#### THE O'CONNOR-TACK CASE. (Continued from Seventh Page.)

Q. You state it all now substantially? A. I state it all substantially. And I made use of the phrase that I would crush them or push them to the wall. Well, sir, we talked of it about half an hour. That is the meaning of it. That is not all that we said, but is the substance of it.

Q. Did you say to Mr. Solomon Shea, of Pittsburgh, that no matter how this suit turned out you would ruin these Tacks, or words to that effect?

words to that effect?

A. Not that I recollect of. I had several conversations with Mr. Solomon Shea, but I do not recollect using that language.

Q. Did you not send a dispatch to Mr. Dan. Miller at the time you were selling oil through the Tacks, that you had oil on hand to fill your contracts?

A. I sent a dispatch to Mr. Daniel L. Miller.

Q. That you had oil on hand to fill your contracts?

Q. What was it about the crude with a doubtless, among othe It depended upon the contracts?

Q. What was it about the words oil was.

Q. What was it about the words oil was.

A. I do not think that is the language of the dispatch. If you show me the dispatch I may answer more accurately.

Q. Have you ever said to anybody that the purpose of bringing this criminal suit was to get your money?

A. I have sworn I have said both, that

my purpose in bringing this criminal pros-ecution, was to get justice and to get my money back. Q. "Restitution" was your word, was it

A. I think "to get my money back" was my exact phraseology.
Q. Did you not employ counsel to enable you to restitution?

I did. At Pittsburgh? Pittsburgh and Philadelphia both.

In this case. Q. I understood you to say that you had been a resident of Pittsburgh for a number of years, and that in 1864-5 your business was that of refining oil? A. From the date in 1864 to the date in

1865 that I have already mentioned. Q. Before that you were engaged in the banking business? A. I was at that time president of a bank and also special partner in the Keyston Oil Refinery.
Q. Of what bank were you president at that time—the Fourth National or Merchants' and Manufacturers' Bank?

Objected to. Objection sustained. Q. Did you telegraph Mr. John Sedgewick, your counsel in New York, of the departure of Mr. Tack for Europe?

A. I sent Mr. Sedgewick, after my re-A. I sent Mr. Sedgewick, after m turn from New York, several dispatch Q. Did you send him one such as that I have indicated to you—that Theo. Tack

was going to Europe?
[Objected to.]
Q. You stated you arrested him, I think,
on the 24th of August? A. I do not think I named any day.

Q. Then we will allow you to name it

When was it? A. I do not recollect the exact day, but it

was in August.
Q. Was it in the beginning? A. No, sir; it was after the 22d of August. How much after the 22d? A. I think probably the 23d or 24th of August.
Q. You are now alluding to the arrest in New York?

Q. Did you send any message to Mr. Sedgewick after that upon the subject of Theo. Tack's departure from Europe?

A. After I returned to Philadelphia I saw a newspaper in the Continental stating that he had sailed, not on the Perriere, but on a succeeding steamer; he had found he could not get on the Perriere and intended to go on not get on the Perriere and intended to go on another steamer. And that newspaper I showed to General Collis, my counsel, and telegraphed to Mr. Sedgewick that fact. That was after I had been to New York and returned. And we found that, not to be the case—that he had bought his ticket a second time but had not got off the second time.

Q. You arrested him again? A. I arrested him in New York city: second time on a New York warrant.
Q. And he was again discharged?
A. That I do not know—about his discharge of my own knowledge; I was not

you know that he was not Q. And you know that he was not brought back here by any one?

A. Do you want me to tell all about it?

Q. I want you to say that—that you know he was not brought back here by any offi-

A. He was not brought back by the offi-Q. He was not brought back by any offi-A. He was not brought back by any offi-cer, I believe but I believe he was brought into Alderman Beitler's Office, that he was

in charge of an officer. Q. In charge of an officer? A. Either he or Augustus Tack. Q. Were you at Alderman Beitler's of-

A. Yes, sir.

The first time. No, not the first time. Q. You have volunteered to say you saw them (the Tacks) brought before that Al-derman by an officer. Now do mean to say

I want to know if you mean to swear and tell that jury that you were present and saw them brought into the office in company with an officer? A. I mean to say that of my own knowledge I say one of the Tacks in Alderman Better's office—that I had sent an officer with express instauctions to bring him in;

he either came in with him at the mo ment or joined him at the time. O. Joined the officer? A. The officer joined him.
Q. Who was the officer.

A. It was either Laggart or Smith, or one of those people.

Q. We want the man you saw.

A. My present recollection is, it was George Smith; but if it was not him it was his partner. There were several officers employed about this matter. Q. I want to know which officer it was.

A. Well, to the bost of my recollection, I think it was George Smith or his partner, I had my hands very full of this matter and it was impossible for me to tell at the moment. This is to the best of my knowledge 

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Mann :] Q. You were asked in regard to whether there was a tender of oil to you, and you said there was not a tender of oil to you. What was said or done by Mr. Tack in the nature or character of a tender?

nature or enaracter of a tender?

A. The first time Mr. Augustus Tack came to the Continental, he came up to me with Mr. Wilcox in his company, I was seated, I believe, in the rotunds or near the book-stand of the Continental Hotel. He book-stand of the Continental Hotel. He came up to me with a large roll of papers, containing a parcel of certificates of oil, and of having been guaged by Inspectors; a whole voluminous matter, being what are termed by oil brokers, "papers necessary to make a tender of oil." In presence of Mr. Wilcox he called my attention to these papers. I turned around and asked him if he wanted me to read all those; I consistency was about. He said then it was off which they were bound to deliver to me, and if I would pay him whatever the bill was a farge amount—quite a number of thousand dollars. My answer was to refer him to my counsel, that they wont the said mo unless. I paid him so many thousand dollars. My answer was to refer him to my counsel, that they would take charge of all this business. The second time I saw Air. (Babk/he came to my counsel, that they would take charge of all this business. The second time I saw Air. (Babk/he came to my counsel, that they would take charge of all this business. The second time I saw Air. (Babk/he came to my counsel, that they would take the patch in which Mr. Leckhart and "Mr. Leckhart and "Mr.

Col. Wm. B. Mann, who would take charge of this entire matter. Thereupon the three gentlemen (Lockhart, Long and Tack,) walked out of the gentleman's parlor. That was what really occurred in detail, so fense—Charge of Judge Brewster. That was what really occurred in detail, so far as I can recollect now, concerning what was termed "a tender of oil." In both instances I referred them to my counsel; I don't know whether I named any particular one; the second time I named yourself.

Q. Mr. Cassidy asked you whether you did not deem yourself posted as to the condition of the crude oil market. At the time the Tacks spoke to you of these conditions. time the Tacks spoke to you of these contracts—were you posted then?

A. Prior to that time I was posted on the crude market, because I had given it considerable attention.

A. Well, I had frequent conversations

about the crude with a great many persons; doubtless, among others, with Mr. Tack. It depended upon the time, the month, as Q. What was it about?
A. Well, when I first spoke to him the

A. My conversations with him had been mostly in regard to the stock of oil, &c., up in the oil regions. There was a large supply there. I had no personal knowledge of the exact amount in Pittsburgh and its vicinity, because I did not make direct inquiries myself, but I can tell you what persons had asserted there was.

ons had asserted there was.

Q. Then you know nothing of the condition of the market there in crude oil, or tion of the market there in crude oil, or what the future prospects would by except what the Tacks told you?

A. I knew from my own knowledge, and also from every information I could gather from every source, that the stock of crude oil up in the oil regions was very large and accumulating. In these conversations that was always admitted; and the exact amount the bittelmank of any variables time if at Pittsburgh, at any particular time, it would be almost impossible to tell, unless a man went to each particular refinery and measured each tank. But there was a large

over your road during certain months?

A. Yes, sir. These are the statements which were furnished. Q. Be good enough to state the month and the number of barrels which came over the

road in each month. A. The two statements here should have een condensed.
Q. Give the sum total of each month.

A. [In regard to one of two papers which witness holds in his hands, he remarks]: withess notes in his manes, he remarks a This statement is gotten up from the books at Thirteenth and Market

June, 1867... 51,245 bbls.; also, 259 bbls. July, " ..... 98,308 Aug. " ..... 56,120 Sept. " ..... 61,036 Oct. " ..... 73,334 ..... 28,134

Total ...... 424,857 Which came over the Pennsylvania Rail-road from June 1st to December 31st. The other statement is from West Philadelphia, and is for oil unloaded at the oil platform during same months, and not included in this other paper, 844 barrels in the aggregate.
Q. Those two aggregate amounts repre.

over the Pennsylvania Railroad in these months? A. Yes, sir. That is, refined oil.

Q. [By counsel for defendant.] Do you how that compares with other sea-A. No, sir.

Q. Where was this oil stored?
A. It was delivered at different points— Point Breeze, Gibson's Point and Green These were all principal

Q. [By prosecution.] Being all points in the neighborhood of this city and for use here? A. Yes, sir.

Q. For use or shipment here. The owners store it at points in the vicinity of this city? A. Yes, sir. Q. Was that all bonded oil?

A. That I cannot answer.
Q. Can you tell us where that oil came A. Not entirely.

Q. Can you answer from what point it A. The principal part was shipped from what we call Allogheny Junction, that is junction of the Western Pennsylvania Rail-

road and Allegheny Valley Railroad.
[Witness proceeds to state.]
A. From the evidence or statements that I have, I would say this all came over the Pennsylvania Railroad. It includes oil over the Philadelphia and Erie road, and oil from Cleveland, if any such came.
Q. It includes only refined, not crude oil? Not crude.

Q. Does not all that oil go in the bonded A. It is my impression that it does, the WILLIAM SHARPLESS, a witness for the

ommonwealth, was sworn. I am employed at Thirteenth and Market streets, in the freight depot of the Peunsylvania Railroad Company.
Q. Have you prepared a statement of the amount of crude oil that came over the rail-

road?

A. Yes, sir; in this statement the crude oil is not divided from the refined. I cannot give you the crude alone. I have got the difference of crude for the seven months altogether; it is 115,824 barrels; June 60,647; July 117,341; August 68,208; September 77,332; October 99,405; November 75,421; December 42,228. Refined and crude together.

crude together.
Q. That is 115,824 in addition to the 424,-O. which would make?

A. 540,681 barrels altogether.

Oross-examined [By defendant.]
Q. That includes all the oil that came over the Philadelphia and Erie road, as

vell as the oil over the Pennsylvania road? A. Yes, sir. Q. And it includes oil from Pittsburgh

Q. Do you know where that refined oil

A. It went to Greenwich Point, Gibson's Point and Point Breeze.
Q. To bonded warehouses? It was bonded oil?

A. I could not answer for that.
T. C. Chase is recalled for the Common. Q. [By District Attorney Mann.] I ask you whether Tack Brothers had not a name for O'Connor—some other name in cipher?

Q. What would O'Connor's name be in A. I would be O'Connor. There was never any way of expressing O'Connor's name but by writing O'Connor. Q. Did you never see a telegraphic dis-atch in which Mr. O'Connor's name was

[CONTINUED TO-MORROW.]

Special Dispatch to the Pittsburgh Gazette.] PHILADELPHIA, April 22, 1868. The petroleum war, which has raged so fiercely in this Court for a long week, came to a close this morning, so far as the action of the combatant was concerned, Mr. Cassidy making the closing speech for the defense. This gentleman, in the course of his address, took up many from the huge pile of that they were going on to sell oil "largely short," and urged him to authorize Mr. "Tack to sell oil. Mr. O'Connor adds that telegrams between the parties, and those Q. What wes the price of crude oil at which the prosecution commented upon as most positive proofs of the defendants' guilt, and explained away and gave a version to them which, he argued, would not admit of their being turned against his clients, unless by a false construction and tricky never and the construction and tricky perversion of their

Q. What was it about?

A. Well, when I first spoke to him the price probably was higher than what it was subsequently. Crude oil went down very low; it was falling up to June.

Q. Was there a large or small stock of oil on hand in June?

A. At what place?

Q. At Pittsburgh, or where it was taken to be refined?

A. My conversations with him had been mostly in regard to the stock of oil, &c., up in the oil regions. There were to be many the proposed and tricky pervorsion of their true intent. But, he maintained that most of their true intent. But, he maintained that most of their true intent. But, he maintained that most of them that were paraded forth to crush the Tacks, rebounded upon O'Connor's own head, and contradicted him most flatly in his most positive assertions. If it was a crime against the public for these men to put up oil a cent or two per quart in July, so that every one who bought for his home or store use paid a triffe more for it than a short time previously—if they were to be incarcerated in the loathsome cells of Moyamensing, and have their required. incarcerated in the loathsome cells of Moyamensing, and have their reputation destroyed for doing this, how much credit would they receive for putting it down in November, making it vastly cheaper for the general public in November, as the prosecution said they did? How should that question be answered? O'Connor had complained that the men had conspired to rob him by forcing him to pay thousands of dollars to parties other than themselves, for they were not to get a dollar of it, and yet he said he consulted counsel, who told him the contracts were illegal, that he was not bound to pay, and should not pay, and he subsequently did pay them of his own motion. This was a conspiracy through which he did what he was pleased to do. The prosecution had said that these men The prosecution had said that these men should receive no sympathy in this Court,

man went to each particular refinery and measured each tank. But there was a large stock, a very large stock in Pittsburgh at the time.

Q. [By Mr. Cassidy.] These papers that were shown you were warehouse receipts and other evidences of title?

A. I have no doubt they were. I asked him (Aug. Tack) if I should keep them (they were very large and voluminous; and he said I should if I paid him the money.

WILLIAM W. WEIMER was sworn as a witness for the prosecution:

I am a freight agent for the Pennsylvania

Should receive no sympathy in this Court, for this was an illegitimate gambling business, which aided no one, is gave no hope or succor to the laborer, to the working people, but it only affected a class of speculators and injured others engaged in lawful business. Mr. Cassidy maintained that this was untrue. The trade did help the community. The discovery of oil employed borers, refiners, coopers, blacksmiths, engineers and transporters. Every man of mechanics and labor a witness for the prosecution:

I am a freight agent for the Pennsylvania witness for the prosecution:

I am a freight agent for the Pennsylvania Railroad, and am stationed at Thirteenth and Market streets.

Q. Have you been asked to prepare a statement of the amount of oil which came over your road during certain months?

was benefitted by it. These people had first started the business in this form, establishing a house at the petroleum head-quarters, Pittsburgh, and one in this city, and doing yearly a trade of millions, and since its introduction the cities of Pittsburgh and Philadelphia have been vastly and doing yearly a trade of millions, and since its introduction the cities of Pittsbugh and Philadelphia have been vastly to-day

improved. It has become a of universal interest, and there existed a most lively between New York, Baltimore and Phila-delphia in regard to the petroleum trade, each one anxiously striving to monopolize it, and a verdict against the defendants in this case would do more to rob our city of it than all the combinations and sharp commercial tricks that have been attempted, and all the newspaper articles that have been published, even while this prosecution has been pending. The trade was trembling, and thousands of dollars had been drawn from it. In this matter not the lives of the parties were entrusted to the jury, but something more sacred—their character—the fair name of their old father, which he had won by a long life of honorable endeavors, to serve his God, his fellow man and himself, and which he had transmitted to them untarnished, and the peace of their dear mother, who had spent among Philadelphians a long life of virtue, beloved and respected by all. Those twelve Philadelphians, good men and true, were summoned to pass upon James O'Connor, of Pittsburgh, or the Tacks of Philadel-

CHARGE OF THE COURT. At the conclusion of Mr. Cassidy's speech, the Judge charged the jury as

ed trial of many days and double sessions. It is hardly necessary for me to do more than to call your attention to the outlines of this indictment, and the evidence in support of it, occupying a printed record of over two hundred pages. The defendants sel for the defendants to charge you upon the offense of conspiracy, which is an agreement between two or more persons to accomplish an unfawful act or a lawful act by illegal means. Under the Pennsylvania statute it is declared if any two (2) or more persons shall falsely and maliciously conspire or agree cheat and defrand any person or body corporate, of his or their money, or other property, or to do any other dishonest, malicious and unlawful act, to the projudice of another, they shall be guilty of a misdemeanor. The indictment upon which you are to pass concluded. of this indictment, and the evidence in lictment upon which you are to pass contains (5) five counts: It charges, in substance, that the defendants on the 5th day of July, last, conspired to cheat, defraud and injure James O'Connor and others and injure James O'Connor and others dealing in petroleum, and that this design was to be accomplished by false represen-tations and rumors, which the defendants, it is said, made and set on foot, and which are described in the various counts of the are described in the various counts of the indictment with great particularity. It is charged that they falsely pretended that they had reliable information, that for six months the supply of petroleum would be greatly in excess of the demand; that the market prices would decline, and that James O'Connor could make large sums of money by selling upon time contracts, the petroleum to be delivered in the future. It is averred that relying upon these statements, Mr. O'Connor entered into these contracts; that the defendants then caused an advance in the price by fore-stalling the market, by spreading false rumors, and producing an apparent scarci-ty. It is charged that all dealers at that time were injured by these injurious com-binations and acts. To this indictment the defendants have pleaded not guilty. The law presumes them to be innocent The law presumes them to be infocent until their guilt is made out by competent testimony, and it is therefore necessary that you should be satisfied beyond a reasonable doubt that two or more of the de endants actually conspired within this juresidiction to commit some of the acts charged against them by the employment of the means and devices set forth in the indictment. The Commonwealth contends

that the following facts have been estab-First, That Mr. Aug. Tack told Mr. O'Connor that oil was falling and would be lower; that the firm of Tack, Bros. & Co. were largely short of oil; that there was a surplus of oil; that the markets of Europe were glutted; and that he advised Mr. Connor to go short on oil.

Second, That Mr. Theodore Tack corrobo-

Second, That Mr. Theodore Tack corroborated all this and agreed that implicit confidence should be placed in them.

Third, That, relying upon these statements, Mr. O'Connor, through Messrs. Tack,
Bros. & Co., entered into contracts for the
delivery, of 16,000 barrels of oil, whereby,
he lost large sums of money.

Fourth, That all of the defendants were
parties to mear arrangement, to offect this parties to an arrangement to effect this purpose, and that they all knew these re-presentations to James O'Connor to be

Fifth, That they further combined to control the foreign market in order to raise the price here, and were, in fact, large purchasers when some of them pretended to be sellers on the part of the defendants.

All of these points lare denied, and you are to try, each defendant separately, according to the evidence as applicable to his case. Mr. O'Connor, the prosecutor and principal witness, states in substance that he and his partner, having lost about \$5,000

in a previous business transaction with Messrs. Tack, of which no complaint is made, Mr. Augustus Tack, about the 7th of June, 1867, expressed his regret at this, because of the friendly feeling theretofore existing between Mr. Theo. Tack and Mr. O'Connor, and that Mr. Augustus Tack said that the only way to cover up this loss was to do see and that Mr. Augustus Tack said that the only way to cover up this loss was to do as he had done, "go short on oil," and the quicker it was done the better. Shortly after this, as I understand the testimony of Mr. O'Connor, he went to Pittsburgh and saw Mr. Theodore Tack, who told him their house was very "largely short on oil;" that they were going on to sell oil these in the strength of the said o

he did authorize Mr. Theodore
Tack to sell oil, and agreed to pay
him a commission therefor. That
he placed implicit confidence in Mr.
Theodore Tack and that contracts were accordingly issued, binding Mr. O'Connor to deliver a large amount of oil at a future time. Mr. O'Connor subsequently, accord-ing to his statement, felt satisfied that the Messrs. Tack were not engaged in the same kind of operation, that they were really in the advance of oil, and his allegation is that all the statements made to him as inthat all the statements made to him as inducements to enter into these contracts were false and were so known to be by the

defrauding him. He further gives the details of other con-versations, in which he alleges that there is evidence of a conspiracy to forestall the market in oil. The other defendants, it is said, were involved in this criminal ar ent, and though some of them were not in this county when certain alleged overt acts were committed, yet it is con-tended that if the jury are satisfied that there was alconspiracy in this county, the overt act of one conspirator in furtherance of the common purpose is the act of all. I affirm the correctness of this as a legal

It is farther alleged that the statements of Mr. O'Connor are corroborated by the testimony of Mr. William G. Miller, Mr. Robert Finney, Mr. Aug. Merino, Mr. Miller and Mr. Dilworth. It is said that the connection of the other defendants with the arrangement is estab-lished by Mr. Wightman, Mr. Kirk, Mr. Miller, and Mr. Beliney, and in addition to these witnesses Gen. Alexander Cummings has been examined as to the alleged seizures, and Mr. Wm. B. John has spoken of exports of oil from our port. A number of telegrams have also been read to you. It seems to be conceded that if Mr. O'Con-It seems to be conceded that if Mr. O'Con-nor is to be believed, a case is presented against some of the defendants; but his credit has been subjected to the criticisms which you have heard. It is urged that he is an interested witness; that he testifies under strong feelings of bias; that he has endeavored to evade a full, fair answer to certain questions propounded to him and certain questions propounded to him, and that for these, and perhaps other reasons which have been suggested, you are not to believe him. The question of the credibility of a witness is exclusively for the jury. You are to weigh carefully all that he says, and his manner in saying it, his relations to the case, and to the par-ties, and thus decide upon the proper credit to be attached to his statements. The law of this case has been ably discussed and clearly settled by my brother Judge Ludlow. In his opinion he said: "The act of an individual may be lawful, and yet if he combine with others to do the same act with the intention to cheat or de-fraud another, or to benefit the conspirators to the prejudice of the pub-lic, by force, fraud, or menaces intended to effectuate a purpose, or where prejudice and opposition are the natural and necessary consequences, he may commit an indictable offence." Upon the force of the authorities I have no doubt that an agreement between two or more persons to forestall and control the market, for any necessary of life, by the employment of falsehood, and disclosing an unmixed motive of mischief, either to the public or indvidual, is clearly indictable; but the question behind all this is the proper deduction.

deduction to be made from the evidence in the case, and this I shall leave dence in the case, and this I shall leave without any further comment entirely to you. If you believe one or more of the defendants to be innocent, or if you have a fair reasonable doubt as to his case. on the fury: You have listened with great attention and patience to all the details of this case through a protracted trial of many days and double sessions. It is hardly necessary for the fury in the defendants to be innocent, or if you have a fair reasonable doubt as to his case, you should acquit him. If satisfied of guilt boyond reasonable doubt, you will have on the other hand to convict. The case is of great importance to the first of the function of t case is of great importance to the prosecu-tion and defendants, and will, I am sure, receive your most careful consideration. I have been requested by the learned cour-

spiracy they combined to raise the price of oil by spreading the rumors of large seiz-ures of oil by the revenue officers, of large shipments of oil to Europe from Philadel-phia, of short supply, and that such reports were false, and were known by the defendants to be false; that they secured the control of and withdrew large quantities of oil from the market, and that the same was done dishonestly, willfully and maliciously, and with malice and intent to cheat and defraud James O'Connor or others. I answer this point in the affirma-

tive. Second. That it is not un unlawful conspiracy for men to purchase oil on their joint account with a view to making a profit upon their sale. I answer that such

an agreement is of itself not the subject of an indictment. Third. It is not an indictable conspiracy for several persons to agree to purchase oil at a foreign port, where oil is cheaper than at the home market, with a view to make a profit upon an anticipated rise in the price at such foreign port, although the effect of such purchase may be to assist in advancing the price. I answer this in the

affirmative.

Fourth. That advance in price, which is the result of purchase by one or more persons, is not necessarily a fictitious advance, and the burden of proof is in the Commonwealth to show it to be so. I answer this n the affirmative.

Fifth. It is the motive which distinguishes the legal combination of several to purchase for their own profit from illegal conspiracy to purchase with a view to oppress and detraud others; and in considering the

is to be effected by some other means than the mere naked purchase; there must be some fraud, falsehood or deceit used and intended to affect the price, and the motive must be dishonest—as if several establish a ferry for their own profit, it is lawful, although it injure the value of a neighboring ferry; but if the motive of its establishment be to ruin the other, it is indictable. This point is affirmed.

This point is affirmed,
Seventh, There is no evidence in the case that the defendants purchased and withdrew large quantities of oil from the market. This is a question of fact for the jury.

The defendants contend that the evidence

A Humbug-How it Looks. This insect Has a glossy dress,

A brass face, Mealy mouth, A hard heart, Plenty of cheek, A sharp tooth, Light finger: Long legs
Apt to change places,
Feeds on cooked fools,

And bites simpletons.
But Pain Paint stands the test of hundreds who get relief every day, free of charge, at 116 Smithfield street. We have Wolcott's Annihilator; if you have Catarrh or Head ache, relief can here be found. No dosing the stomach with drugs; no harm done to con-stitutional health. Wash the mucous or phlegm from the head with the Annihila tor, prevent bronchial or consumptive affections, dyspepsia, liver complaint, &c., &c., 116 Smithfield street.

S. H. HASTINGS, Agent. Furniture, Carpets, Pianos and Sundries, This day, 10 o'clock a. m., at Masonic Hall Auction Rooms, will be sold a large assortment of furniture, new hair, husk and cotton mattresses, desks, and extension tables. New carpets of every description. Two splendid pianos; also, a quantity of greening took and control to the control of parties making them, and that all this was done with the previously formed design of herring, cigars, chewing tobacco, queens ware, cutlery, and household goods. Remember 55 and 57 Fifth street. Special sale of new carpets and window shades at 2 o'clock p. m., precisely.

The Renown of Burnett's Standard Preparations. For more than eight years these Preparations have maintained a large and constantly increasing sale, sustaining the opinion of the best judges that they are unrivalled.

Burnett's Oriental Tooth Wash is a pre-server of the teeth, and beautifies them without injury to the enamel. In this respect it stands alone. The evidence of Chemists and of the Dental Faculty substantiates these facts.

Lost a Finger.—Saturday last a German, whose name we failed to learn, had the first finger of his right hand cut off at Reese, Graff & Dull's establishment, while examining a machine for cutting shingle strips. He was feeding iron into the machine, when his attention was directed to something deep and letting his head side. something else, and letting his hand slide down the feed-board the finger was caught and cut entirely off. He was taken to Dr. Robinson's office, Lawrenceville, where his wound was dressed.

Pat and His Pigs-Patrick Lowland re-Pat and His Pigs.—Patrick Lowland resides on Arthurs street in the 7th Ward, and it is alleged by Mrs. Young, one of his neighbors, has several, which he kept in a per, which pen is a nuisance, as the stensh arising from it is deemed prejudicial to health. Mrs. Young made the allegation before the Mayor, and Pat was arrested. After hearing the case, His Honor directed Pat to abate the nuisance, by removing the pen, and upon payment of the costs he was discharged.

A clear voice and swret breath follow Trix. Singers unite in commending Trix.

Trix gives new power to the organ of taste. Trix is mighty and must prevail.
All druggists sell Trix. Wholesale depots

B. L. Fahnestock & Co.'s, Pittsburgh; Geo. A. Kelly & Co.'s, R. E. Sellers & Co.'s,

Revmer & Bros. R. A. Snodgrass, Allegheny. Surety of the Peace.—Albert Givert made

information before Alderman Humbert yesterday against Dr. F. Venn for surety of the perce. Givert is a blind man, and in company with several other persons, of whom the doctor was one, was in a beer saloon on Penn street, where a difficulty arose between the doctor and the blind man, when it is alleged the doctor threat-ened to break his bones. Venn was arrest-ed and held to bail for his appearance at court.

The Fair at Washington Hall, Alleghen City, for the benefit of St. Peters' Church, is nightly thronged with visitors. The principal attraction is the included for headed cane, which is being contested for headed cane, which is being contested for Mayor Drum of Alletheny, and Mayor Blackmore of this city. It is at Mrs. McCloskey's table. The vote stood last night 291 for the latter, and 302 for the former. Do not fail to be present

Ferocious Dog.-John Highlands vesterday made information before the Mayor, charging Joseph Gantz with keeping a fecharging Joseph Gantz with Reeping a fer-rocious dog. The defendant resides at Frankstown, and it is alleged keeps a fero-cious dog, which is a terror to the entire neighborhood. Yesterday the dog bit one of Mr. Highland's children. The defend-ant was arrested, and upon promising to kill the dog, was discharged on payment of

Assault and Battery.—A. H. Robinson made information before Alderman Butler, made information before Alderman Butler, yesterday, charging Dennis Golden with assault and battery. He alleges that he met Dennis on High street, and that without provocation he seized him by the collar and attempted to choke him. Dennis was arrested, and, after a hearing, held to bail to answer at Court.

Broke His Leg.—A young man named James Oliphant was wresting with a companion on North avenue, near James street, Allegheny, Tuesday afternoon, when his foot slipped, and he fell heavily to the ground, breaking, his leg below the knee. He was removed to the hospital for treatment.

The Galaxy for May comes to us fifty per cent. larger than heretofore, and, to say the very least, not diminished in literary worth. Walt. Whitmen, Harriet Prescott, Mark Twain, Pierre Blot, Sill, the California poet, and many other only less well-known names are among this month's contributors.

Attempted Burglary.-On Monday night an attempt was made to enter the dwelling house of Bartley Holley, in the Sixth ward, Allegheny. The operations of the burglars aroused the inmates of the house, and they left without accomplishing their object.

Educational.—A convention of the School Directors of the Consolidated City will be held in the Third Ward School building at 2 o'clock this afternoon, for the purpose of electing a City Superintendent.

To Country and City Merchants thoroughly supplied with all kinds of Dry Goods, Staple and Fancy, bought at unusual advantage through our Eastern purchasing department, taking advantage of the recent large auction sales and fluctuaand detraud others, and in considering the question of motive the jury ought to take into consideration the fact that such proposed purchase was openly discussed and communicated, and was generally known to persons in the trade. I answer this in the affirmative.

Sixth: That to render several persons liable in a criminal proceeding for unlawfully conspiring fictitiously to advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear that the advance the price of oil, it must appear the recent large auction sales and fluctuations in prices, and we can and will sell at less than the lowest Eastern cash prices. We invite you to an inspection of our stock and comparison of prices, at 59 Market street.

J. W. Barker & Co.

Alpacas 37½ Cents,

At Barker's. Double width Dress Goods 25 cents, At Barker's Percales, Chintzes. Scotch Ginghams, Lawne, Organdles, Jaconets, &c., cheap,

All Diseases are aggravated more or less by indigestion. In all cases, the first thing in order to remove disease, is to regulate the stomach and bowels. No better gener-al cathartic can be administered for this purpose than Wilson's Pills. Sold by all the principal druggists in the United States. At Barker's,

1217c, Best Prints, Beautiful Styles; 121/c; Fine Yard Wide, Shirting Muslin; 12½c, One Case Ginghams, Good Styles.

#### BRIEF NEWS ITEMS.

-A jury was obtained in the Cole-Hi murder, at Albany, New York, ye

terday. —The division boss of the Memphis an Charleston Railroad was run over by train at Lafayette, yesterday morning, an killed.

—The Spring meeting over the Memphi race course, on the 27th, bids fair to be success. Several stables are already ther in training.

-Major Henry C. Robinett, of the Fire United States Infantry, committed suici yesterday at New Orleans. -Charles Dickens sailed in the Russi from New York yesterday. A large nun

ber of friends saw him off -Alexander McDonald, U. S. Senato elect from Arkansas, arrived at St. Loui yesterday en route to Washington.

The steamer Berlin, from Bremen, a rived at Baltimore, yesterday, bringin seven hundred and seventy passengers. -At a special election for Alderman i the 11th Ward of St. Louis, yesterday, the radical candidate was elected by about 26 majority. -The Canada authorities have found

man who says he saw the shot fired tha killed McGee. He has not yet seen Whi en, but feels confident he can identify hin The "Exile of Erie," Daniel Drew, an party, return to New York to day. Tay lor's hotel, where they have sofourned duing their stay in Jersey City, has been sol to the Lelands for a quarter of a million of dellers. dollars.

-Christian F. Kincke, a barber, forty seven years old, committed suicide o Wednesday evening, at Cincinnati, b shooting himself with a pistol, the ball tearing his heart all to pieces.
was a difficulty with his wife.

—A. S. Mansfield, formerly of the Fir National Bank, was arrested yesterday a New Orleans by order of United State Commissioner Weller, on a charge of con-plicity in the burning of the steam Shooting Star, on which \$100,000 insurand was collected.

-At a meeting of soldiers and sailors. State Convention, at Baltimore, yesterda twenty-four delegates at large and twent from each of the five Congressional di-tricts were chosen to the Soldiers' and Sai ors' National Convention at Chicago ( the 19th of May.

-A telegram from Arizona to San Fran cisco states that a horrible murder whites by Piute Indians, took place on the Pitt River at Red Rock Ranche, Lor Valley, Nevada, on the 17th or 18th April. The Indians had been committin depredations for some time, stealing stocete, but made no threats against the live of the whites. The savages took the part of the whites. The savages took the part by surprise, they not suspecting any hosti intentions, and murdered W. H. Pierso wife and daughter, Jno. Sutherland ar another man. A boy about twelve yea of age made his escape, but was pursued long distance by the Indians.

For Sale.—A good paper route on the Gazette for sale. Apply at this office.

## MARRIED:

HOBBS-CASSINGHAM .- On Tuesday evening April 21st, 1868, by the Rev. W. H. Locke, ELI HOBBS and Miss LIDA CASSINGHAM.

DIED:

McKEE.—On Wednesday, April 23d, at 10 m utes before 1 o'clock F. M.; SAMUEL STERRET youngest son of John and Eleanor McKee, aged years, 10 months and 30 days. Funeral will take place from the residence of t parents, on the Allegheny and Perrysville Pla Road, (one mile from city.) THIS AFTERNOON, a o'clock. Carriages will leave the Diamond. Al gheny, at 2 P. M. The friends of the family

guent, at 3 P. M. The friends of the family a respectfully invited to attend.

FUSTER.—On Tuesday, April 21st, Colonel HERON FUSTER, editor of the Pittsburgh Dai Dispatch, aged 48 years.

The relatives and friends of the family are respectively. fully invited to attend the funeral on FRIDAY A TERNOON, at 2 o'clock, from the family residen

## UNDERTAKERS.

A LEX. AIKEN, UNDERTAKE!

No. 166 FOURTH STREET. Pittsburgh, I COPPINS of all kinds, CRAPES, GLOVES, and cery description of Funeral Furnishing Goods in ished. Hooms open day and night. Hearse a Carriages furnished.

REFERENCES—Rev. David Kerr, D. D., Rev. W. Jacobus, D. D., Thomas Ewing, Esq., Jacob Miller, Esq.

CHARLES & PEEBLES, UNDER TAKERS AND LIVERY STABLES, corner ANDUSKY STREET AND CHURCH AVENUAL Allegheny City, where their COFFIN ROOMS a constantly supplied with real and imitation Row wood, Mahogany and Walnut Coffins, at prices vrying from 44 to \*100. Bodies prepared for incuent. Hearses and Carriages furnished; also, sinds of Mourning Goods, if required. Office op at all hours, day and night.

ROBERT T. RODNEY, UNDER TAKER AND EMBALMER, No. 45 OH STREET. Allegheny, and No. 80 DIAMON SQUARE, thy John Wilson & Bros., I keeps alwa on hands the best Metal, Ilcsewood, Walnut a imitation Rosewood Coffins. Walnut Coffins fro 25 upwards. Rosewood Coffins 20 upwards, other Coffins i proportion. Carriages and Hears furnished at low rates: Crape, Gloves, Plate at Engraving furnished gratis. Office open day as night.

# SPECTACLES.

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SPRING GOODS.

Adapted to a FIRST CLASS MERCHANT TAILOF JUST OPENED, AT

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WALK IN! WALK IN! AND SEE THE NEW

SPRING AND SUMMER GOODS JUST RECEIVED AT

H. SMITH'S Tailoring Establishment,

No. 08 WYLIE STREET. Corner of Federal. FOR SALE. HOBOKEN. THE balance of those desirable Lots are now offered at private sale, and any one desirous of fine building sites would do well to make a selection. The village is located on a beautiful and healthy spot, two and is located on a beautiful and healthy spot, two and that miler from sharpsburg, on the Western Penn sylvanis Railroad, which runs through it, making it much more valuable and agreeable. Extensive preparations are how making for creeting a number of fine houses, which will prove an ornament to the town. The remainder of these Lots will be sold at very reasonable rates and on terms exceedingly easy. Sill & SHUTTERLY, Real Estate and In-