Pittsburgh Gazette.

VOLUME LXXXIII. PITTSBURGH, TUESDAY, MARCH 31, 1868. NUMBER 77.

FIRST EDITION.

TWELVE O'CLOCK M.

FORTIETH CONGRESS.

Impeachment Trial--Opening Argument of the Managers--Synopsis of Mr. Butler's Remarks--Court Adjourns Till To-Day--Other Proceedings--Conference Report on the Bill for Relief of Manufacturers--New Jersey and the Constitutional Amendment.

[By Telegraph to the Pittsburgh Gazette.]

WASHINGTON, March 30, 1868.

SENATE.

The Senate reassembled at eleven o'clock.

Mr. EDMUNDS called up the bill to regulate appeals to the Court of Claims, which was amended and postponed until to-morrow.

Mr. TRUMBULL called up the bill pending on adjournment till Saturday to relieve Mr. Butler, of Tennessee, from political disabilities.

The question was on Mr. BUCKALEW'S amendment to strike out the word "constitution" from the clause proposing to relieve disabilities imposed by the Constitution and reconstruction laws.

Mr. BUCKALEW argued that the reconstruction laws having no application to Tennessee, Mr. Butler could not properly be relieved from the disabilities imposed by them. He gave way at the suggestion of Mr. SHERMAN, who presented the report of the Committee of Conference on the bill to relieve certain manufactures from internal taxation.

Mr. HENDRICKS moved the report lay over till to-morrow and be printed.

Mr. SHERMAN urged immediate action, saying everything objectionable to the Senate had been stricken out.

Several Senators opposed acting on the report immediately, and Mr. SHERMAN consented it should go over, giving notice he would press it as early as possible.

Mr. HENDRICKS' motion was modified so as to order the printing simply and agreed to.

IMPEACHMENT TRIAL.

At 12:30 the President *pro tem* vacated the Chair, which was immediately taken by Chief Justice Chase.

The Sergeant-at-Arms made proclamation, commanding silence. The President's counsel took seats.

At 12:35 the Sergeant-at-Arms announced the Managers on the part of the House, who took places, except Mr. Stevens, who entered soon afterwards and took a seat slightly apart. The House was then announced, and the members appeared, headed by Mr. Washburne, of Illinois, and were seated.

The minutes of the last day were read.

OPENING ARGUMENT OF THE PROSECUTION.

Mr. BUTLER commenced his opening speech at a quarter before one o'clock. He spoke at great length, presenting to the Senate the several propositions of fact and law upon which the House of Representatives would endeavor to sustain the cause of the people against the President. The speaker reviewed the impeachment trials of other countries, in order to show in the light of those precedents what really constituted impeachable offences. He defined an impeachable high crime or misdemeanor to be one in its nature or consequences subversive of some fundamental or essential principle of Government, or highly prejudicial to the public interest, and this might consist of a violation of the Constitution, of law, of an official oath, or of duty, by an act committed, or omitted, or, without violating a positive law, by the abuse of discretionary powers from improper motives, or for any improper purpose.

Mr. Butler referred to the impeachment of Lord Danby, a case, he said, which went a great way toward establishing the principle that no Minister could shelter himself behind the throne by pleading obedience to the orders of his sovereign. He was answerable for the justice, the honesty, the utility of all measures emanating from the Crown, as well as for their legality, and the executive administration was thus or ought to be subordinate in all great matters of policy to the superintendence or the virtual control of the two Houses of Parliament.

The speaker then reviewed the question whether the High Court of Impeachment was really the Senate or not, and passed on to the matter of the competency of one of the triers, on account of affinity to the accused, saying: We believe it is right, nay, his duty to the State he represents, to sit upon the trial as he would upon any other matter which should come before the Senate. His seat and vote belong to his constituents and not to himself, to be used according to his best judgment upon every grave matter that comes before the Senate.

Mr. Butler then recited the articles of impeachment and said: The House of Representatives and the people have joined issue with Andrew Johnson as to his right to act as he has. This bill which he has violated received the requisite sanction of both the Senate and House of Representatives, after a full consideration of his objections. If he is to be allowed to exercise this dangerous power of removal, where is it to end? Does the Constitution invest the President with all the Executive power which is enjoyed by Kings and rulers of other nations? If so, it has been much more liberal to him than the Legislative branch of the government. The Executive power of appointment is clearly limited by the words of the Constitution, which orders the consent of the Senate necessary. The power which he has assumed to exercise is kingly. The power of removal was very elaborately debated in the first Congress on the bill to create a State Department. It was debated for four days, and finally was so framed as to imply the power of removal in the President. But the triumph of its supporters was short-lived. When it came to the House, on motion of Mr. Benson, the provision implying the powers of removal in the President was stricken out. It went back to the Senate, but as the debates there were in secret session we have no means of knowing what did take place. But we learn from the journal that this provision, implying the power of removal, was retained by the casting vote of John Adams, the Vice President. Alas! most all our woes have come from Vice Presidents. Notwithstanding this, the facts show that the President made no removal without notifying the Senate. President Adams removed Mr. Pickering by nominating a successor to the Senate. None of the early Presidents had ever attempted to exercise the unlimited power of removal now assumed by the present occupant of that chair. Congress has always asserted a legislative power in reference to removals from office, sometimes in one way and sometimes in another. Upon the whole, never until now has the exclusive control over appointments to office been exercised by the President. In 1826 the powers of the President were canvassed in Congress, and a Committee was appointed on the subject, who reported that it was necessary to trim down his power by statutory enactment, and reported no less than eight different bills on the subject. One of them vacated within a certain time all offices pertaining to a collection of revenue. Here was a tenure of office act, reported by one of the greatest minds of the country. It did not seem to occur to Congress, then, that it had not the power to regulate appointments to and removals from office.

Mr. B. cited further acts of Congress in support of his position, and after stating the events of February, the removal of Stanton, appointment of Thomas, and the interview with General Emory, concluded his argument as follows:

Who does not know that from the hour the President began his usurption of power he everywhere denounced Congress, the legality and constitutionality of its action, and defied its legitimate powers, and for that purpose announced his intention and carried out his purpose, as far as he was able, of removing every true man from office who sustained the Congress of the United States. And it is to carry out this plan of action that he claims the unlimited power of removal, for the illegal exercise of which he stands before you this day. Who does not know that in pursuance of the same plan he used his veto power indiscriminately to prevent the passage of wholesome laws, enacted for the pacification of the country? And when the laws were passed by the constitutional majority over his vetoes, he made the most determined opposition, both open and covert, to them, and for the purpose of making that opposition effectual, he endeavored to array and did array all the people lately in rebellion to set themselves against Congress, and against the true and loyal men, their neighbors, so that murders, assassinations and massacres were rife all over the Southern States, which he encouraged by his refusal to consent that a single murderer be punished, though thousands of good men have been slain. And further, that he attempted by military order to prevent the execution of acts of Congress by the military Commanders who were charged therewith. These and his concurrent acts show conclusively that his attempt to get the control of the Government, by the seizing of the Department of War, was done in pursuance of his general design, if it were possible, to overthrow the Congress of the United States. And he now claims by his own will, for the execution of this very design, the obedience of every officer of the army and navy, and civil and diplomatic service of the United States. He asks you here, Senators, by your solemn adjudication to confirm him in that right, to invest in him that power, to be used with the intents and for the purposes which he has already shown. The responsibility is with you. The safeguards of the Constitution against usurpation are in your hands. The interests and hopes of free institutions wait upon your decision.

The House of Representatives has done its duty. We have presented the facts in a Constitutional manner. We have brought the criminal to your bar, and demand judgment at your hands for his so great crimes. Never again, if Andrew Johnson go acquit and free this day, can the people of this or any other country by Constitutional checks and guards stay the usurpations of executive power. I speak, therefore, not the language of exaggeration, but the words of truth, of soberness, in saying that the future political welfare and liberties of all men hang trembling on the decision of the hour.

Mr. BINGHAM, of the Managers, rose and said: "Mr. President—The Managers on the part of the House are ready to proceed with the testimony to make good the Articles of Impeachment exhibited by the House of Representatives against the President of the United States, and my associate, Mr. Wilson, will present the testimony."

Mr. WILSON—"I wish to state in behalf of the Managers that notwithstanding the meaning of the documents which we deem important to be presented in evidence have been set out in the exhibits accompanying the answers, and also in some of the answers, we still are of opinion it is proper for us to introduce the documents originally by way of guarding against any mishaps that might arise from imperfect copies set out in the answers."

Mr. WILSON then offered in evidence certified copies of the oath of office of President Johnson, of the appointment of Secretary Stanton by President Lincoln, of the notification of said appointment, and of President Johnson's communication to the Senate assigning his reasons for the suspension of the Secretary of War, after which the Court adjourned till twelve o'clock to-morrow, and the Chief Justice vacated the chair.

The President *pro tem.* called the Senate to order.

The report of the Committee of Conference on the bill to relieve certain manufactures from internal tax was taken up. After considerable debate it was agreed to, whereupon the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Mr. CHURCHILL introduced a bill to amend the act of March 1st, 1792, relative to vacancies in the office of President and Vice President of the United States, requiring a new election in case of an interval of eighteen months between the double vacancy and the ordinary termination of the Presidential term. Referred to the Judiciary Committee.

Mr. CHURCHILL introduced a bill supplementary to the several acts relating to pensions offered by the Committee on Invalid Pensions.

Mr. HAIGHT presented a joint resolution as to withdrawing the consent of New Jersey to the proposed amendment of the Constitution of the United States.

Mr. ELDRIDGE called for the reading of the document.

After the Clerk had commenced the reading, Mr. WASHBURNE, of Illinois, asked the Speaker whether it was in order to move to the return of the document to the New Jersey Legislature?

The SPEAKER said it was not, because all papers presented in the morning hour must be referred without debate.

Mr. WASHBURNE said that if it were in order he would make that motion as a rebuke to a disloyal Legislature.

The Clerk resumed the reading and was again interrupted by Mr. ELDRIDGE, who said he would not insist on the reading if the resolution would appear in the *Globe*.

The SPEAKER said the reading might as well be continued now as the time for going over to the Senate had almost arrived.

Mr. PILE said—Let the document be read, and I object to its being printed.

Mr. WASHBURNE gave notice he would make a motion to suspend the rules in order that the document might be returned to the New Jersey Legislature.

The SPEAKER, at half past twelve, suspended proceedings, and announced that in accordance with resolution the House would resolve itself into Committee of the Whole, and headed by its Chairman, Mr. Washburne, of Illinois, attend the Managers to the bar of the Senate.

The order was carried out.

The House re-assembled at 4:30, when Mr. WASHBURNE, Chairman of the Committee, reported he had attended the Court of Impeachment, that progress had been made in the trial of President Johnson, and the Senate as a Court of Impeachment adjourned until twelve to-morrow.

The SPEAKER said the report would be entered on the journal, and asked if the gentleman from Illinois had any suggestion to make as to the hour of meeting to-morrow?

Mr. WASHBURNE suggested to meet at a quarter before twelve o'clock, so as to give time to read the journal.

Mr. BANKS proposed to meet at eleven o'clock.

Mr. SCHENCK desired to meet at eleven or half past ten, to consider the Conference report on the bill to relieve certain manufacturers from tax.

The SPEAKER asked if there was any objection to the proposition?

Mr. KERR objected.

The House resumed the consideration of the joint resolution of the New Jersey Legislature, withdrawing assent to the Constitutional amendment.

Mr. SCHENCK gave notice of the motion for a suspension of the rules to provide for a meeting at half-past ten o'clock to-morrow.

Mr. ELDRIDGE made the point of order that the gentleman from Ohio could not interrupt the reading of the resolution.

The SPEAKER ruled as the morning hour of the session of Monday had expired after the reading of the journal, the resolution must go over to next Monday.

Mr. WASHBURNE, of Illinois, moved a suspension of the rules for the purpose of offering a resolution in reference to the paper offered by Mr. Haight.

The SPEAKER ruled the paper was not before the House.

Mr. SCHENCK moved to suspend the rules so as to order a recess till half-past ten to-morrow.

After some filibustering such action was taken.

Mr. WASHBURNE, of Illinois, moved to suspend the rules for the purpose of making the following order:

Resolved, That the resolution of the Legislature of New Jersey, purporting to withdraw the assent of said State to the Constitutional amendment known as the 14th article, be returned by the Speaker of the House to the gentleman who presented it, for the reason that the same is disrespectful to the House, scandalous in character, and its title only shall be referred to in the journal and in the Congressional *Globe*.

Mr. HAIGHT said he supposed the Chair had already decided that question.

The SPEAKER said the motion was different from that before suggested, and was in order.

Mr. ELDRIDGE said if the resolution was not before the House, it was the property of the gentleman from New Jersey, and could not be taken from him.

This was denied by the SPEAKER, when

Mr. ROSS demanded the reading of the resolution of the New Jersey Lgislature.

The SPEAKER said the gentleman had no right to demand the reading.

Mr. ELDRIDGE remarked—We are required to return to the New Jersey Legislature a resolution as being scandalous, without knowing what it is.

The SPEAKER said that was an argument which addressed itself to the gentleman's vote and not to the parliamentary condition of the resolution.

Mr. HAIGHT made the point of order that the resolution of the Legislature had had not been read, which was overruled by the Speaker.

Finally, Mr. WASHBURNE'S motion and resolution was adopted—eighty to seventeen.

On motion of Mr. SCHENCK the rules were suspended, and a resolution to print five thousand copies of Mr. Butler's speech with accompanying brief, and forty thousand without the brief, was offered and referred to the Committee on Printing.

Mr. SHANKS introduced a bill authorizing a District Court to be held at Fort Wayne, Indiana. Referred to Judiciary Committee.

Mr. BANKS moved to suspend the rules to provide for a meeting at eleven o'clock every day this week, except Tuesday.

Mr. WASHBURNE, of Illinois, objected and moved an adjournment. Carried.

Adjourned.

BRIEF TELEGRAMS.

—On Thursday, April 15th, the printers of Philadelphia will each set one thousand ems of type in aid of the Artemus Ward monumental fund.

—The Republican Convention of New Hampshire, for the choice of delegates to the National Convention, meets at Concord on the 5th of May.

—Thaddeus Stevens publishes a letter in the New York *Tribune*, heartily endorsing General Grant for President, and saying that Wade is his choice for Vice President.

—The President will reply to Mr. Edmunds' resolution of inquiry—adopted in the Senate—that he derives his power to order a new military department from his right as Commander-in-Chief of the army and navy of the United States.

—We are informed by Associate Press telegrams that a leading railway official has absconded, taking with him several millions of the company's money. We take no stock in the report. It is evidently written in the Vanderbilt interest, and on its face seems to show that fact.

—The Plasterers of Washington City, now on a strike, have received an endorsement from the Plasterers' Society of Chicago, with the promise of $2,000 per week until their strike is successful. Similar action has been taken by the Baltimore Society, and also by the District Typographical Society.

—In Philadelphia, the Eleventh Baptist Church had for a pastor Rev. J. Heath Smith, who resigned and was succeeded by Rev. R. S. Thusin. The latter did not suit the congregation, and on Sunday one of the deacons arose and told him his sermon was not fit to be heard, while another deacon ordered the organ to be played. This soon caused great confusion and the congregation was summarily dismissed. This affair caused a great deal of excitement, and the church was placed in the hands of the police.

—The Worcester (Mass.) *Spy* says the Association in that city to aid in the formation of a colony in the West was fully organized Tuesday evening. Trustworthy agents were appointed to go West as soon as the season permitted to select the most favorable locality and purchase land for a large colony.

—Some two hundred mechanics of Boston, who had managed to get through the winter, hoping for a revival of business in the Spring, have become thoroughly discouraged, and leave for California this week.

—Messrs. Rossein's brick planing mill, and a large quantity of lumber owned by Sturd, Evlar & Andrews, at West Troy, New York, w's burnt by an incendiary fire Saturday morning.

—Action has been taken by the Senate of New York which virtually kills the bill amending the Metropolitan excise law passed by the Assembly.

—The counting room of A. G. & J. Brown, fruit dealers, State street, Boston, was robbed of a large amount of money on Saturday.

SECOND EDITION.

FOUR O'CLOCK A. M.

THE CAPITAL.

Supplementary Reconstruction Act Promulgated--Gen. Hancock and His New Command--State Tax on Deposits--Supreme Court Decisions--Mixed Up Congressional Report---Impeachment Witnesses Ready--Second Conference Committee Report on Tax Bill Agreed to by the Senate.

[By Telegraph to the Pittsburgh Gazette.]

WASHINGTON, March 30, 1868.

RECONSTRUCTION ACT PROMULGATED.

Secretary Stanton has issued in the form of a general order the act of Congress amendatory of the act act passed March 21st, 1867, to provide for the more efficient government of the rebel States. It is accompanied by a note by the Secretary of State, saying "the foregoing act having been presented to the President for approval, and not having been returned by him within the time constitutionally prescribed, has become a law without his approval."

GEN. HANCOCK AND HIS NEW COMMAND.

Gen. Hancock has returned to this city and will, it is thought, soon issue a general order assuming his new command. He was with the President some time this morning. The following is the order assigning Gen. Hancock to duty in the Division of the Atlantic:

HEADQUARTERS OF THE ARMY, ADJUTANT GENERAL'S OFFICE, WASHINGTON, March 27, 1868.

General orders No. 17. By direction of the President of the United States Maj. Gen. Hancock is relieved from command of the Fifth Military District and assigned to the command of the Military Division of the Atlantic, created by general orders No. 10, of February 12th, 1868.

By command of GENERAL GRANT,
E. D. TOWNSEND, Asst. Ajt. Gen.

TAX BILL CONFERENCE.

The second Committee of Conference on disagreeing to the amendments to the bill to exempt certain manufactures from duty, etc., have agreed upon a report which it is thought will be adopted by the two Houses. They alter the whiskey sections so as to inflict imprisonment and fine upon all distillers, Government officers and others connected with or colluding in frauds, and forfeit the distilleries in such cases. Other punishments are stricken out. One of the Committee says Government contractors for machinery, etc., have not been benefitted by the change in the bill. Mr. Ferry, of Michigan, one of the Committee, advocated an amendment, that manufactured lumber be exempt from tax on sales, and Mr. Brooks urged, in behalf of consumers, that flour should also be thus exempted. The report so provides, and those articles will, therefore, remain free as under the present law.

IMPEACHMENT WITNESSES.

Major General Thomas, Col. William G. Moore, Private Secretary of the President, and other witnesses, were at the Capitol to-day waiting to be called.

STATE TAX ON DEPOSITS.

The Supreme Court to-day gave an opinion in a case from Massachusetts, involving the question of State tax on deposits in a Savings Bank. The points are similar to those in the Connecticut decision, viz: that the tax can be imposed on deposits in such institutions, no matter in what form invested.

A MIX UP.

In the report of Saturday's House proceedings the argument of Mr. Williams, of Pennsylvania, against the Alabama bill, got mixed with the remarks of Mr. Bingham, who advocated it. Mr. Williams' remarks, attributed to Mr. Bingham, commenced where he says "I cannot shut my eyes to the fact that this government was built by white men, on ideas peculiar to that race," and continue to the close of what appears to be Bingham's speech.

SUPREME COURT DECISIONS.

In the Supreme Court, case No. 55, Fred P. James et al., appellants, vs. Milwaukee and Minnesota Railroad Company, appeal from Circuit Court of the United States for the District of Wisconsin, Justice Nelson delivered the opinion of the Court reversing the decision of said Circuit Court, with costs, and remanding the case for further proceedings in conformity to decree of this Court, Justice Miller dissenting.

No. 8, original, Milwaukee and Minnesota Railroad Company, petitioners. Justice Nelson delivered the opinion of the Court, denying the petition for a mandamus.

No. 84. The Ætna Insurance Company, plaintiffs in error, vs Samuel H. Webster, in error to Circuit Court of the United States for the Eastern District of Michigan. Chief Justice Chase delivered the opinion of the Court, affirming the judgment of said Court, with costs.

No. 156. Williamson Wright, plaintiff, in error, vs. James Mott, in error to Circuit Court of the United States for the District of Indiana. On motion of Mr. Pierrepont, of counsel for defendants in error, it was ordered by the Court that the writ of error be dismissed under the sixteenth rule.

WILL ASSUME COMMAND.

Gen. Hancock's order assuming command of the new military division of Atlantic will be issued to morrow.

ST. LOUIS

Supreme Court Cases—Judgment in Favor of General Grant.

[By Telegraph to the Pittsburgh Gazette.]

ST. LOUIS, March 30.—In the Supreme Court to-day the case of General Grant vs. Joseph W. White, for unlawfully retaining possession of a farm near this city, belonging to Mrs. Grant, was decided in favor of plaintiff. The Supreme Court also decided the case of Edward S. Rowse, State and County Collector, vs. Washington University, for State and county taxes, in favor of Rowse, the Court holding that under the new law the University must pay taxes notwithstanding its charter provides for perpetual exemption.

Fatal Affray at a Dinner Table.

[By Telegraph to the Pittsburgh Gazette.]

NASHVILLE, Tenn., March 30.—A dispute occurred on Saturday at a dinner table at the Franklin House, in Tuscumbia, Ala., between Robert Cunningham, of the rebel army, and a Mr. Collins, of the federal army, relative to the Arkansas elections. Cunningham drew a revolver, but before he could use it Collins shot him with a single barrel pistol, killing him instantly. Cunningham's pistol was discharged as he fell, but without effect. Collins surrendered himself immediately.

PENNSYLVANIA LEGISLATURE.

Senate Not in Session—Greensburg, Youghiogheny and Brownsville Railroad—Veto of the Free Railroad Bill.

[Special Dispatch to the Pittsburgh Gazette.]

HARRISBURG, March 30, 1868.

The SENATE is not in session.

HOUSE OF REPRESENTATIVES.

The bill incorporating the Greensburg, Youghiogheny and Brownsville Railroad Company, passed finally.

The Governor has vetoed the Free Railroad Law, in a long message, in which he recites that it does not meet the requirements of the people, and is unconstitutional, because it embraces more than one subject, providing for new roads and relating to old roads.

FREE RAILROAD BILL VETOED.

[By Associated Press.]

HARRISBURG, March 30.—Gov. Geary has sent to the House his veto of the Free Railroad bill recently passed in the Legislature. He declares it unconstitutional in giving extraordinary powers by authorizing Railroad Companies to increase their capital stock without limit.

SOUTHERN STATES

[By Telegraph to the Pittsburgh Gazette.]

VIRGINIA.

RICHMOND, Va., March 30.—In the Convention to-day an ordinance authorizing the issue of certificates of indebtedness to members of the Convention up to April 6th, receivable at the State Treasury in payment of all dues to the State, was referred.

A resolution to suspend payment of interest on the State debt was referred.

The report on education was finished. Another amendment to separate the two races in schools was lost—thirty-seven to twenty-one. The ordinance directs the establishment of a uniform system of free schools to be in operation by the year 1874.

MISSISSIPPI.

[By Telegraph to the Pittsburgh Gazette.]

JACKSON, Miss., March 30.—In the Convention one section of the Judiciary report was adopted. A motion to take a recess of three weeks was lost. The policy is not to adjourn until the impeachment trial closes.

CALIFORNIA.

Legislature Adjourned—Earthquake Shocks Non-Arrival of China Steamer.

[By Telegraph to the Pittsburgh Gazette.]

SAN FRANCISCO, March 30.—The Legislature adjourned *sine die* to-day. It passed acts creating a State University, and providing funds for the same; granting terminal privileges to the Pacific Railroad; abolishing the State Geological Survey, appropriating fifteen thousand dollars to meet the deficiency during the past two years, to wind up the affairs; refused to repeal the present Sunday law, or to elect a State Harbor Commissioner.

Slight shocks of an earthquake were experienced in the city on Saturday and Sunday nights.

The sailing of the Golden City was postponed until to-morrow evening, owing to the non arrival of the steamer China from Hong Kong.

Railroads in Maine.

[By Telegraph to the Pittsburgh Gazette.]

BANGOR, March 30.—This city voted by a large majority to loan a credit of one million dollars to the European North American Railway; also $15,000 per mile to the Bangor and Piscatquis road. This secures the building of both roads.

Arrival of Coolies at Havana.

[By Telegraph to the Pittsburgh Gazette.]

HAVANA, March 30.—The Portugese vessel Maria Louisa, formerly an American vessel, has brought two hundred coolies from Macoa. The coolies were guarded on the trip by thirty Portuguese soldiers to prevent mutiny.

Masonic Lodge of Sorrow.

[By Telegraph to the Pittsburgh Gazette.]

PHILADELPHIA, March 30.—A Masonic Lodge of Sorrow was held this evening in respect for the memory of the late Wm. Backins Schneider, Grand Tyler of the Grand Lodge of Pennsylvania. Nearly one thousand Masons were present.

Arrest of a Murderer.

[By Telegraph to the Pittsburgh Gazette.]

BUFFALO, March 30.—Abraham B. Mills, canal boat captain, who murdered Patrick Malone in this city, August 13th, 1867, was brought here from Grand Rapids, Michigan, and lodged in jail to-day.

THE COURTS.

United States District Court—Judge McCandless.

In the bankruptcy branch of this Court, a petition for final discharge was filed by Henry Fulmer, of Sullivan county. The usual orders were made by the Court.

The following petitions for adjudication in bankruptcy were filed: Nelson Decker, of Scranton, Lawrence C. Conklin, Wyoming county, and John Shields, Armstrong county.

District Court—Judge Williams.

Dennis Richardson and wife vs. Dr. M. R. Trevor: action to recover for alleged malpractice, on the part of defendant, in attending Mrs. Richardson for a broken arm. This is the third time this case has been tried, it having been before the Common Pleas twice, and in each instance the plaintiffs were non-suited. On trial.

Quarter Sessions—Judge Mellon.

Charles Miller, indicted for the larceny of goods from the auction store of Palmer & Phillips, was found not guilty.

W. H. Stewart pleaded guilty to an indictment for assault and battery upon a fellow employe at Lewis, Dalzell & Co.'s rolling mill, Sharpsburg, and was sentenced to pay a fine of ten dollars and costs. He was also required to enter bail in $300 to keep the peace for one year.

Nicholas Knoerr, newsman, indicted for assault and battery upon Christian Jeckel, put in a plea of guilty and was sentenced to pay a fine of ten dollars and costs, and required to give security in the sum of $300 to keep the peace for one year.

William White and Charles Fury, boys, convicted of the larceny of hosiery, were sentenced—the former to the county jail for one month, and the latter to the House of Refuge.

The Court adjourned early (until to-day), in consequence of the absence of witnesses in a case fixed for trial.

From Messrs. Ticknor & Fields, we have the *Atlantic* for April, which is certainly an improvement on the March number.

TACK-O'CONNOR CASE.

Defendant's Pressing for Trial—Friday, April 14th, Fixed.

[By Telegraph to the Pittsburgh Gazette.]

PHILADELPHIA, March 30, 1868.

Commonwealth vs. Tack Brothers, Judge Pierce presiding.

Mr. Cassidy—If your Honor please, on the 4th of March the Grand Jury found a true bill in this case. We now desire to plead to this bill and have a time fixed for the trial. The District Attorney will give us no satisfaction. We wish to have some day fixed for the trial of this case, and we now ask your Honor to name such a day, as this case is of great importance, not only to the defendants but to the public.

Mr. Mann—We are extremely gratified to learn that the gentlemen on the other side are ready for trial, and if they will favor us with a plea we will endeavor to fix some day for the trial of the case.

Mr. Cassidy—We enter a plea of not guilty.

Mr. Mann—We would ask for ten days in which to make preparation for this trial. The other side must be satisfied of the fact that it requires some preparation.

Mr. Collis—My client has not been a party to this bill.

Mr. Cassidy—I was here ten days ago on a day fixed for trial, and came in Court with thirty witnesses in attendance; but the case could not be tried, because Mr. Mann was engaged in the contested election case.

Mr. O'Brien—It was then suggested by Mr. Mann that the operations would be of a dilatory character, and put it beyond the reach of trial; that is now obviated by the entry of our plea of not guilty.

Mr. Mann—The time was simply accorded to us. The witnesses for the Commonwealth are in Pittsburgh, and we would be utterly unable to try the case this week. There are, besides, a large number of prison cases to attend to, and to try this case now would be to keep a large number of persons in prison. Not only that, but we would not have sufficient time to prepare the case. Say to-day two weeks. They attempt to make us hurry it on, and before the time arrives they will find something to make a delay on their side. We will have to-day two weeks open. We will then try.

Mr. Cassidy—The time fixed goes into the next term. It is unusual. The Commonwealth is supposed to be ready at all times. A full hearing of this case was had on the *habeas corpus*, and they have no excuse for not being ready. The main transaction involves matters in Pittsburgh. We will be ready in good faith with this case, and we want a day fixed for trial. I expect to leave shortly and want this case tried.

Mr. Cassiday—I am here with my colleagues ready for the trial of this case, and if we have any rights here we demand a trial. Mr. Mann will not fix a day and we ask the court to do it.

Mr. Mann—I will fix a day, but I would wish to say that some people have been to Harrisburg and got a bill passed to affect this case.

Mr. Cassidy—We have nothing to do with any such bill. We demand our trial.

Mr. Mann—You will have thirteen days in which to get away. I have a great many things I want to do. Make it Wednesday, the 15th. You will then have ten days. Monday is a bad day.

Mr. Cassidy—It is not improbable that this case will take one or even two weeks. I have no doubt whatever but that on both sides there will be one hundred witnesses, and there are fourteen lawyers.

Mr. Mann—Then it's pretty certain that no one will know anything about the case.

Judge Peirce—So far as I am concerned I have no power in the matter. My term expires with this month and I would suggest that you agree upon a day satisfactory to both.

Mr. Mann—We have agreed your Honor upon Tuesday, the 14th of April.

Foreign Markets by Cable.

LONDON, March 30.—*Evening.*—Consols closed at 93a93¼; 5-20s 71¾a78, Erie 48¼, Illinois Central 89¾.

FRANKFORT, March 30.—*Evening.*—Bonds 74¾a75.

LIVERPOOL, March 30.—*Evening.*—Cotton firm; middling uplands 11¼a11¼; Orleans 11¾a12; sales 30,060 bales. Breadstuffs quiet and steady. Corn 42s. Wheat 16s.; white California 14s. 3d.; red Barley 5s. 6d. Oats 4s. 2d. Peas 46s 6d. Flour 37s. 6d. Provisions quiet. Beef 121s. Pork 79s. Lard 62s. Cheese 55s. Bacon 42s. 6d. Produce unchanged. Tallow 44s. 9d. Linseed Oil £36. Refined Petroleum 1s. 6d., Spirits 1s.

ANTWERP, March 30.—*Evening*—Petroleum firmer at 44½ francs.

New Orleans Market.

[By Telegraph to the Pittsburgh Gazette.]

NEW ORLEANS, March 30.—Cotton active and excited; sales 6,400 bales middings at 27 1-2c and nominal; receipts, 3,100 bales; exports, 3,911 do. Flour quiet; superfine, $9,75; double extra, $10,62. Corn tending upward; No. 1, $1,03a1,05. Oats firm at 78c. Pork quiet at $26,25a26,50. Bacon dull and depressed; shoulders, 12c; clear sides, 16c. Lard dull and drooping, Gold, 40 1-2; sterling bank exchange, 52 1-2a53; New York exchange, 1-2 per cent. premium.

Buffalo Market.

[By Telegraph to the Pittsburgh Gazette.]

BUFFALO, March 30.—Flour quiet and unchanged. Wheat inactive and unchanged. Corn dull; sales 3 car loads at $1,09. Oats dull and unchanged. Rye wanted; market bare. Mess Pork dull at $24,75. Lard dull at 16¼a17c. Grain in store and afloat—Wheat, 177,000 bus; corn, 22,000 bus; oats, 23,000 bus; barley, 10,000 bus.

Louisville Market.

[By Telegraph to the Pittsburgh Gazette.]

LOUISVILLE, March 30.—Tobacco firm; 118 hhds sold at $5,25@7 for lugs; $15 for medium leaf; selections, $20; Hart county bright wrappers, $40,50. Cotton, 25@26c. Flour, $8,25@8,75; fancy, $12,50@13. Oats, bulk, 73@75c. Corn, shelled, 80@83c. Lard, 16c. Bacon—shoulders, 11¾c; clear sides, 14c. Mess pork, $24,75.

Memphis Market.

[By Telegraph to the Pittsburgh Gazette.]

MEMPHIS, March 30.—Cotton irregular and firmer at 26a26¼. Receipts in two days 809 bales; exports 129 bales. Flour quiet; superfine $8a9. Pork $20; shoulders 12a 12¼; clear sides 15¼a16; bulk shoulders 11a11¼; clear sides 15¼. Lard 16a17. Corn $1,05. Oats 80a82. Hay $18a20.

Rivers and Weather.

[By Telegraph to the Pittsburgh Gazette.]

LOUISVILLE, March 30.—The river is still rising, with twenty-two feet in the canal. Weather clear. Thermometer, 60°.

ST. LOUIS March 30.—Weather clear and pleasant.

Milwaukee Market.

[By Telegraph to the Pittsburgh Gazette.]

MILWAUKEE, March 30.—Flour irregular and active at $9,75 for best spring extras. Wheat 2c higher, at $1,98 for No. 1. Corn 1c lower, at 81¼c. Oats steady and dull.

Chicago Cattle Market.

[By Telegraph to the Pittsburgh Gazette.]

CHICAGO, March 30.—Beef Cattle nominal at Saturday's prices.