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The Pittsburgh Gazette

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

"On the whole, then, I am of the opinion that the provision of the act of Congress of February 25th, 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 92.

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 National Labor Congress, a body of no small importance, representing the laboring classes of nearly all the important towns and cities in the States, is still in session at Chicago. The meetings thus far have been characterized by order, harmony and decorum, all of which goes to show that the delegates have their hearts in the work they are transacting, and are earnest in their efforts to elevate the working classes and to advance the interests of labor in the country. The resolution to cut loose from political parties and establish a National labor party, will be debated this afternoon, and if the good sense which has prevailed in the other deliberations of the body prevails, it will be lost. As a political power, independent of any national policy or principle, resting on the interest of labor alone, and held together by trades unions, and societies, the proposed party will hardly be successful, save in isolated local instances, where the labor element may preponderate. At all events, the Congress assembled should gravely consider the question before precipitating the working men into a third political party which bears a fair chance of ever remaining in the minority.

THE transfer of General SHERIDAN from New Orleans to the plains may be sensibly felt as an insult to the loyal people, but it will doubtless prove a providential thing for the pioneers of the far west. The Indians who have been dealing in all sorts of wickedness, murdering and scalping defenseless men, women and children, pillaging and destroying all the property which fell within their reach, and seriously obstructing the completion of the great railway lines, will soon learn that "Cavalry" SHERIDAN is not to be trifled with; that he will give measure for measure and subject them to law and order at all hazards. Under him a new order of things must succeed in that Department. At New Orleans as a statesman and administrator of the laws among rebels, or on the plains as a soldier, engaged in the protection of those who are now suffering from Indian depredations, Phil. SHERIDAN will be equally at home. Such men are useful anywhere.

THE patriotic members of an ex-school board of New Orleans, who were removed by General Sheridan for their trifling offence of discharging teachers who were so indiscreet as to allow their schools to sing patriotic songs, or display miniature flags of the Union, have resolved to apply to a District Court for a writ of injunction to restain the district commander from proceeding to eject them office. Their is one of the hardships to which the innocent and down-trodden citizens of that neighborhood have been subjected by Sheridan, and it remains to be seen whether they will receive proper redress for their injuries by re-instatement. We hope not.

MR. DENMAN, Superintendent of Indian Affairs, from Omaha, telegraphs to Washington that he has hopes of a settlement of the Indian difficulties, having made offerings to the hostile tribes, which were well received by the dusky warriors. The peace will hardly prove worth securing, as it will not be lasting. The untutored foe have a lofty opinion of their power and cannot comprehend that of the Government with which they have been trifling, nor will they till brought into subjection, by formidable numbers and learned that they are responsable for their atrocities.

THE Anti-Gambling Association of New York, under the Presidency of Horace Greeley, has been playing havoc among the black-legs, and has threatened to spoil many nice little games which have so long been played with impunity in the virtuous metropolis. The fraternity have held a meeting to devise means whereby to counteract the efforts for their suppression, and have raised a common fund whereby to defend unfortunate gamesters who may get into legal difficulty through the operation of the noble society.

GEN. ROSSEAU succeeded in making himself particularly obnoxious to the loyal citizens of New Orleans, by his conduct during his recent stay in that city. He took occasion to deprecate General Sheridan, and in rebel circles encouraged dissatisfaction with the process of reconstruction, urging that stubbornness on their part would defeat the ends of Congress. The country is not exactly in the humor to tolerate the spirit of insubordination which the madness of Rosseau would have rule in the South.

THE Republicans of Franklin county have placed in nomination the following ticket: Assembly—Joseph W. Frank, Col. Theodore M'Gowan. Associate Judge, W. W. Paxton. Treasurer—S. F. Greenawalt. Commissioner—A. H. Etter. Director of the Poor—John E. M'Clay. Jury Commissioner—Addison Imbrie. Auditor—N. W. Witherow.

NO VERY pleasant position is that occupied by General Grant in the Cabinet. He is there by an order of the President and is expected to be obedient to every order, having no other alternative than to carry out the will of the Chief Executive. He may remonstrate against measures, but that is the end of his privilege; he can suggest, but must obey.

REGISTRATION has been completed in Louisiana, under the management of General Sheridan, and Texas was next to be reconstructed had that Commander not been removed. He believes that by the first of next January the State of Louisiana will be ready to present its Constitution to Congress.

ADMIRAL TAGHTROPP is in New Orleans.

GENERAL NEWS.

—The Italian Admiral Persano is reported insane.

—Saratoga will have sixty thousand visitors this season.

—Several vessels, with sickness on board, are in quarantine at New York.

—Modesty is like a sober flower, says the London *Fun*; it takes no more than its due.

—A dancer in St. Petersburg was presented with a bouquet that filled an entire carriage.

—A lady appeared at a Long Branch fancy ball as Amiability. Her husband failed to recognize her.

—Punch knows a gentleman so guarded in his remarks, lest he should sound anybody's feelings, that he will not even use a personal pronoun.

—A servant girl, living in a family near Liverpool, has unexpectedly come into a fortune of $1,000,000 by the death of a relative in one of the colonies.

—The Boston *Transcript* tells as a fact, a story of a maid servant who cut off a large portion of the mane of her master's valuable horse to make herself a *chignon*.

—Lewis Downing, lately elected chief of the Cherokees, served during one war as Lieutenant Colonel of a regiment of loyal Indians, and is an intelligent, educated, liberal minded man.

—Mexico is a bad place for women. The wife of Mendez is insane; the wife of Mejia is mad; the wife of Miramon is stricken beyond hope of recovery, and the Princess Salm-Salm is in jail.

—There are two ways of inviting the cholera at your doors. One is by being careless—the other by being over-careful. One is to be dirty—the other to be frightened. Bonesthier'st you would be safe.

—The Austrian journals think they have too many holidays there, and are insisting on the necessity of reducing the number of religious holidays. One of them states that, during the month of June less, the population of Pusterthal, in the Tyrol, had fifteen days cessation from work.

—The year 1869 is set as the period when one will be able to ride in a "silver palace" from New York to San Francisco, without changing cars. It is more probable that by that time one will be there on a through canvasback duck of immense proportions, or go through in a puff by pneumatic delivery.

—An island that has long been stationary in the middle of Goose Pond, at Tyringham, Mass, has gone adrift to the upper end of the pond, about half a mile from its original location. It is an accumulation of black peat, matted roots, and has trees twenty feet high and a heavy growth of smaller bushes on it.

—The question is gaining strength in Europe that the insanity of Maximilian's Carlotta was administered to her in Mexico. We are glad to say that there is thus far no good reason apparent for believing so dreadful a story, and there is certainly every disposition in Europe to manufacture opinion hostile to the Mexican Republicans.

—Dr. Cheever's church in Union Square, New York, presents a strange interior at present, being an artist's studio, a carpenter shop, and a semi-theatre in New Orleans fashion. The painters have leased the edifice until march, 1868, and are preparing it for the exhibition of a series of painting illustrative of Bunyan's Pilgrim's Progress.

—A negro girl, about eighteen years old, named Arabella Dornin, and residing near Camp Schofield, in Virginia, was arrested, charged with throwing her new born babe into a pond, by whom it was devoured. The girl confessed the brutal deed, and says that she made way with her infant because she did not care to undergo the trouble and bear the expense of raising it.

—From the many correspondence with California should much of their letters or newspapers the words "via Panama," and continue to do so until the Indian hostilities over the Plains are suppressed. According to the regulations of the Post Office Department, all letters for California "*via* Panama" are sent by the overland route, and the Indian outrages render their safe transmission doubtful.

—A new anæsthetic has come into fashion of late. It is quadrichloride of carbon, which possesses an agreeable smell of quinces, and can produce the desired effect in less than a minute. This insensibility may be maintained with or without loss of consciousness; its effects cease speedily when desired, and are not followed by vomiting. It has been successfully used for obstinate headache.

—New York city is filled with ex-rebel generals and surgeons who are practicing law and physic, or engaged in mercantile pursuits. The New York *World* is now exclusively edited by men who were during the war in the rebel military, naval and civil service. Beauregard and Magruder had the impudence to visit the New York stock exchange last week, were hissed while there, and left in a hurry.

—When "Peter Parley" (Mr. Goodrich) told Mr. Greely in Paris that he was coming home and going to write his autobiography, and asked Mr. Greely what he thought of it, the latter, with his sarcastic squeal, replied, "Why I think it should be a cow's tail of running down the Champs Elysee hall! Horace has done such a thing myself." Horace has forgotten this, or changed mind, for he is now writing his life in the "*Ledger*."

A correspondent of the Boston *Watchman* says: "The day that I arrived in Liverpool I was saluted while taking a stroll through the city, by a newsboy who shouted out to me, 'Yankee Paper, sir, latest news from America, sir; suicide of Andy Johnson, sir.' Had it not been that I could not conceive of such perverted dishonesty, I should have liked to give the youngster something for making so good a guess at my politics."

—An exchange says: "A poison of any conceivable description and degree of potency, which has been given, intentionally or by accident, may be rendered instantly harmless by swallowing two gills of sweet oil. An individual with a very strong constitution should take twice the quantity. This oil will neutralize every form of vegetable or mineral poison with which physicians or chemists are acquainted."

—An international Congress of sociologists, having of its object the protection of animals, is now being held in Paris. The Earl of Harrowby is the President. A still more interesting meeting is to be held during the coming month—the International Co-operative Congress. It is appointed for the 16th, 17th and 18th. The foreign members who take part in this gathering will be enabled to deliver addresses in their own language.

—A silly story has lately been going the rounds of the press that General Sickles lately entered a Chicago street car, with a cigar in his mouth. The conductor reminded him that it was against the rules to smoke in the cars. "Ah," replied General Sickles, "then you may consider the rules suspended for half an hour." The Charleston *News* pronounces the statement false, and says that General Sickles has never ridden in a car since he has been in the city.

—The German students have always been remarkable for their fondness for settling all personal difficulties by duels. Lately the practice has become almost a mania at some of the universities, particularly at Bonn and Berlin. At Bonn, especially, the number of recent duels which have been attended with fatal results has been so great that the university authorities, who have hitherto winked at the practice, are about to take steps for putting it down altogether. The students, too, are beginning to see the folly of duelling, and an anti-duelling feeling is fast spreading among the young men at Bonn and Berlin.

—The Springfield *Republican* says that the spice of the Good Templars, on whose testimony the liquor dealers were convicted at Seymour, Conn., last week, have got themselves into trouble. One of the dealers who was prosecuted knew beforehand of their presence, and mixed a bottle of compounds in which there was not a drop of ardent spirits, but vitriol or something else to make it "burn". The spies drank this stuff and paid for it, and then swore positively that it was whisky. They were cross-questioned sharply as to their knowledge of the kind of liquor they drank, but unwaveringly maintained it was whisky. The dealer has proof that it was not whisky, and has arrested them on a charge of perjury.

—Admiral Farragut found himself in Paris in the midst of a host of European relations of whose existence he was not aware. Soon after his arrival he received a visit of Don Luis Farragut, an exiled Spanish Hidalgo, of great learning, who informed him that the French and Spanish branches of the house of Farragut were glad to welcome him to Europe, and brought an invitation to breakfast at Versailles with a cousin, the wife of General Comte de Noir (the Commander at that place), whose maiden name was Farragut. The Admiral, Mrs. Farragut, Mr. Loyall Farragut and their party were hospitably received by these new found relations, who were charmed to acknowledge a hero in the American cousin. Luis presented Mrs. Farragut, as a parting gift, with a bronze paper-folder, the handle of which is a statuette of Francis the First as he was clad at the battle of Pavia.

FIRST EDITION.

MIDNIGHT.

THE FIFTH DISTRICT.

General Sheridan's Removal—How It Is Received the News—Louisiana "Reconstructed"—Rebel Kicksheim in Texas—Rebel Sympathy—Radical Measures Mooted and Speculated for Impending Reconstruction—General Grant and Sheridan and Stanton's Removal.

(By Telegraph to the Pittsburgh Gazette.)

NEW YORK, August 22.—The *Tribune's* Washington special says: Some friends of General Sheridan, who have arrived here this evening direct from New Orleans, state that the General received an unofficial dispatch late on Saturday evening from Washington, informing him that the order for his removal would be issued on Tuesday. He received the news very coolly, remarking to his friends present that he felt satisfied that he had simply done his duty as an officer of the United States Government, and was sorry that his superiors should find fault with him.

His order apportioning the State of Louisiana into election districts, and appointing a day for an election for delegates to the contemplated State Convention, was only issued Saturday at noon, and when he had completed it and given it to his publication, he remarked, "That by the first of the New Year this state would undoubtedly be ready to present her new Constitution to Congress for approval, and then I suppose as far as Louisiana was concerned, would be completed."

So particular was he about having the election districts correctly apportioned, so that each portion of the State should be fairly represented, that he had several members of his staff constantly at his side, throughout the whole State, visiting every county, consulting with the citizens, and using every means to have the thing go on fairly. When the order had been issued, he said that he had finished his task with Louisiana, and would immediately turn his whole attention to Texas. He had contemplated an immediate tour of inspection into the latter state for the purpose of seeing for himself exactly how matters stood. His latest advices from the General commanding in that State were that a better feeling now existed there than before, and that the removal of Throckmorton and other rebel officials had wrought good results.

The General kept the news of his removal quite close, and it was subject to be well published in the newspapers. It is thought he will remain in command of the Department until the General Harry Hayes from the position of sheriff, Hayes was a rebel soldier, in his time, has conducted himself satisfactorily until lately, and then, it is alleged, he joined the Democratic party and assisted in denouncing Sheridan, and urging impeachment. The rebel officers served back and not support the reconstruction acts.

The Unionists of New Orleans feel very bitter against Sheridan, and while he was in that city. They say he was hoodwinked and fleeced by the rebel element, who boasted that they had respectable witnesses from Radical quarters (meaning Washington) which assured them that the Congressional plan of reconstruction would be abandoned if they held on, or be displeased, attacked Sheridan would be removed and a man put in his place who would use Johnson's interpretation of the law.

A number of prominent Union men of the city are preparing charges against Newman and Hosseau for hindering reconstruction, which, if they can be presented jointly to General Grant and Congress at a here secure, it is said, that General Hosseau had remained many days longer in New Orleans than he would have done under arrest and tried under the provisions of the reconstruction law, which fact it is alleged to interfere with its prosecution.

The *Times'* special says: Gen. Grant, when apprised of the President's intention to remove Stanton, sent him an earnest protest against the act, representing his legal right to take the step. Also, that in his opinion the greatest reasons of public policy demanded that the removal do not take place. To this the President made no reply. Gen. Grant's remonstrance against the removal of General Sheridan was more emphatic. He urged the President for financial, patriotic and all other considerations to stay the removal. To this the President replied at length, and stated that no one but himself knew the facts in the case in all their bearings, and closed with a reiteration of his determination, as a letter to General Grant, dated August 24.

General Sheridan says the State of Louisiana is registered according to the act of Congress, the poll books carefully made out and the Election Commissioners appointed. The number registered is a little over one hundred thousand, and the State will undoubtedly come in as a Union state. In accomplishing this result there was little or no opposition from the masses on the contrary, everywhere they lent their assistance, but from the public press, office holders and office seekers, opposition to which he met with bitterness and opposition. The great excitement which he had met was from constant rumors of his removal, as it broke up his plans and kept heading off his acts, but the work was carried out patiently without regard to political influences. He regrets to some extent that General Hosseau lately visited his command, and seemed to have sympathized with his duties, suggesting his removal.

FROM WASHINGTON.

(By Telegraph to the Pittsburgh Gazette.)

WASHINGTON, August 22, 1867.

FEDERAL COURTS AND THE MILITARY.

It is already known that instructions were some days ago sent General Sickles, in effect that in process at the Federal Courts must not be interfered with by military authority. Recent dispatches from the South state that, notwithstanding these instructions, one or two had been issued. These facts, unexplained, convey the impression that the General is guilty of contumacy or disobedience of orders from War Department; but it is positively known here that the instruction, for its recall, was temporarily suspended, in order that his views might be fully laid before the Secretary to the authorities at Washington before further action.

TEXAS AFFAIRS—PEACE OFFERINGS WELL RECEIVED.

This following telegram was received this morning from Omaha: Hon. N. G. Taylor, Commissioner of Indian Affairs—I went into Indian camp on Wednesday from the Platte with peace offerings to the hostile tribes, and succeeded in a few hours in the same day "spoiled Tail," with nine hundred and fifty friendly Sioux, by consent of the Commissioner, started on a Buffalo hunt, well pleased, instructed to meet the Commission at North Platte.

[Signed,] N. H. DENMAN,
Superintendent of Indian Affairs.

ADDRESS TO THE MEXICAN PRESIDENT.

A Committee from the Radical German American citizens of the United States presented to Senor Romero, for President Juarez, an address, expressive of approbation of his course during the recent struggles in Mexico, and congratulating him upon his success.

DEAD LETTER LAWS REPEALED.

The City Council of Washington have passed a bill to repeal the several acts concerning the dead letter ordinance, but the, however, have been a dead letter since the emancipation of slaves in the District.

YELLOW FEVER ON THE DECLINE IN NEW ORLEANS.

General Sheridan telegraphs to headquarters that the yellow fever has assumed an innocuous form in New Orleans. Several of his officers are ill with it, and he desires authority to employ additional nurses.

SURGEONS MUSTERED OUT.

The recent order mustering out a number of volunteer surgeons, most of whom have been engaged in the Freedmen's Bureau, has, with several exceptions, mustered them all out of the service. It is probable the few vacancies existing in the regular corps will soon be filled.

PATENTS ISSUED.

The Commissioner of Patents issued three hundred and nineteen patents for the week ending August 20, the largest number ever issued in one week.

REVENUE STOLEN.

The Prairie Colorado, Admiral Goldsboro, arrived at Halifax last evening *en route* for New York.

FROM HAYTI.

Plotting Against Salnave's Administration—Encounters With Brigands.

(By Telegraph to the Pittsburgh Gazette.)

NEW YORK, August 22.—Advices from Hayti to the 3d inst., state that the partisans of the late administration were busy plotting against Salnave's administration, and several arrests of influential parties had been made at Port Au Prince and St. Marco. The government had taken energetic measures to insure tranquility. The brigands in the northeastern districts were giving considerable trouble. Several encounters had taken place between them and the government troops, in which the former were badly beaten. About one hundred and fifty of them were driven out of Fort Beasson, and had taken refuge in the Dominican territory.

Meeting of New York Gamblers.

(By Telegraph to the Pittsburgh Gazette.)

NEW YORK, August 22.—The leading gamblers of the city held a private meeting yesterday, for the purpose of taking measures to protect themselves against the encroachments of the Anti-Gambling Society. It was finally agreed, after some preliminary discussion, to tax each establishment one hundred dollars to raise a fund for the employment of lawyers, and for other purposes.

Border States Convention.

(By Telegraph to the Pittsburgh Gazette.)

WILMINGTON, DEL., August 22.—A call is published for a Convention at Wilmington, on the 4th of September, for the purpose of sending delegates to the Border States Convention, which meets at Baltimore on the 18th, to demand Congress to guarantee the citizens of all States equal rights, and a Republican form of Government.

Registration—Heavy Rains.

(By Telegraph to the Pittsburgh Gazette.)

CHARLESTON, AUGUST 22—One hundred and twenty-five white and one hundred and sixty-eight colored were registered to-day. The heavy rains continue.

Prominent Man Dead.

(By Telegraph to the Pittsburgh Gazette.)

SPRINGFIELD, MASS., August 22—Honorable Erastus D. Beach, a prominent citizen, and for several years the Democratic candidate for Governor, died to-day.

River Telegrams.

(By Telegraph to the Pittsburgh Gazette.)

LOUISVILLE, August 22—River rising, with three feet inch in canal.

MEMPHIS, August 22—River falling.

SECOND EDITION.

FOUR O'CLOCK, A. M.

FROM EUROPE.

(By Telegraph to the Pittsburgh Gazette.)

ITALY.

FRANCO-AUSTRIA DEFENSIVE ALLIANCE.

VIENNA, August 22.—The *Journal* in this city, generally acknowledged to be the organ of Prime Minister Beust, asserts to-day that a defensive alliance has been formed between Austria and France.

FRANCE.

THE CONCILIATORY MEASURES.

PARIS, August 22.—It is said that one of the results of the Conference held at Salzburg between the Emperors Napoleon and Francis Joseph, is to insist that the South German States shall unite in the Confederation of which Austria is to be the head. It is stated that an agreement has been made between the two Emperors as to the policy to be hereafter pursued by Austria and France on the Eastern question.

FINANCIAL AND COMMERCIAL.

LONDON, August 22—*Evening.*—Weekly returns from the Bank of England show that specie has increased £41,000.

LONDON, August 22—*Evening.*—Consols, 94 9-16. Five-Twenties, 72¾. Illinois Centrals, 77¾. Erie, 41¼. Great Western, 41¼.

FRANKFORT, August 22—*Evening.*—United States Bonds, 79½.

LIVERPOOL, August 22—*Evening.*—Cotton closed heavy, with a decline, at 1d for uplands; middling uplands, 12¾d. Orleans, 13d; sales, 10,000 bales. Breadstuffs—Flour, 3ds per bbl. Corn, 32s 9d per quarter. Wheat, 12s 3d for New Southern. Barley, Oats and Peas unchanged. Provisions—Lard, Spermaceti, at 82s. Cheese heavy, at 49s. Beef 132s. Pork 75s 6d per barrel. Bacon, 52s 6d for Cumberland cut middles. Produce—Petroleum, 2½d per gallon for spirits, and 1½d for refined.

NATIONAL LABOR CONGRESS.

Reports of Committees—Howe's Bank Bill Stabbed Mortally—Central Organization, Co-Operation, &c.

(By Telegraph to the Pittsburgh Gazette.)

CHICAGO, August 22.—Some additional Delegates to the Labor Congress appeared to-day and took their seats.

A communication was received from certain Boston capitalists, proposed to the extension of Howe's Sewing Machine patent, offering to purchase the patent for $50,000.

Also, a communication from a labor society in Westfield, New York, transmitting the declaration of principles, and requesting the action of the Congress thereon.

Wasatas, Pa., an act opposed to the session of the Legislature of Pennsylvania, a large portion of the township of McClure and Re-serve was annexed to the city of Allegheny, without the knowledge or consent of the majority of the residents thereof; and the wards, so thus designated by said act embraced a portion of country so scattered geographically as to be almost impossible for a sufficient number of the residents of the city, and, whereas, we are opposed to either annexing or being annexed against the consent of a majority of the persons concerned; therefore

Resolved, That the Select and Common Councils of Allegheny City, request of the Legislature at its next session so to modify said act or supplement as to submit the question of annexation to the vote of the residents of said district.

The paper was read, at the request of Mr. McCormack, was laid over.

Mr. Drum presented a resolution authorizing the placing of certain culverts on Western avenue, at the intersection of Irwin avenue. Referred to Street Committee.

COMMON COUNCIL.

Members present: Messrs. Brahm, Culver, Drennan, Dill, Faulkauber, Hanna, Harper, Irwin, Kirkpatrick, Mc Cullough, McCord, McNeal, Reed, Keller, Smith, Slagel, Voegelity, Windsor, Zeller, President.

Minutes of previous meeting read and approved.

Mr. Dill submitted the proceedings of a meeting held in the third ward, with a request that the action of the Select Council from that ward, to resign. Ruled out of order by the President.

Mr. Harper presented a petition from citizens of the 3d ward, requesting Mr. Dill to resign. Ruled out of order.

Mr. Irwin presented a petition from citizens of the 3d ward, asking that the grade established, with a resolution authorizing the same to be done.

Mr. English said that a number of the residents of Ridge street did not desire to have the street paved. Petition received and resolution adopted.

Mr. Drum, A petition from citizens of Carroll street, asking that the grade regulated on the 19th of August, 1867, be established, with a resolution authorizing the same to be established.

Mr. Drum said that the grade had been changed several times and he hoped that it would be established; that all the property holders have asked for it.

Mr. Myler said that the grade last given was the only grade adopted by Councils; that Mr. Davis had changed the grade but it had never been adopted. For his assistance, Butts, Hutchinson, Hoey, Allabaugh and Adcock, with the exception of two others, were here from Philadelphia, but were kept from view, as, fears from about the Court-room, until after the case had progressed for some time; nor was Captain Franklin apprised of their presence until he was put upon cross-examination, although, singular as it may seem, before leaving home to appear at the Court here in response to a subpœna, he had been looking about Philadelphia for two or more of these same persons in order to have them appear as witnesses against Johnston. It was, therefore, a matter of surprise to him when he learned that they were present as witnesses for Johnston, secured for the purpose of breaking down conscientiously he (Franklin) might give in this case. These men, too, at least, Butts, Hutchinson and Hoey, had been in his employ as subordinates, so that by reason of their supposed knowledge of counterfeiters, and the facilities they had of communication with them, in order that he might be the more successful in achieving the object for which they were as an "operative" of the secret service division of the Treasury Department, Franklin had nothing to gain pecuniarily in the conviction of Johnston, but on the contrary had been threatened by over zealous officers at least three dollars per day, whilst his expenses were at the rate of two and a half dollar and a half per diem. The inquiry, therefore, was pertinent why, if Johnston