA.

NORTH SCHLESWIG—FEELING AGAINST NAPOLEON.

BERLIN, July 28—*Evening*—Notwithstanding the official denial of the *Moniteur* of the Napoleon note to the King of Prussia in reference to schleswig, the annexation party continue to urge King William to repel the intrusion of the French Emperor in the political affairs of Germany.

FINANCIAL AND COMMERCIAL.

LONDON, July 27.—*Evening*—Consols 93¼ to 93½; Bills, 4s; Illinois Central, 79¼ A 4 ½ 22.

FRANKFORT, July 27.—3 20¼ 16½.

LIVERPOOL, July 27.—*Evening*—Cotton closed firmer and with free active feeling; sales of 10,000 bales American at 12 for middling; receipts 10¾. Breadstuff—Corn 35s 9d. New Wheat, 10s 6d for white California; Oats 1s Barley 5s. Provisions—and mixed 62s 9d. Cheese 56s. Pork 72s. Beef 1ds. Bacon advanced 6s. Lard, eight feet. Flute Harmonic, eight feet. Fifth—Principal, four feet. Sixth—Principal, two feet.

SWELL ORGAN—First—Bourdon, sixteen feet. Second—Open Diapason; eight feet. Third—Dulciana; eight feet. Fourth—Voix Celeste; eight feet. Fifth—Open diapason, four feet. Sixth—Stop Diapason treble; eight feet. Seventh—Principal, four feet. Eighth—Hautboy; eight feet.

Pedal Stops—In addition to the stops named above, the organ has a double open diapason, a vox tremulant, complete, pedal and great pedal, well and great swell stops, with bellows alarm.

The Salicional, a new stop, attached to this instrument, has been in use but a short time, having been taken from an organ of German manufacture, was introduced in this country by Mr. U. Stewart, of New York city, and is not to be found in any other instrument in the city. It is a great improvement on account of its soft and reedy tone, and is held in high esteem wherever it has been used. The Harmonic Flute, which always excels in Mr. Stewart's instruments, is the most perfect of its kind instanced, and its effect is a most cheering one. It produces a tone as soft and sweet as a German flute, while it is far more full and brilliant. The Hautboy, in the swell organ, is one of the finest and most perfect stops we have ever heard in a reed instrument, for cleanness and evenness of tone. The Tremolo stop is also a very fine one, excelling in sweetness and purity of tone, and producing an effect on the ear of a lover of music, which is entirely beyond description. The Diapasons are very full and combine a fullness and mellowness of tone in this instrument seldom, if ever, found in any other. These are all full stops running through the entire key board, while in most instruments they are but half stops. The instrument was manufactured by L. U. Stuart, 121 West 24th street, New York city, a man of thirty years' experience in the business, and evidently a master of the manufacturer of church and parlor organs is fully attested throughout the country, his instruments being now generally used than those of any other firm in the United States. We congratulate the congregation of the First Methodist Church in getting so fine an instrument, and would recommend any of our congregations intending to purchase a first class instrument, to visit the Fifth street Church and hear this excellent instrument before making their purchases. The entire cost of the instrument as it stands in the Church will not exceed three thousand dollars.

Larceny by Bailee.

George Green made information before Alderman Strain against Peter Bell, charging him with larceny by bailee. He alleges that he and another man made a bet on a boat race which took place in England on the 24 of June, and the stakes, amounting to twenty dollars, were put in the hands of Bell, who was to pay them over to the winning party, which was to be decided by *Bell's Life*, a sporting paper. It appears, however, that before the arrival of the paper by which the bet was to be decided, the stakeholder squandered the "stamps," and when the winner called upon him "refused to stand." It was a little shabby in Peter to squander the money of his friends in that manner. As the laws of Pennsylvania make betting a criminal offence, we doubt the propriety of a prosecution on the part of one of the principals, as he must convict himself of an offense against the laws before he can make out a case against the other. "All's well that ends well."

King of the Castle.

On Saturday afternoon the hearing in the case of Thomas Lowe vs. William Welshpan, charge, assault and battery, was had before Justice Barker, of South Pittsburgh. Both defendant and prosecutor are employed in the same coal mine above South Pittsburgh. Welshpan was working in his "room" one day last week, but through some mistake the proprietors of the mines had assigned the same apartment to Lowe and he failed to give the former due notice. Now, a "room" is a coal pit is regarded by all miners as the digger's "castle" and he must defend it against all intruders. Lowe innocently endeavored to take possession but was resented upon by Welshpan and sagerly punished, and hence the suit. J. K. Rutherfield and A. H. Brown, Esqs., appeared for the defendant, protesting in the strictest on the ground that a man has a right to be "king of his castle," and Welshpan only used such force as seemed necessary to maintain his inalienable rights as a digger. The prosecutor paid the costs.

CITY AND SUBURBAN.

FOURTH PAGE.—*The latest and most reliable Money, Oil and Produce Market Reports given by any paper in the city, will be found on our Fourth Page.*

LIBEL CASE.

Schoyer vs. Kennedy—Motion for New Trial Overruled.

On Saturday, Judge Stowe delivered the opinion of the Court of Quarter Sessions on the motion for a new trial in the case of John B. Kennedy, convicted at last March term of publishing a libel upon S. Schoyer, Jr., Esq., in the *Republic* newspaper. Mr. S. P. Sawyer, proprietor of the *Republic*, was first indicted, and upon being arraigned pleaded *nolle contendere*. Mr. Kennedy, who was in the employ of Mr. Sawyer, as editor of the paper, stated to the Court, with a view of mitigating the sentence of his employer, that he had written the libel, without the knowledge or consent of Mr. Sawyer, and regretted that he (Kennedy) was not in a position to substantiate the allegations in the libellous article, avowing his ability so to do. The libel consisted in insinuations of fraud during Mr. Schoyer's connection with the "Pittsburgh GAZETTE Association," and the "squib" was ostensibly an attack upon Capt. Samuel Biddle, removed from the Allegheny Postmastership through the influence of the Duquesne people, in whose interest the *Republic* was then and is now labouring. Mr. Sawyer was sentenced to pay a fine and costs, and Mr. Kennedy having (quite unnecessarily) "put his foot in it" on his statements, was prosecuted, indicted and convicted of libel at the March term. His counsel, Messrs. Shannon and Swartzwelder, moved an arrest of judgment and for a new trial, for the following reasons:

1. That the indictment was fatally defective in this, that there was no averment in the introductory part thereof, averring that said Schoyer was engaged in the management and conduct of the GAZETTE newspaper, to which the libelous insinuation could refer and explain.

2. That this was not a formal defect, amendable under the Code, and the Court erred in allowing such amendment.

3. That the Court erred in excluding from the jury evidence offered tending to rebut malice.

4. That the Court erred in refusing to permit the jury to find a verdict for defendant, though he counsel for the Commonwealth assented to a finding of guilty.

Judge Stowe said: "The first and second reasons assigned for a new trial will be considered together.

"The *first* is that there being no averment in the *introductory* part of the indictment, that the plaintiff was engaged in the management and conduct of the GAZETTE, to which the libelous matter could refer and explain, the indictment was defective in substance, and this was not in the power of the Court to allow the amendment.

"We think that the *second* point would be well taken if the *first* was valid. The power of the Court to allow amendments upon motion to quash only applies to matters of form, and not of substance, and therefore if the defect urged at the trial and before rendering a verdict or motion to arrest the judgment, the amendment, also, would be proper, but it is not, if the defect is, in fact, an omission in the power of the Court to allow amendment in such cases does not appear from the record, which would lead to arrest of judgment.

"The question then arises, is the indictment sufficient to sustain a verdict without amendment. We think it is, in that it is strictly termed the introductory part of the bill, and the averment of the publication was charged in the measurement of the *Gazette*, still it is charged in that part immediately preceding the statement of the libelous matter that the charge was made against one who was engaged in the management of the GAZETTE and consequently, referring to the business transacted in the *Gazette* office, and the management of the business of the GAZETTE, the reader of the paper called into *Pittsburgh Gazette*, will take, and will understand the charge to be against the publisher of the newspaper, &c. This allegation precludes the necessity of averment, and the introductory part would clearly be sufficient. But as the rule is that everything intended to be proved must be alleged, and that the inuendo which is to apply it to the matter of the libel, and which is part of the inst be stated in the introductory part, this indictment is defective in the manner suggested in the *first* reason assigned in arrest of judgment. The second reason also applies to the *second* point. As I think that the indictment is defective, the verdict was sufficient after verdict to sustain a judgment, and the second assignments of reasons are overruled.

"The *second* and *third* reasons assigned for a new trial are more serious. If we have erred in not letting evidence go to the jury in the case, we must grant a new trial, for, if that be at least legal reason to believe it may be true, the prosecution assenting to such an arrangement.

"Of course, the jury will seriously contend that the truth of a libel is evidence in mitigation of the offence. We think it, and it is clear that every principle of law will prevent the private parties to a criminal prosecution from making a valid agreement for the firmly fixed rules of evidence.

"The motion in arrest of judgment and for a new trial is overruled."

The defendant was not present to receive sentence.

The Organ at the First Methodist Church.

The organ at the First Methodist Church, Fifth street, Rev. Alexander Clark, pastor, heretofore alluded to, has been completed, and was used for the first time in the morning service yesterday, by the regular organist, Mr. Lee W. Lyon. The instrument, although of medium size, is one of great volume, sufficient to fill a house of four times the dimensions of the one in which it is located; it is a most perfect construction, it can be so nicely modulated as to make it perfectly adaptable to any sized room. It is of the Hyanstum style of architecture, is about twenty feet of frontage, with a depth of eight feet, and enclosed in a beautiful case, which will be stained in imitation of black walnut. It has two banks of keys, twenty stops, two octaves of pedals with a compass on the manuals from C to C, embracing the five Great and Swell Organs. The following are the names of the stops: Great Organ, eight feet. Flute Harmonic, eight feet. Fifth—Principal, four feet. Sixth—Fifteenth, two feet.

SWELL ORGAN—First—Bourdon, sixteen feet. Second—Open Diapason; eight feet. Third—Dulciana; eight feet. Fourth—Voix Celeste; eight feet. Fifth—Open diapason, four feet. Sixth—Stop Diapason treble; eight feet. Seventh—Principal, four feet. Eighth—Hautboy; eight feet.

Pedal Stops—In addition to the stops named above, the organ has a double open diapason, a vox tremulant, complete, pedal and great pedal, well and great swell stops, with bellows alarm.

The Salicional, a new stop, attached to this instrument, has been in use but a short time, having been taken from an organ of German manufacture, was introduced in this country by Mr. U. Stewart, of New York city, and is not to be found in any other instrument in the city. It is a great improvement on account of its soft and reedy tone, and is held in high esteem wherever it has been used. The Harmonic Flute, which always excels in Mr. Stewart's instruments, is the most perfect of its kind instanced, and its effect is a most cheering one. It produces a tone as soft and sweet as a German flute, while it is far more full and brilliant. The Hautboy, in the swell organ, is one of the finest and most perfect stops we have ever heard in a reed instrument, for cleanness and evenness of tone. The Tremolo stop is also a very fine one, excelling in sweetness and purity of tone, and producing an effect on the ear of a lover of music, which is entirely beyond description. The Diapasons are very full and combine a fullness and mellowness of tone in this instrument seldom, if ever, found in any other. These are all full stops running through the entire key board, while in most instruments they are but half stops. The instrument was manufactured by L. U. Stuart, 121 West 24th street, New York city, a man of thirty years' experience in the business, and evidently a master of the manufacturer of church and parlor organs is fully attested throughout the country, his instruments being now generally used than those of any other firm in the United States. We congratulate the congregation of the First Methodist Church in getting so fine an instrument, and would recommend any of our congregations intending to purchase a first class instrument, to visit the Fifth street Church and hear this excellent instrument before making their purchases. The entire cost of the instrument as it stands in the Church will not exceed three thousand dollars.

Railroad Injunctions Dissolved.

DUQUESNE BRIDGE CASE.

We referred in last Monday's GAZETTE to the matter at issue between the West Pennsylvania Railroad Company and Duquesne Bridge, concerning the construction of a street across the railroad track. The matter came up again on Saturday, the object being to secure an injunction against the bridge, which was placed in the light of trespassing on the property of the railroad company, by an embankment on one side of the track and an excavation on the other, the company claiming that under the general railroad law they are entitled to over one hundred feet of ground, in width, upon which the borough authorities, it is alleged, have encroached. W. C. Moreland, Esq., for the railroad company, asked for a continuance of the case, desiring time to establish title to the ground claimed, the borough claiming to occupy more ground right of the company to occupy, under a charter granted by the State for the canal being questioned. Thos. Ewing, Esq., on behalf of the borough, resisted the continuance, for the reason that the railroad company held possession through a transfer of the franchises of the Pennsylvania Canal, and that said canal never had possession of the property in dispute, evidence of which, in the shape of affidavits, was presented. The borough, therefore, asked that the injunction be dissolved. The Court so ordered, it being understood, however, that the borough authorities were restrained from interfering with the property formerly occupied as the canal, some fifty or sixty feet in width.

ANOTHER CASE.

On Saturday week, at the instance of John S. Large, Esq., a preliminary injunction was granted against the Pittsburgh, Columbus and Cincinnati Railroad Company, (Pan Handle) on the petition of Edward McIntirney, who prayed that the Company should be restrained from filling on a culvert on his premises at or near Cox's Run, used by him in driving cattle, &c., from contiguous portions of his farm. The matter came up again on Saturday, in the shape of a motion by W. C. Moreland, Esq., Solicitor for the Railroad Company, for the dissolving of the preliminary injunction. The motion was stringently resisted by Mr. Large, unless adequate security were given for any damage likely to accrue to Mr. McIntirney. Mr. Moreland maintained that Mr. McGinnis continued to have control of the culvert, but for the safety of the way of the Company it was rendered necessary that the culvert should be raised, or filled up several feet, the pressure of the embankments having caused the sides to give way and the track to sink twenty-four inches, thus rendering it unsafe for the passage of trains. It was not the design to fill up the culvert so as to prevent the use of the premises. Mr. Large argued that the original release for right of way given the Company did not justify them interfering with the culvert now, the taking of ground not necessary for their roadway, or removing and suffering may now exclaim, "Blessed be the man who invented PLANTATION BITTERS!" this Delicious Cordial and fine Tonic is now unlied by mills as a stimulant to the weak, nervous, and those subject to buy a bottle, and don't "sleep on it." We mean what we say. 3:29 d3t.

MARSHAL'S SALE.

By virtue of a writ of *venditioni exponas*, issued out of the Circuit Court of the United States for the Western District of Pennsylvania, to me directed, I will expose to public sale, at the COURT HOUSE, in the CITY OF PITTSBURGH, on THE 7TH DAY OF AUGUST, A.D. 1867, at 10 o'clock A. M., the following described property, viz.: One Copper Still, Worms and Tubs; one Heating Still; one 40 Beer Tub; one Hand Machine; one Tub of Charged Beer; one Keg Whisky; five empty Kegs; 11 the Fix ings for a Saloon; Bowling Saloon; the Lot of ground on which the said Saloon is located, and all the right, title