

Supreme Court Opinions.

JULY TERM, 1855.
The SUPREME COURT DECISIONS for the July Term, 1855, embracing all the Opinions delivered during the months of July, August and September, inclusive of those in which re-hearings have been granted (not to be found in any other edition), together with a full Digest and Table of Cases, are now ready and for sale at the Union office.

The Opinions rendered during the January and April Terms, embracing all the Decisions made during the first six months of the year, are also for sale as above.

Report of the City and County Commissioners.

This Report, revised and corrected from our publication of Sept. 25th, issued from the Union office, is now ready. Price, 25 cents. A limited number only has been printed, and those who desire to be in possession of this financial exhibit will do well to call early.

NEWS OF THE MORNING.

One decision only was delivered by the Supreme Court yesterday, which, with the four rendered on the previous day, will be found on our fourth page. Phelps, respondent, vs. Owens, etc., appellants, was an action of trespass, or in the nature thereof, brought by plaintiff, Phelps, against defendants, for wrongfully and unlawfully taking away certain goods and converting them to their own use. The complaint further alleges that, at the time of this taking and conversion, the plaintiff was a merchant and doing a prosperous business; that the goods constituted nearly all his stock in trade, and that the taking of the goods has thrown him out of business, and nearly ruined his fortunes. To this complaint the defendants demurred, assigning several causes of demurrer—none of which were well taken. After the demurrer was overruled, the defendants separately answered, putting the matters of the complaint in issue, and setting up new matter. The Court say that the Court before erred in refusing the instruction in the original form, which gives the exact rule of damages; for the qualification, in fact, allows the jury to give damages for supposed injury indirectly resulting to the owner by the trespass, instead of confining it to the injury done him immediately by taking the property—the legal standard of that injury being, in such cases as this, its value with interest. Judgment reversed and cause remanded. . . . Turner et al. vs. Morrison et al. This case was tried before by a jury and a verdict rendered for plaintiff. The defendants moved for a new trial on the ground of error. The Court decide that the plaintiffs, by failing to apply for a postponement of the trial, waived their right to move for a new trial for reasons which existed at the time of trial. Judgment reversed. . . . Sherman vs. Rollberg was an appeal from a judgment, and various errors are assigned, which are not valid for want of proper statement. No other error is relied upon except the overruling of the demurrer to the amended answer. This pleading is rather loosely drawn, says the Court, even for County Court practice, but we think it not fairly defective. Judgment affirmed. . . . The People vs. Hunter & Davis was proceeding on the part of the people for the recovery of the amount of a recognizance. It appears by the record that the respondents were the parties of one Howard, who was arrested and bound over by a Justice of the Peace to answer the charge of receiving two mules, alleged to be stolen property. There was a general denial. The Court remark that nothing is said in the finding to show that this indictment was found for the offense in the recognizance. Judgment is affirmed. . . . M. Letters, alias M. Cady vs. H. D. Cady. In this case plaintiff sues, claiming to be the widow of W. J. Cady, for her distributive share of his estate, under the statute; and for the disposition of the appeal it is only necessary to consider whether she has sufficiently alleged in the complaint her marriage with the deceased. The plaintiff alleges that she and deceased contracted a marriage, and lived and cohabited together. The Court say the averments of marriage are not sufficient. From the character of the allegations, and the pregnant fact that the plaintiff does not even sue in her marital name, except under an alias, leads to the inference that the arrangement between her and the deceased was intended to be temporary, and the connection one to which it would be a perversion of language to apply the name of marriage. Judgment affirmed.

The returns of the election for Senator still continue to come in very slowly. Nothing further in relation to the general result has been received since our last issue. An interesting letter will be noticed in our pages to-day from a correspondent at Salt Lake. The writer is an old resident of this city, and his statements regarding the manner in which the proper appointments on the Central Overland route are neglected by the contractor are entitled to credit. This route is naturally the shortest and quickest, and anything like imperfect arrangements, or failure to do all that is required by the contract, is a direct injury to the interests of California, and operates to the disparagement of this great highway in the estimation of the people and the Government. So far as we are concerned, we intend that the contractors on all our overland routes shall be held to a rigid performance of their undertakings. Among other matter worthy of note in our columns are details of Atlantic news, including election statistics, which show that the course of the Administration on the Lecompton question is operating adversely to its party interests. We predicted a long time ago that the people did not believe in having their own sovereignty overthrown by Executive power. The proceedings of the annual meeting of the Sacramento Valley Railroad Company, with reports, will also be observed in another place.

BOTTS FOR PRESIDENT.—The Washington correspondent of the New York Times writes to that paper that "the Opposition are beginning to discuss freely the subject of a nomination for the Presidency, and I learn that a self-constituted Central Committee, at this point, is conducting an extensive correspondence with all parts of the country, aiming at the nomination of John Minor Botts, of Virginia. Crittenden, the Committee says, declines, and Senator Bell, of Tennessee, is too old-foggy. Botts, it is contended, is the man to lead the Opposition forces to victory."

Governor Denver and Kansas.—Governor Denver, in answer to an article in the New York Tribune, stating that he was probably compelled by the Administration to resign his post as Governor of Kansas, publishes a letter denying the implication. He says his resignation was a matter of his own free will, and that he has, from time to time, received the most assured assurances of the cordial approval of his course by the President and all the members of his Cabinet. Towards the close of his letter, he says that the pro-slavery party have abandoned the contest, and that the Free State men have a majority in every county of the Territory.

ALTA EXPRESS DISCONTINUED.—It is announced that this Express has been discontinued for want of patronage. In common with the newspaper press we have received many favors at its hands, in the way of obtaining exchanges, and will miss it much and daily. We trust that the only express left, Wells, Fargo & Co., will consider the situation in which we are all placed by the present bereavement, and so administer to our wants and necessities that we shall have no occasion to be reminded of our loss. The card of the Alta Express will be noticed in another place.

THE GRACIEBERG SARSAPILLA.—A powerful extract. One bottle cures ten of the ordinary Sarsapilla for purifying the blood. A sure cure for Scrofula, Rheumatism, Ulcers, Dyspepsia, Salt Rheum, Mercurial Diseases, Cutaneous Eruptions, etc. The GRACIEBERG MOUNTAIN GUM, an invaluable for Rheumatism, Gout, Sciatica, Chills, Sores, Swellings, Scrofula, etc., as a Pain Extractor from the most excruciating pains. The GRACIEBERG MEDICINES are for sale by all Druggists and Apothecaries throughout the country. General Agents for California: REDINGTON & CO., Wholesale Druggists, No. 107 Clay street, San Francisco. Agents at Sacramento: JUSTIN GATES and R. H. McDONALD & CO., n10-1w

ALTA EXPRESS COMPANY NOTICE.—Notice is hereby given that from this date the ALTA EXPRESS COMPANY withdraws from business, patronage not being sufficient to warrant a continuance. Parties holding claims against the Company will present them before the 20th inst.; and those indebted are requested to make immediate payment. n10-1w ALTA EXPRESS CO.

TO THE OFFICERS AND MEMBERS OF YOUNG AMERICA, No. 6.—You are hereby requested to meet at your Engine House, on THURSDAY EVENING, Nov. 11th, at 6 o'clock, in uniform, to attend the benefit of Madison Hall. By order of the n10-2 J. MARSHALL, Foreman.

816,000 HAVANA CIGARS!
NEW CROP.
To Arrive per Steamer Golden Gate, OF THE FOLLOWING BRANDS: CINTA DE ORION, LA ROSALIA, FIGARO, LA CAHABA, EL REBEL, LA FAMA, KING OF WM. EUROPA, FLORE DE YEGU, EL ALCAZAR, EL ACER, EL ESTADOS UNIDOS, LA PINTA, LA MAR, LA RAMA, LA MATILDE, EL REBEL, EL CA, EL HJO DEL OCEANO, LA PAZ, EL TRIUNFO DE BAILLEN, EL REBEL, EL DIVAN, NORIEGA, JUAN LIND, EMPEROR NICOLAS, MONTEIRO Y HERMANOS. For sale on arrival. n10-2w B. C. HORN & CO., 83 Front street, San Francisco.

LARGE AND ATTRACTIVE SALE OF DRY GOODS!
J. A. LANDERS & CO. Now dissolving partnership, and determined to sell their entire stock (one of the most extensive and varied in the city) at a great reduction. POSITIVELY AT COST, FOR CASH, would beg the attention of their customers and the public generally to the following list: a complete assortment of DRESS SILKS, comprising the latest fashions; a large variety of French Cashmere and Delaines, printed and plain; French and English Ribbons, Cloth and Velvet Mantles; Cashmere and Broche Shawls; French and English designs and richest colors; Evidences, the newest styles; Black and Colored Silk Velvets; Evening Dresses, very desirable; A well assorted stock of Irish Linens. n10-2w J. A. LANDERS & CO., 83 J Street, San Francisco.

FRUIT TREES!
SO MANY FRUIT AND ORNAMENTAL TREES, PLANTS, SHRUBS, ROSES, and a general assortment of Nursery articles, of the most superior quality, for sale at low prices at the Washington Nursery, opposite Sacramento City. C. W. REED & CO. Trees will be delivered at the depot or Railway Depot, or any part of Sacramento, free of charge. Descriptive Catalogue furnished applicants. n10-2w

NOTICE IS HEREBY GIVEN THAT Sealed Proposals for STATIONERY, for the use of the County Officers, will be received at the office of the Clerk of the Board of Supervisors, and for the city and county of Sacramento, until the 15th day of November, A. D. 1855, at 10 o'clock A. M., for the term of one year. Samples can be seen at the office of the Clerk. n10-2w

FOUND.—On Front street, Sacramento, Saturday, Oct. 28th, a black and white dog, large size, apparently American. The owner can have the Mare by proving property and paying charges. Apply to No. 46 Front street, between K and L. n10-2w

ORDINANCE NO. 25.—Making an appropriation to the City Cemetery. The Board of Supervisors of the city and county of Sacramento, do hereby order and direct, that the sum of \$100 dollars be and is hereby appropriated, payable out of the City Contingent Fund, for the improvement and embellishment of the City Cemetery. n10-2w

STREET IMPROVEMENT.—Notice is hereby given that Sealed Proposals will be received at the office of the Clerk of the Board of Supervisors, until the 15th day of November, at four o'clock P. M., for the delivery of gravel and placing the same upon a street, from Front to Fifth street, an average of 20 to 25 inches, under the direction of the Superintendent of Streets. Also, for the delivery of so much earth and placing the same along the line of said street, crossing Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth streets, an average of 2 to 2 1/2 feet, under the direction of the Superintendent of Streets. n10-2w

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