CITY AND SUBURBAN.

Daily Prayer Meeting-From 12 M. to 12:30 o'clock at the Rooms of the Christian Association, No. 23 Fifth street.

Route for Sale .- A good route, with over 400 subscribers, in Allegheny City, on this paper. For particulars enquire at this

Night School will commence this even-ing at the Third and Fifth ward School

The brutal arrest of Mrs. Dake was made the theme of a sermon in one of our churches yesterday.

New Roof. Uncle Sam is repairing the roof on the Custom House, a much needed improvement we understand.

Straws, &c .- On the Chicago Express due this city at 11:23 o'clock A. M., Saturday, a vote was taken, resulting—Grant 57; Seymour 29.

Committed. Justice Arent, on Saturday, committed to jail Peter Henkle, charged with fornication on oath of Margaret Thies.

The parties reside in Birmingham.

The City Republican Executive Committee will meet on next Monday, 14th inst., in the Common Council Chamber, at three o'clock p. m. A full attendance of the members is desired. Assault.-Barbara Zang made informa

tion, on Saturday, before Justice Heisel against ner husband, Gotleib Zang, for assault and battery. Gotleib was arrested and in default of \$500 bail committed for

Pardoned.—Frank Wilson, who was committed to the Penitentiary about eighteen months ago, for a term of six years, for robbery, was pardoned by Governor Geary and released from the institution on Friday afternoon. Night School.—The old Third ward Night

School will open in the school house on Grant street, this evening at 7 o'clock. interested should endeavor to be present at the appointed time so as to avoid ture confusion in the arrangements for The Second Ward Grant Club is making

extensive arrangements for the display on the 24th inst. The Bridgewater Club, numbering some eight hundred members, are expected to participate in the Convention as the guests of this Club. The latter hold a very important meeting this evening at headquarters. False Alarm.—The slarm from box twen-

ty-six, which occurred about five o'clock yesterday morning, proved to be false. The yesterday morning, proved to be laise. The Fire Department responded promptly, but being unable to find the fire returned to being unable to find the himor. If the scamp who gave the alarm had been caught he would have been severely punished.

Serious Accident.—Isaac McCallow, an employe at the Westmoreland Coal Works, Spring Hill, while riding on a coal train lost his balance and was thrown between the bumpers, receiving very severe and probably fatal injuries. He was conveyed to his residence and medical aid summoned. It is feared that he is injured internally.

Ominous Threat.-Mary E. Griffiths alleges that Kate Tull says she will be the death of her yet. Mary fears that this prophecy may be realized unless measures are taken at once to thwart it. She there-fore made information before Alderman McMasters against Kate for surety of the ce. Kate was arrested and committed

Man Drowned .- About eight o'clock Satman Drowned.—About eight o'clock Sat-urdsy evening Michael Murray, while en-gaged in "coaling" a tow boat at the foot of Ferry street, in the Monongahela river, missed his footing, fell overboard and was drowned. Search was made for the body mmediately after the accident occurred but at a late hour last night it had not been recovered. The deceased was a single man, about twenty-five years of age, and board. ed at No. 12 Penn street.

Beautiful Wax-Work .- We advise our lady readers to call and examines me rich mens of wax work at the Pittsburgh the College. The samples of fruit, flowers, autumn leaves, harps, crosses and pond lillies are the most beautiful we have ever seen. A class will be organized to-morrow (Tuesday) afternoon at 3 o'clock for the benefit of ladies not connected with for the benefit of ladies not connected with the college. But few hours are needed to learn, and much may be done by a little outlay to beautify and adorn your houses. Go by all means and see the specimens.

A Flying Board .- On Saturday morn-A Flying Board.—On Saturday morning during the storm a board from the upper scaffolding of the Cathedral tower was caught up by the wind and sent flying through the air. After performing several gyrations and evolutions at a lofty elevation it rapidly descended alighting on the roof of Devore's undertaking establishment on the opposite side of the street, going through the roof to the flour in the on the opposite side of the street, guardithrough the roof to the flour in the second story, making a hole about four feet in length in its passage through. Fortmately no person was in the room at the time and no injury was done beyond that to the building.

Drowned. On Friday afternoon three boys were in a skiff above Dam No. 1, on the Monongahela river, when by some ac-cident the boat was carried by the strong cident the boat was carried by the strong current over the dam, capsizing and precipitating the boys into the foaming waters. One of them, named David Ritchie, was struck on the head by the boat in its descent and sank inunedately. The other two managed to take hold of the boat as two managed to take note of the coat as it was floating off and thus saved themselves from a watery grave. The loys resided in Brownstown, and the deceased was employed in one of the glass factories the e. At last accounts the body had not been recovered.

Section of the sectio

"All's Well That Ends Well." Much solicitude has been felt by the families and friends of Mr. Walter McClintock, carpet merchant, and Wm. McIntosh, jeweler, of this city, by reason of their prolonged detention on an island in Lake Surior, whither they had gone for health perior, whither they had gone to hearing and recreation. It appears that her them on the lonely is and had engaged to call for them on her return trip, but was prevented for two weeks by necessary. This unexbut was prevented for two weeks by necessary repairs from returning. This unexpected and unexplained delay naturally caused some anxiety among the friends of the missing gentlemen, which was relieved on Saturday by a dispatch announcing their safety and intention to reach home to-day.

Stolen Property Recovered. About two weeks ago Mi.s Norton, a resident of Pittsburgh, while stopping at the St. Charles Hotel, in Greenville, Crawford county, Pennsylvania, had her roomentercounty, Pennsylvania, had her roomentered and a valuable shawl carried off. No trace of the sneak thief could be discovered and the lady had almost forgott-n the circumstance. She returned to the city a few days ago, and on Saturday was atting at the window of her room in the St. James Hotel, near the Union Depot, when she noticed a woman passing along with the shawl on her arm. She immedia ely started in pursuit, and overtaking the wo-

ther trouble about the matter.

THE DEATH SENTENCE.

The Lane Wife-Poisoning Case-Motion for New Trial Overruled-The Prisoner

Sentenced to be Hanged.

Saturday about noon, in the Court of Oyer and Terminer, Judges Sterrett and Oyer and Terminer, Judges Sterrett and Stowe on the bench, the case of Louis Lane, colored, convicted of murder in the first degree, in causing the death of his wife by administering poison, was called, the Court being prepared to decide upon the motion for a new trial. The case, was tried at the June term, and final judgment deferred until the present. The prisoner had been Chief Justice Hornblower, of New Jer-Chief Justice Sentenced to be Hanged. until the present. The prisoner had been brought into Court, and the room was well filled with members of the bar and spec-

The accused, it will be remembered, was defended by W. T. Haines and J. C. Mc-Carthy, Esqs., having been assigned by the Court as counsel, and the compliment paid them by the Court in the remarks given below is well deserved. On Mr. Haines, as the senior counsel, devolved the conduct of the case, and in discharging the high and responsible duty reflected the highest credit upon himself.
The following is the

OPINION OF THE COURT.

In the charge to the jury in this case we instructed them that under the evidence they could not render a verdict of anything but murder in the first degree, if they were satisfied that the prisoner killed his wife by means of poison, feloniously and maliciously administered to her; that if poison was intentionally and maliciously are made and maliciously are not the intentionally and mallclously given by the prisoner and caused death, that, without more, made it their duty to find a verdict more, made it their duty to find a verdict of murder of the first degree, and that they had no right to return a verdict of murder in the second degree. In other words, we directed the jury that if they believed from the evidence that the defendant murdered his wife by means of palesty the statute defendant. the evidence that the defendant murdered his wife by means of poison, the statute declared it to be of the first degree, and they could not make it less. This was the prevailing idea throughout the charge, and is emphatically expressed by the part excepted to by prisoner's attorneys, viz: "The life or death of this man is in your hands. There is no middle course, if he is guilty of murder; he must be convicted of murder of the first degree or acquitted of everything. If your verdict is guilty of murder you must state of the first degree. If not guilty you say so and no more."

This instruction is alleged to be error,

This instruction is alleged to be error, and is assigned as reason for a new trial. The question now is, was it erroneous or We certainly entertained the opinion, at

We certainly entertained the opinion, at the time the jury was charged, (as we still do,) that under all circumstances and in every case murder by poison under our statute was of the first degree, and it was in view of this opinion that the remarks com-plained of were made to the jury. But even if this opinion was not strictly correct in its plained of were made to the jury. But even if this opinion was not strictly correct in its fullest application, yet if the remarks made in their application to the law, as bearing upon the facts in evidence, were in accordance with the law arising thereon, no injustice has been done the prisoner, and the verdict should be sustained. Then two questions arise:

First. Were the instructions given correct as a universal rule of law, under the statute'

And if not, Second. Were they proper under the evidence in this case as a rule for the guidance of the jury?

As to the first question—whether "mur-

der by pois.n" is always nurder of the first degree—it is hard for me to conceive how any body can take up the statute of 1794 and come to any other con lusion, unless a more subtle and r fined distinction is drawn than is justified by the obvious intention of than is justified by th the Legislature.
The act of 1794 reads thus: "Whereas

the several offences which are included under the general denomination of murder differ so greatly from each other in the der differ so greatly from each other in the degree of atrociousness, that it is unjust to involve them in the same punishment, all murder which shall be perpetrated by means of poison, or lying in wait, or by any other kind of willful, deliberate and premeditated killing, or which shall be committed in the perpetration or attempt to mentated kining, or which shall be committed in the perpetration or attempt to perpetrate any arson, rape, robbery or burglary, shall be deemed murder of the first degree, and all other kinds of murder shall be deemed murdes of the second degree. degree, and all other kinds of murder shall be deemed murder of the second degree, and the jury before whom any person indicted for murder shall be tried shall, if they find the said person guilty thereof, ascertain in their verdict whether it be murder of the first or second degree."

It is well settled that this statuted earnot in the least alter the law of murder. What was murder before its passage, is

what was murder the law of murder. What was murder before its passage, is murder now. It is still "the killing of a person under the peace of the State, with malice aforethought either express or implied." Malice is the distinguishing feature of the crime. No new offense is created. Murder as it existed was merely divided into two classes in reference to the punishment to be inflicted under the law for its

commission.

First, All murder by poison, lying in wait, or other wildul, deliberate and premeditated killing, or which is committed in meditated killing, or which is committed in perpetrating or attempt to perpetrate the several felonie: mentioned, constitute one class, punishable with death, and termed of the first degree.

Second, All other kinds or murder consti-tute another class, and termed of the second degree.

degree.

The killing of a person with malice aforethought, by means of poison, is murder in the first degree, and can be nothing else. What then constitutes killing with malice aforethought, or malicious, killing? Says Russell on Crimes, 483: "Not such Says Russell on Crimes, 483: "Not such killing only as proceeds from premeditated hatre against the person killed, but also such killing as is accompanied with circumstances showing the heart to be perversely wicked, is adjudged to be of malice prepense, and murder. When the act which occasioned death is committed deliberately, and is likely to be attended with dangerous consequences, the malice radiiisite occasioned death is committed deliberately, and is likely to be attended with dangerous consequences, the malice requisite to murder will be presumed, for the law infers that the natural or probable effect of any act delibera ely done is intended by its action." (Wharton on homicide, page thirty-four, and cases cited.) From the days of Lord Hale till the present time, the willful administration of poison from which death ensues, has been held to be murder. Thus it follows, that the willful giving of poison where death ensues, being still what it was before the statute—murder—it is now under the statute the same, and punishable with death.

It Commonwealth vs. Keaper of Pales.

In Commonwealth vs. Keeper of Prison, 2 Ashmead, 227, Judge King expr. sses an opinion on the statute at variance with the preceding, and says that "murder by polson and lying in wait, are given as instances of wilful, deliberate and premeditated killing, but not as cases which under all circumstances are such." It is apparent that the learned Judge has confounded the term murders with killing, and means that unlawful killing by poison is not always murder of the first degree. In this he is clearly right, because there may be, and often is, der of the first degree. In this he is clearly right, because there may be, and often is, killing by poison which is criminal, and yet not murder at all, but simply mandstaughter, and such is the case he pus by way of illustration. In the Supreme Court of Connecticut a doubt has also been expressed as to the correctness of the conclusion we have ar ived at, and also by Judge Woodward in 12 Wright 396, Rhodes vs. Communwealth. In neither, however, is a positive opinion expressed. On the contrary, the view we have taken is sustained by Justice Daniel, Commonwealth is a platol in his hand, and struck him a sequence of the law. One of that he was an officer of the law. One of that he was an officer of the law. One of that he was an officer of the law. One of that he was an officer of the law. One of the head, kno-king him were blow on the head, kno-k the snawl on any transpose of the started in pursuit, and overtaking the wolf in the design of him who lays the balt in pursuit, and overtaking the belig refused, started to wilk home. While the sense of an abundance, of fund the sense of an abundance, of fund the sense of an abundance, of fund the long tensed, started to wilk home. While the sense of an abundance, on the wolf the pursuit, and the light pursuit in the ladies' with the sense of an abundance, on the wolf the pursuit wolf in the ladies' with the fersident of the vi

phries, 136. After reciting the statute in force there, precisely similar to ours so far as this case is concerned, the court say:
"In cases of murder by poison or lying in wait, the most atrocious and detestable of all kinds of homicide, and the least to be at the least to be registance or

Chief Justice Hornblower, of New Jer-

sey, referring to the act of that State, which is the same as ours, says: 'Independent, however, of the common law presumption of malice, all will agree that killing by poison, lying in wait, or by willful deliberate and manufactured design. willful, delibera e and premeditated design, is proof of express malice. Again, if a man is proof of express malice. Again, it a man in the act of perpetrating or attempting to perpetrate the offence specified in the statute kill another, this is evidence of express malice. In all these cases, then, the killing is Murder of the First Degree."

The same view appears to be also held by the Supreme Court of Kansas and Texas in late cases cited in the United States District Court for 1864—Sec. 23 Cal. 17—of Kansas 365.

But most conclusive of all, because binding upon us until reversed, is the case of Com. vs. Earl, 1. Wharton 531. There the Com. vs. Earl, 1. Wharton 531. There the Court specifically decide and give as a reason for refusing the allocution asked for, that all murder perpetrated by means of poison is equally of the first degree, saying, as in case of murder by poisoning, the poisoner is guilty, if at all, of murder in the first degree, and as a verdict of guilty in another the poisoner which we have received, the other degree would not be received, the law will not require, though it might endure the received and the statement of the st dure the performance of an act so nugatory as an attempt at classification where there is no difference, or the making by verdict of a measure of guilt pre-established by the

If the conclusion arrived at in that case was right, it was only up n the ground stated by the Court that murder by poison stated by the Court that murder by poison under the statute is of the first degree and can be nothing else.

But we think we might go a step further, and even admit that this broad view of the statute is incorrect, and still sustain our charge under the evidence in this case.

The jury were told substantially that un-

The jury were told substantially that under the evidence in this case, if they found the prisoner had intentionally and malithe prisoner had intentionally and mallciously given arsenic to his wife, and she
died from the effects of the poison so administered, the law made it their duty to
return a verdict of guilty of murder of the
first degree. There was no allegation, and
if there had been, there was not the least
evidence that the poison was not intended
to kill, and certainly it will not be pretended that the deliberate administration
of arsenic in quantity, which must necessarily produce death, by one aware of its
effects, does not in the absence of evidence
to the contrary, create the legal conclusion
of intent to kill. If such is the case, then
we were right, and it was our duty to tell we were right, and it was our duty to tell the jury that they could not under the law and evidence in the case, render a verdict

of murder in the second degree.

This is only applying to a deadly poison, the same rule well settled in the cases of deadly weapons, and upon this ground alone we think all we said to the jury might well be sustained in view of the evidence

in the case.

The m tion for a new trial is overruled. The reasons for arr-st of judgment have also been considered. We do not think cause is shown to arrest judgment and they are therefore overruled.

When Judge Stowe had concluded,

Iudre Sterritt made a which he stated he fully cencurred in the opinions of his brother Stowe. THE PRISONER SENTENCED.

The prisoner was then directed to stand ne prisoner was then directed to stand up, when Judge Stowe asked: "Louis Lane, have you anything to say why sentence of death should not be imposed upon you according to law?"

Prisoner—"I am not guilty of the charge."
Judge Stowe—"Have you anything furth. Judge Stowe-"Have you anything furth-

or to say?"
Prisoner—"Nothing."
Judge Stowe then said: "Louis Lane, you ave been tried and convicted of the murder of your wife Henrietta, by poison. What motive led you to do the deed is not What motive led you to do the deed is not apparent from the testimony, but it is dear that you did it. The jury cou d not, in the discharge of their duty, have rendered any other verdict than they did under the evidence in the case. Your counsel, who, at the request of the Court underto k your defence, has done all that could be done in your behalf, without fee or reward. He has most earnestly and ably presented to your triers, all such facts and sucrestions has most earnestly and any presented your triers, all such facts and suggestions as would tend to raise a doubt as to your guilt. More could not have been done, if he had been amply paid for his services. But all in vain! The web of circumstances which the testimony threw around you, was too strong and too close, and there was no escape. Facts, established by the most satisfactory evidence, pointed with unerring certainty to your guilf. Even the terrible idea that your life must pay the penalty could not raise a doubt, nor stay the inevitable conclusion. And for this horrid deed you must die. We leave to others the duty of indicating the means of preparing you to meet your doom. But we most earnestly ask you immediately to call to your assistance such persons as may be able and willing, by their counsel and addition to the transfer to meet. vice, to instruct you how to prepare to meet your God. And now nothing further temains with us, except to pronounce upon you the sentence prescribed by the law for the crime of which you stand convicted. Louis Lane, the sentence of the law is that you be taken hence to the jeil of Allethat you go taken hence whence you came, and from thence to the place of execution, and that the you may be hanged by the neck till you are dead, and may Almighty

of R. C. Calhoun, at Etna, Thursday even-On Saturday Coroner Clawson Quality information which led him to believe that information which led him to believe that Ephraim Kent, constable of Penn township, had fired the fatal shot. He accordingly light. He required Ells to pay the costs and to give bonds in the sum of \$1,500 to keep the neares towards his wife for the nearest towards his wife in the future. where he will remain until the matter has been fully investigated. Kent states that he was in Etna on the evening Calhoun

GRANT HUSSARS.

Large and Enthusiastic Meeting-The Organization on a War Basis-Report of Recruits Obtained.

As a political auxiliary to the Republican party during the present campaign, there has been organized in this city a regiment of Grant Hussars, under the command of Gen. William Blakely. On Saturday night a large meeting of the members was held at City Hall, for the purpose of completing the organization. The report from the Finance Committee evinced creditable exertions measurably well rewarded. The meeting unnanimously elected Col. T. K. McClong as Vice President. usiv elect-

The report from the committee on enlist-ment devel ped the fact that some five hun-dred names had already been secured to the rolls. Major Foley, of Birmingham, an officer with a bright record won during the war, is recruiting with great success on the south side. Capt, W. B. Stokes report-ed that he had transferred his command of artillery to Maj. Joseph M. Knap, believing that he was more worthy the honor, having rendered much valiant service in the Union army. This course of Maj. Stokes was highly commended, and the acceptance of Maj. Knap was received with applause. Maj. Stokes, and Lieuts Logan, Dunseath and Hunzeker were appoin ed a committee to wait upon and invite the copperation of the butchers and dray men, who are to hold a

meeting to-morrow evening for the purpose of organizing auxiliaries to the Hussars.

The order for the uniforms and accourrements of the first battallion has been formed to the first battallion and the first battallion has been formed to the firs warded East, and a return is expected to-morrow. By order of Gen. Blakely the following regulations have been pr gated:
The companies will be organized and

drilled in the single rank formation of "Cook's Cayairy Tactics," and will be instructed in the following evolutions, viz: To march from line of battle by twos, fours and platoons, also to form the command front, left, or on right into line. When fifty members have subscribed the constitution and by-laws, the recruiting officer, shall call a meeting and the man bers present shall then elect their officers. The commanding officer shall represent to the headomicers. The commanding of the head-immediately report to the head-quarters for further instructions, and furn-ish a roll of his command. Commissioned officers, uniform dress coat, "ap and pants; non-commissioned officers and privates, bronze cap and belts, cavairy blouse, (worn inside of pants,) and dark pants, Wide Awake torch will be carried on all night parades. Artillery—Regulation dress, or such dress as the commander of artillery

or such dress as the commander of attacks may direct.

The first drill will take place to-morrow evening and first parade on the night following. The company to form on the Allegheny Commons at the Second ward School House. Co "A," recruited by Messrs, McFarren, Johnston and Logan meet to-night for experience at No. 111 Water street. for organization at No. 111 Water street, above Wood, where those wishing to join

can do so.

The fellowing named gentlemen are authorized to raise companies for the Presidential campaign:
Maj. S. Foley, Birmingham and south of

Capt. J. S. Schoonmaker, 14th Pa. Cay., Allegheny. W. S. Taylor, 14th Pa. Cav., Allegheny.

Lieut. L. Gross, 14th Pa. Cav., Allegheny. Lieut. L. Gross, 14th Pa. Cav., Allegheny. Lieut. E. R. Jones, South Pittsburgh. Lieut. S. J. M'Farren, 3d Pa. Cav., Pitts-J. B. Johnson, 14th Pa. Cav.

Maj. Jos. M. Knap, Artillery.
Maj. W. R. Stokes, Artillery.
All clubs of Allegheny county are cordially invited to join and participate in the

parade of the 23d and 24th. cen elect their own officers and receive instructions from the commanding officer of the Huzzars, Col. W. Blakely, No. 91 Grant street; or the Secretary, S. J. M'Farren, No 111 Water

A Braye Husband-Generous Request. In the Quarter Sessions on Saturday Mrs. Ciara Ellis, a delicate Welsh woman, serving as a "help" on Third avenue, between Wood and Market streets, appeared as complainant against her husband, William Ellis, asking that he be held in bonds to keep the peace towards her. She told her story. They had been living apart for six or seven months. The wife, unable longer to endure the barsh treatment of her husto endure the harsh treatment of her husband, went among strangers for protection and hired as a "help," in order to secure support. The husband, as out, able bedied man, a rolling mill hand, went to the old country. Wales, returning a few weeks since. He called frequently at his wife's place of employment since his return, annoying her very much, and among other things accused her of unfathfulness to her marriago yows. His purse was sufficiently plethoric to enable him to make a visit to his native land, while his wife was "at service," and it would be natural to sup-

service," and it would be natural to sup-pose that after his return he would have given himself no conce n about her, as his conduct indicated carelessness as to her fate or condition. But not so. He must same was may be inferred from his acts. On Sunday evening week he visited her, was independent of the same of secured her of sunday evaluate week he released her of violent in his manner, and accused her of street walking," mentioning the names of men who represented (he said) trey had been with her. She denied the imputation, and at once volunteered to go with him and face: the men. The time was about nine o'clock. They proceeded to the Point, the men referred to by the husband residing on the south side of the river. The ferry boat had gone. A man with a skiff halled the wife, asking her if she desired to closs the river. The husband answered, and ssuming that the ferrymap had insuited his wife, used rough language. He then gave up his intenti nof going to the south side, if, indeed, he had designed in the beginning so doing. He drew a pistol, his wife screamed, begged for mercy, and caught his arm. He then truck her and she fell at his feet. Her screams having attracted attention, the husband fled violent in his manner, and accused her of

ing attracted attention, the husband fled and as aped for the time in the darkness. and as aped for the time in the darkness. The wife told the Court she believed it was her husband's design to kill her; he had threatened to do so previously, and she feared still that he would do so. It having been represented that she had conserved to satisfact the case she was saled that sented to settle the case, she was asked how it was. She said she had; that she was told it would be best for her to do so. Counsel for defense offered no evidence, nor made even an attempt to contradict the statement of the wife, but asked the Court to do a most generous thing, viz: To require the husband simply to pay the co ts, leave

keep the peace tewards his wife for the period of two years. Amusements.

OPERA House.-The engagement of Mr. Edwin Booth, which closed at the Opera House Saturday evening, was the most brilliant and doubtless the most profitable to the manager sin's Ristori's first visit. This evening Miss Nellis Germon and Mr. Robert Johnson make their first apnearance in this city, when will be presented a new drama entitled "Little Polly." Miss Germon entities a high reputation for one so mon enjoys a high reputation for one so young in her profession, and will don! tless draw crowded houses during her engage-

charge from prison of William Walsh, Thomas Bedell, Joseph Scott, Stephen Beech and Joseph Butterfield, upon facts

Arrests Without Information or Warrant.

Jacob H. Miller, Esq., in the Quarter Ses-

the discharge of their own proper duties, and not engaged, so far as they were aware, in anything unlawful, they were arrested by Matthew Keep, constale, without a warrant and without any previous information had a warrant and without any previous information had a warrant and warrant and a said a sai warrant and without any previous informa-tion having been made against them; were were taken by said constable before Alder-man Humbert, and whilst there the mag-istrate inserted their names in a warrant which had been issued for another party, which had been issued for another party, and upon such a warrant they were committed to jail, having waived a hearing.

These facts were not controverted. It seems a warrant had been issued for another person, "and others," charged with forcible entry and detainer, on the information of the least of the seems and the seems are seen as the seems and the seems and the seems are seems as the seems and the seems and the seems are seen as the se ion of Gen. Hoffman, administrator of the

Simpson estate, to which the old Theatre belongs. The constable proceeded to the Theater to make the arrest, and was at first denied admittance, but finally permitted to enter, when he arrested all on the premises. It not appearing clearly at what premises. It not appearing clearly at what point of time the names of the prisoners were nserted in the warrant, and Alderman Humbert being present in court, he was asked as to the fact. He was about to make a full statement of the case, but this was not desired—the court simply wanted to know as to the insertion of the names of the peras to the insertion of the names of the persons now asking to be discharged. The Alderman stated that after the parties had been brought before him he inserted their names, first in the information, and then in

the warrant.
Judge Stowe remarked that the case was similar to one which not long since transpired at Wilkinsburg, where a party had been arrested and the warrant issued on the day following.

Alderman Humbert disclaimed any in

ention of acting in any other way than he thought was proper in the case.

The Court said that so far as he was personally concerned, there was no imputa-tion against him; but the arrests were improper, no information having been made or proper warrant issued.

Mr. Miller's motion was, therefore, al-

lowed, and the prisoners permitted to go their way.

Shooting Affray.

About ten o'clock last night a villainous and malicious attempt was made upon the life of Joseph Sabita, a peaceable citizen of the Ninth ward, by John Kesler, which may yet prove fatal. Mr. Sabita was sitting on a dry goods box on the sidewalk in front of 410 Penn street talking with some of 410 Fenn street talking with some friends, when Kesler came up and without the slightest cause or provocation struck him in the face with his open hand-Sabita thought it was done in jest and paid no attention to the matter, further than to ask him not to strike so hard. Weeler to ask him not to strike so hard. Kesler replied saying, "D- you, you called me a s-of a b-," and putting his hand in his pocket, drew a revolver and fired, and then

ran. The shot took effect in the face of Sabita. The wounded man was carried into his The wounded man was carried into his house, which was near by, and Drs. Kearns, Ahl and others called in who examined the wound. The ball entered over the inside corner of the right eye and penetrated to a considerable depth, keeping below the base of the bain. The physicians think that the wound is not necessarily fatal, but were mable to say positively, as tal, but were unable to say positively, as they had not found the ball when our re-

porter left.
Mayor Blackmore was sent for and took deposition at the request of friends. Kesler had not been seen after the occurrence, but the officers all know him and he will probably be arrested this morning.

A Daring Scoundrel. At an early hour on Saturday morning entrance was effected by forcing open the cellar door in the rear of the house, and by this means gaining access to the cellar. From there the chap proceeded up the stairs to the first floor, and from there into the sleeping apartment occupied by Mr. Kannel and his wife. A light was dimly burning in the room, by the aid of which the fellow ransacked the room thoroughly, opening the drawers of the bureau and scattering their contents around, but securing tering their contents around, but securing nothing of value in them. He next turned his a tention to Mr. Kannel's pantaloons nis a tention to Mr. Kannel's pantaloons and was row rided by obtaining about nine d llars in cash and selver watch worth about forty dollars, with which he decamped. The whole operation was carried on so stealthly that none of the family were aroused and nothing was known of the occurrence until they arose and an investigation revealed the robbery. There is no clue to the thief, and it is altogether likely that one who could plan and execute such a during turglary will know how to keep away from the officers.

New Firm in an Old House. By announcement elsewhere it will be noticed that the popular and first-class uptown watch, clock and jewelry store of W. T. Wylie, No. 6 Wylie street, has been purchased with entire stock by Mesars. Biggs chased with entire stock by Messrs. Biggs & Hoyle, who will continue the business. Mr. Geo. W. Biggs has had large business experience in the leading jewelry houses of the city, and thoroughly understands every department of the trade. His partner, Mr. Hoyle, is a practical and finished watch-maker, who has long sustained a nigh reputation in that branch of art in this city, having he d cosition in the most reliable watch and jewelry houses. We wish the new firm the large success they so eminently merit. minently merit.

A Melon-choly Affair. Ed. McGann and Thomas Dovine have become involved in a melon choly affair. A. B. Briswold made information before the Mayor on Saturday evening, charging Edward and Thomas with the larceny of one hundred and seventy-tive melons. He one hundred and seventy-tive melons. He alleges that he shipped the melons to this city on the Pittsburgh. Fort Wayne and Chicago Railway, and that they arrived on Saturday evening at the depot of the Adams Express company, corn r of Grant and Seventh streets, where the accused broke open in acarin; took therefrom the melons, which they afterwards disposed of. Warrants were issued for their arrest.

Indictment Quashed. In our report of the Quarter Sessions Court of Friday we noted the fact of R. S. Morrison, Esq. moving to quash the indictment against Thomas Tiger and James Parker for robbery, upon the ground, mainly, that it was drawn "in the Oyer and Termi-ner and Quarter Sessions of the Peace," that is to say, in two Courts, whereas only the Oyer and Terminer had jurisdiction. The motion was further argued on Saturday by Mr. Morrison, who cited authorities austaining his position. The Court allowed the motion, quashing the indictment.

Can Always be Obtained at 112 Federal Street, the Following Articles Cocoanut Candy, Almond Nut Candy,

Allegheny City Academy. The Allegheny City Academy, the well sions, on Saturday, moved for the dis-known and popular home institution, has opened for the fall and winter term at No. 101 Federal street, over the Allegheny Savings Bank. During the summer vacation set forth in an affidavit of one of the pristhe school rooms have been thoroughly oners, in substance: On the 11th inst., renovated and a number of additions made while in the Old Pittsburgh Theatre, in to the school furniture and apparatus, so that it will now compare favorably with any institution of its kind in Western Pennsylvania. Particular attention is paid to the studies pertaining to a commercial education, and in this respect the school heretofore has met with remarkable success. The languages and sciences also form an important part of the course of study, the instruction in these branches being complete and thorough. Of the principals, Professors Pryor and Robb, it is needless for us to say anything, further than that studies pertaining to a commercial educafor us to say anything, further than that all their experience, extending through a number of years, will be brought into requiation to make the institution that sition to make the institution that which it, claims to be, a first-class academy. They can be consulted in regard to terms, and the course of study at any time during the day, and we advise all persons wishing a thorough education to call upon them.

A CHALLENGE.

One Hundred Sewing Machines to be Given Away to the Poor,

Whereas, a certain advertisement appeared in the Sunday Leader of the 6th inst., classically and pertinently entitled, "Who Killed Cock Robin," signed "Carson Bros.," and charging R. H. Long with being the author of an affidavit published by Miss Agnes A. Watson, "puffing the Weed, Machine," as they assume; and, whereas, this is the second time such assertion has this is the second time such assertion has appeared over their signature, now this witnesseth that I, R. H. Long, will forfeit one hundred new Weed Sewing Machines, to be distributed by lot gratuitously among the poor sewing women of this city, if the Carson Bros. will establish their assertion, or show that I am implicated, by suggestion, dictation, or knowledge, of such affidavit previous to its origin—they to forfeit or pay for one fifth of the above number in case of failure, to be applied to the same charitable purpose. If you mean business, gentlemen, bring on your evidence. If you cannot establish what you say, let the knowledge of it go forth to the world. Meanwhile, the Weed Sewing Machine will be exhibited at 112 Grant street.

Pittsburgh Medical and Surgical Institute, No. 134 Smithfield Street.

Under the direct supervision of E. S. Aborn, M. D., Principal, Consulting and Operative Surgeon and Physician for Diseases of the Eye, Ear, Head, Throat, Lungs and Chronic Disesses generally. Three experienced Physicians and Surgeons in attendance.

Special interest taken in the treatment of

e cases that have been given up as hopeless and considered incurable.

Dr. Aborn's Medical Book sent by mail on

the receipt of 50 cents.

Hours for professional interviews from 8

A. M., to 5 P. M. Fall and Winter Dry Goods.-New fall

and winter Dry Goods.—New late and winter goods in endless variety are now arriving at Bates & Bell's, No 21 Fifth street. Ladies will find many new novelties to please and delight them in thaway of dress goods, shawls and sacques. Call and see for yours lives. The entire stock of summer goods is being closed out at most reasonable prices.

The Purest and sweetest Cod Liver Oil in the world, manufactured from fresh, fectly pure and sweet. Patients who have once taken it can take none other. Ask for "Hazard and Caswell's Cod Liver Oil," manufactured by Caswell, Hazard & Co., New York. Sold by all druggists.

New Treatment.-For chronic diseases of At an early hour on Saturday morning the residence of Mr. Kannel, on Ni. the eye, ear, head, throat, lungs, heart, stomach, liver, &c., at Dr. Aborn's Medical and Surgical Booms, 134 Smithfield street, half a square from the Postoffice. No charge

The place to get White Lime, Calcined Plaster, Hydraulic Cement, is at Ecker &

Caskey's, 167 First street.

MARRIED:

DEMMINGS_HOLLIDAY Sept. 10th, 1868. at the residence of the brido's parents, at Wood's Bun, Pa., by the Rev. J. H. Sharp, Mr. THOS. F. DEMMINGS to Miss ANNA E. HOLLIDAY, both

UNDERTAKERS.

ALEX. AIKEN, UNDERTAKER
No. 166 FOURTH STREET. Pitisburgh, Pa
CUFFINS of all kinds, CRAPES, GLOVES, and ev
ery description of Funeral, Furnishing Goods fur
nished. Rooms open day and night. Hearse an
Carriages furnished.

REFERENCES-Rev. David Kerr, D. D., Rev. M
W. Jacobus, D. D., Thomas Ewing, Esq., Jacob H W. Jacobus, D. D., Thomas Ewing, Esq., Jacob H. CHARLES & PEEBLES, UNDER-

HARLES OF FIRED ASS.

TAKRES AND LIVERY STABLES, corner of SANDUSKY STREET AND CHUPCH AVENUE Allegheny City, where their CUPTIN ROOMS are constantly supplied with real and imitation Rose wood, Mahogany and Waluut Comms, at prices varying from \$\frac{1}{2}\$ to \$

COBERT T. RODNEY, UNDER TAKER AND IMPALMET, No. 45 OHIO STREET, Allegheny, seeps cor sinsity on hand large assortment of ready-made tomas of the following kinds: Eirst, the celebrated American Bullet Cases Metallic Cases W HESPENHEIDE, barrie

MERCHANT TAILOR, No. 50 St. Clair Street, Pittsburgh Having just returned from the Fast with all that the street of European Goods. Is now prepared it make them up in the latest is slion and most our bie manner to his ensumers and the nublic sens.

HENRY G. HALE, MERCHANT TAILOR,

ally, thanking them for past favors and hoping new ones, at PAICES TO BUIT EVERY BUDY.

Corner of Penn and St. Clair Street: Has now in stock one of the largest and most varie

Fall and Winter Goods ever brought to this city. His stock embraces Cloths, Cassimeres, Builings, Overcoating

Also, a full line of Gent's Fornishing Goods. GENUINE quirdet ne son to neoft, Till lake obereit ein P SCOTCH PEBBL

SPECTACLES,

WARRANTED TO IMPROVE THE SIGE POR SALE' BY

incestors! is his clinching calle. DUNSEATH & HASLETT.

56 FIFTH STREET,