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The Pittsburgh Gazette

Judge Sharswood on Legal Tenders.—Extract from His Opinion in the Case of Horie vs. Trutt:

"On the whole, then, I am of the opinion that the provision of the act of Congress of February 26th, 1862, declaring the notes issued in pursuance of that act to be lawful money, *and a legal tender*, is UNCONSTITUTIONAL.

"This renders it necessary that I should consider the other question which has been made, as to the effect of the special agreement to pay in lawful silver money of the United States. I am in favor of entering judgment for the plaintiff, but as a majority of the court are of a different opinion, judgment for the defendant."—*Copied from the Philadelphia Age of February, 1864*, where the opinion is published in full.

It may also be found in the *Legal Intelligencer* of March 18, 1864, page 82.

In the same copy of the *Age* is a carefully prepared eulogy of the Judge and his opinion, in which is the following:

"Judge Sharswood reasons upon and decides the case as if he were some lofty spirit sitting far above and out of the contentions and strifes of the world."

Will not the holders of greenbacks and Government bonds consider the Judge as quite too elevated and ethereal for such earthly honors as a seat on the Supreme Bench?

THE health of Cincinnati is remarkably good. During the present month there has not been reported a single case of cholera, while the number of deaths from the 1st inst. has only been 98, against 614 for the corresponding period of last year. In closing his report the Health Officer says:

"In order that the present state of health may be continued, I would again urge the necessity of the most scrupulous cleanliness of the person and dwellings; and I also, prudence, temperance, and regularity in diet, and in the mode of living. Sleeping-rooms and dwellings should be freely ventilated, both night and day.

"In reference to the use of vegetables and fruits, the only suggestion that I would make is this: See that they are *sound, fully ripe*, and that they are *fresh*. Vegetables, when fully matured, properly cooked, and moderately eaten as a part of each regular meal, are conducive to health; while, on the other hand, unripe or stale fruits and vegetables may not produce Asiatic cholera, but they are very likely to cause diarrhœa, cholera morbus, dysentery and other diseases."

SOME foreigners have a higher idea of a Republican form of government than many of our own citizens. Frank Hanzoo, Commissioner General to the Paris Exposition from Switzerland, refused peremptorily to receive the decoration of the Legion of Honor from the hands of the French Emperor, on the ground that his country was republican, and all such decorations as the Cross of the Legion of Honor belonged exclusively to monarchies and empires, and he felt compelled to officially decline, in the name of the Swiss exhibitors, his Majesty's kind offer.

THE Chicago *Tribune* notes as an innovation to the church architecture of the country, the introduction of statues on the outside of the building, as adopted by a Catholic Church of that city. We are not prepared to allow Chicago the honor it claims of being the first to introduce the European feature, as St. Paul's Cathedral this city, some ten years ago, was ornamented in this manner by statues of Sts. Peter, and Paul and our Saviour, all of which yet remain in their places, and are not the least noticeable attractions of the imposing edifice.

ON Wednesday the telegraph announced the death of the venerable Judge James Armstrong, of Williamsport, Pa. He ever held a high place in the front rank of the legal profession in that part of Pennsylvania, and so attentive was he to business that he missed not a single term of court in Lycoming county during the last forty years. He occupied a seat on the Supreme bench for some time with much credit and distinction. The deceased was a full member of the Presbyterian Church.

ALY. BURNETT, the humorist, declined being a candidate for Treasurer of Hamilton county, Ohio, because he could not play against a *lone hand*, his opponent Capt. Sebastian, a soldier, having but one arm! All he has shown good example to politicians elsewhere who generally manage to only know their own cards.

A PROJECT to supplant negro labor has been set afoot in Tennessee. An agent has been dispatched to Europe to induce immigration to that State, by an association composed of citizens who are desirous of revenging themselves on the blacks who voted the Radical ticket at the recent election.

GEN. GEORGE B. MCCLELLAN, whose political defeat seemed to welch heavy upon him, inasmuch as he quit the country immediately after the election, for foreign climes, where he has since remained, is now at Geneva, Switzerland, living a quiet life. He will return to America at an early day.

GEN. GRANT, it is stated, accepted Mr. Stanton's office *ad interim* as a military order from the President which could not be disobeyed. He fully sympathizes with Stanton, and although occupying the appointment a place in the Cabinet, cannot be said to be an endorser of the President's policy.

THE importance of attaching revenue stamps to documents requiring them was made apparent to a dealer in real estate in Chicago, a few days since. He was fined $1500 by the Government officials for neglecting to attach the necessary stamps to leases and deeds.

THE NOBY of Postmaster Gilmore, of Chicago, was not recovered, nor was his death positively known, before many aspirants to fill his position were pulling the political wires. Verily Chicago is a fast place.

IT is a significant fact that since the late triumph of the Republican party in Tennessee, the bonds of that State have advanced five per cent. in the New York money market.

LORD JOHN WENTWORTH, of Chicago, was thrown from his buggy on Saturday last, and received serious injury, breaking his right leg.

HON. G. W. SCHOPERLD, of Pennsylvania, is about to stump Ohio during the present political canvass.

CHICAGO has just supplied a New York paper with a full dress of new type.

The Indianapolis *Herald* says: There is a man residing in Noblesville, named Moreau, who is 91 years old. He is one of the oldest, if not the oldest, members of the Masonic fraternity, having joined that organization in 1800. He was one of the assistants of Robert Fulton in building his first steamboat, and was on board of her during her first or trial trip. The old man is never so happy as when, with chalk or pencil, he is laying off diagrams, and explaining the machinery and vessel he helped to construct on that occasion. The scenes and incidents of three score and ten years ago, particularly of the war of 1812, are as fresh in his mind as though they had happened only yesterday, while the occurrences of last week are dim, if not entirely forgotten.

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FIRST EDITION.
MIDNIGHT.

FROM WASHINGTON.

Judge Fisher and Counsellor Bradley—Mr. Bradley Held for Trial for Issuing a Challenge—Indian Commission—Empress Eugenie and the American Fleet.

[By Telegraph to the Pittsburgh Gazette.]

WASHINGTON, August 15, 1867.

COUNSELLOR BRADLEY ARRESTED.

Yesterday, Major Richards, Superintendent of the Metropolitan Police, made an affidavit that Jos. H. Bradley had challenged Judge Fisher, in violation of the anti-dueling law, passed by Congress February 20th, 1859. Mr. Bradley consequently was arrested to-day, brought before Justice Walker, and gave bail in $2,000 to appear at the next term of the Criminal Court for trial.

EMPRESS EUGENIE AND THE AMERICAN NAVY.

A letter from Admiral Farragut to the Secretary of the Navy gives an account of the visit of Eugenie to the Franklin. Having received an invitation to dine with Napoleon on the same day, Admiral Farragut was not aboard, but all honors were paid by the Franklin and the rest of the squadron. The ships were dressed in colors, the yards manned, the crews cheered, and national salutes were fired. Captain Pennock and Leroy, by invitation, subsequently dined with the Empress on the Royal Yacht. All the ships sailed with the French vessels in a grand illumination. The Canandaigua and Frolic would accompany the Franklin to Cronstadt. The Ticonderoga was in dock and would follow in a few days.

THE STOLEN BONDS.

The Treasury Department will soon issue a notice that the Secretary will remove the caveat or protest against the payment of interest on the North Carolina and Tennessee State bonds, abstracted about eight years ago from the Interior Department, with the Missouri State bonds, paid in trust for certain Indian tribes, on the holders of said bonds producing proper proofs, under oath, that they obtained them *bona fide* from responsible parties.

The amount of Missouri bonds was $700,000, of North Carolina $357,000, and Tennessee $140,000.

INDIAN AFFAIRS.

The Indian Superintendent of Arizona reports, under date of July 8th, no change in the relations of the peaceful Indians who are waiting the fall of the Colorado river freshet, which is unusually protracted, to plant on their reservations. The Hilatopa, residing two hundred miles north of Sanpete, are in full military force with our citizens and peaceful bands. The troops sent against the Navajoes have returned without bringing them to a fight.

WAR DEPARTMENT ORDERS.

Brevet Brigadier General Pelouze, for several years past on duty in the War Department, will assume own regiment, ordered to duty on the Plains. Brevet Brigadier General Horace Porter, on the staff of General Grant, will be detailed in the War Department in place of General Pelouze.

NOT INTENDED AS A CHALLENGE.

Mr. Bradley, when arrested to-day, said his note to Judge Fisher was not intended as a challenge, but to lead to an amicable settlement. The Judge under which the court was made prescribes imprisonment in the Penitentiary for sending or accepting a challenge.

INDIAN PEACE COMMISSION.

The Indian Bureau today has received a telegram from Atchison, announcing that the peace commission is now on the way to the upper Missouri. All were in good health.

LAND OFFICE.

The Commissioner General of the Land Office has information of the sale of 31,793 acres of Public Land during July, at Nebraska City, Greenleaf, Minnesota, and Dakota City, Nebraska.

HOSPITALITY TENDERED.

The Pacific Mail Company have tendered the temporary use of their steamer to San Francisco to the Russian Commissioner for the transfer of the Russian territory.

SANTA ANNA AT VERA CRUZ.

Our Consul at Vera Cruz writes to Secretary Seward, under date of August 1st, that Santa Anna and Colonels Vidal and Rivas have been brought into the city and ordered in close confinement in separate rooms.

PENSION SURGEONS.

The Commissioner of Pensions has appointed as examining surgeons Drs. S. F. Brothers and Washington Ford, both of Brooklyn, at Glenwood, and the latter at Davenport, Iowa.

JUDGE HOLT RETURNED.

Judge Advocate General Holt returned to the city this morning from a trip North.

SEALED PROPOSALS TO BE ISSUED.

The Commissioner of Patents will issue on Tuesday next two hundred and twenty-six new patents.

FUNDS IN THE TREASURY.

The amount of coin in the Treasury today was $68,777,000; coin certificates $30,105,000; currency, $67,351,000.

RAILROAD BONDS.

The Treasury to-day issued $384,000 bonds to the Union Pacific road.

FROM NEW YORK.

[By Telegraph to the Pittsburgh Gazette.]

NEW YORK, August 15, 1867.

TURKISH AMBASSADOR.

The Turkish Ambassador arrived on the Perriere.

MARYSON'S BIRTH-DAY ANNIVERSARY.

The French frigate Themis celebrated the birth-day of Napoleon I. by salutes at sunrise, noon and sunset. The Empress has never returned the noon salute.

ROGER A. PRYOR AND SANFORD CONOVER.

In the Supreme Court to-day Roger A. Pryor made a deposition in which he gave knowledge of complicity in matters contained in the affidavit published in the Times of this morning relating to the Conover conspiracy. Ben Wood, of the Evening News, denounces the statement so far as he is concerned as perjury, and says he will take immediate steps to cause the arrest of the signers and prosecute them for perjury.

The publications in the *Times* consist of a series of documents, going to show the complicity of Ben Wood, A. J. Fancher, Wm. Radford, W. E. Niblack, C. A. Eldridge and others with Conover in an effort to induce the latter to obtain a pardon from the President. Also letters from Fancher and James E. Matterson, detailing an interview with Edgar L. Pettibone, Dick Taylor, Ben Wood and Conover, relative to manufacturing evidence against Judge Holt. Other letters from John Martin and Francis M'Fall also testify to similar interviews. The plan appears to have been to secure the release of Jeff. Davis on bail or parole, and the affidavits are certified to before a Notary Public in New York city, under dates of March 6th and May 9th.

ANNUAL TEMPERANCE COMMUNICATION.

The Supreme Council of the Templars of Honor and Temperance, now in session here, have decided to hold their next annual communication in Philadelphia in August, 1868.

MISSIONARIES FOR ARABIA.

Seventeen missionaries for Arabia and Turkey sail in the steamer Denmark on the 24th instant. One of them will establish a Tract Society at Beyrout, and another has raised $50,000 in this country for the establishment of a Bible house at Constantinople.

TELEGRAPHER DEAD.

Wm. B. Knapp, well known in the telegraphic fraternity as a telegraph, died at Micanopy, Florida, where he had settled, on the 10th inst.

FROM MEXICO.

Santa Anna to be Tried—Marquez Taken Prisoner—Prince Salm Salm Condemned to Imprisonment—Juarez Receives His Credentials as Minister—Congress to be Convened.

[By Telegraph to the Pittsburgh Gazette.]

NEW YORK, August 15.—A *Herald* special says: Mexican advices via Havana, state that Juarez ordered Santa Anna to be tried according to the laws of January, 1862, by which Maximilian was tried, and under which the Identification of the prisoner is sufficient evidence for a conviction.

Marquez was taken prisoner at Huichinte, Parsidones, and was on his way to the Capital.

Among the list of condemned officers is Salm Salm, whose wife is still in the country trying hard to save his life. It is again reported that she is a niece of President Johnson.

Otzenburg had received his credentials as Minister Plenipotentiary.

Congress is to be convened November, and the Presidential election will take place in December.

Santa Anna's son, in a protest to Secretary Seward against the seizure of his father at Sisal, intimates that the Washington government must have been in connivicity with the Liberals who arrested him.

GALVESTON, August 15.—Monterey dates to the 3d inst., state that Canales revolted and attempted to capture the place, but failed, and is now marching on Matamoras.

Southern Railroads.

[By Telegraph to the Pittsburgh Gazette.]

NEW YORK, August 15.—The Reunion of the Congressional Committee in relation to the transfer by our Government of the railroads in the South seized during the war have been published. Mr. Johnson is not implicated pecuniarily in any of the transfers. A Mr. Burns, President of a Texas road, offered Mr. Johnson, then Military Governor, a large interest in his road for his supposed influence, but the Governor acts sharply and declined it. His son-in-law, Senator Patterson, received $2,500 for his influence.

NASHVILLE, August 15.—An exciting canvass for Directors of the Nashville and Chattanooga Railroad, which engrossed the entire day yesterday, was concluded this morning. Burns' ticket was elected by two hundred and twenty-five majority. The vote of the Charleston and Georgia Railroad was excluded, and this result continues the road under its present management.

Knitting Manufactories Slacking Off.

[By Telegram to the Pittsburgh Gazette.]

ALBANY, August 15.—The managers of twenty knitting manufactories have agreed not to run more than two sets of machinery for ninety days from the first of September.

Sash Factory Burned.

[By Telegraph to the Pittsburgh Gazette.]

CLEVELAND, August 15.—Sager, Kulp & Co's Sash factory, at Wadsworth, Ohio, was burned to-day. Loss $15,000. There was no insurance.

UNITED STATES COURT.

The Venango County Counterfeiting Case—Mr. Carnahan Sworn for the Defense—Charge of the Court—The Counsel Cross-Fire and Sparring—Defendant Cross-Questioned and Examined by Counsel—Blair County Case—Secret Service "Detective" on the Stand.

The case of the United States vs. Alfred Myers, of Petroleum Centre, Venango county, was resumed at ten o'clock Thursday.

Mr. Carnahan resumed his argument at fifteen minutes past ten o'clock. The crime of counterfeiting was designated in law as *crimen fœni*. The offense was *falsehood*, and its defense was *falsehood*. Bribery and perjury followed from it. Mr. C., after some further general remarks, proceeded to sum up the evidence. Charles Johnston testified that he saw in the possession of Myers, the defendant, at Pithole, in August last, counterfeit money, and saw him sell fifty dollars. This took place at Johnston's house. At Petroleum Centre, at the Sherman House, in November last, he was shown by Myers some counterfeit money—shown as counterfeit, Myers saying that he ought *ab* have forty-five cents on the dollar for it. This was Johnston's testimony. It had been corroborated by the witness De Haven and others, who testified that Myers was in the habit of stopping at Johnston's when he came to Pithole. Either this testimony was true and the defendant was guilty, or it was not true, and Johnston has lied. There was no middle ground. Henry Burks testified that in the spring of 1866 Myers came to the Hoester well of the St. Louis company and sold to a man named Boyd counterfeit money. This young man either told the truth or swore to a lie. If he told the truth, the defendant was guilty on the second indictment. There could be no question as to guilty knowledge, usually a difficult question in these kind of cases to make out. So much for the *prima facie* case for the Government. What had been said against it? Much had been said of Johnston being unworthy of belief. Not a single witness had been produced to swear that he was not to be believed upon oath. He had been attacked in another way. It was endeavored to be shown that his property had strictly commenced to accrue since the time of the transaction, and was shown to be worth $100,000. This was for the purpose of showing bias and developing an interest. They had failed to show that any of the Government officers had held out any inducements. A man named Boles was produced, who said Johnston said he would "secure" him if he would swear that he had seen Myers—that inducements had been held out to him