The Morning Post.

J. HARPER, EDITOR AND PROPRIETOR.

☞ Circulation 1200 Daily. ☜

PITTSBURGH:
WEDNESDAY MORNING, DECEMBER 12, 1849.

☞ *Connected with the Establishment of the Morning Post is one of the largest Job Printing Offices in the city where all kinds of work is done on the shortest notice, and most reasonable terms.*

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ROBT. M. RIDDLE, Journal.
JAMES P. BARR & Co., Chronicle.
FOSTER & BROTHER, Dispatch.
JOS. SNOWDEN, Mercury.
Dec. 1, 1849.] JAMES W. RIDDLE, American.

AN ORIGINAL TALE.

We have on file for publication a beautifully written and highly interesting Original Tale, written for the *Post*, by our popular correspondent "Mortimer," entitled: "AUDLEY BRYANT, THE SPOILED CHILD: or, *The First and Second Return.*" We shall commence its publication immediately after the President's message and official Reports are presented to our readers.

The Schism in the Whig Ranks.

Our readers have no doubt observed that five whig members of Congress have been voting for Mr. GENTRY of Tennessee, instead of the regular caucus nominee, Mr. WINTHROP. It is evident, from all we can learn, that an irreparible schism exists among the whig members of Congress, which will gather strength and increase until the close of the session. The causes of this schism are divulged in a letter published in the New York *Express*, (edited by James Brooks, who is a member of the present Congress,) describing the proceedings which took place in the whig caucus at the Capital on Saturday proceeding the meeting of Congress. The letter opens as follows:

Correspondence of the N. Y. Express.

WASHINGTON, Dec. 2, 1849.

The Whig delegation gathered in caucus at the Capital on Saturday evening, according to previous notice, and all Whigs proper, or Whigs *quasi*, then in the city, were there. A calm, collected, and unanimous expression of feeling was expected, as from a band of brothers assembling for a common purpose, to present a common front against a common enemy; but, much to the amazement of all, save those in the secret, the Hon. Mr. Toombs, of Georgia, struck a note that startled the attention of all.

On motion of the Hon. Mr. Schenck, of Ohio, the Hon. Charles S. Morehead, of Kentucky, was elected chairman, and on motion of the Hon. Mr. White, of New York, the Hon. James Brooks, of New York, was made secretary.

As soon as the organization took place, and after a short preliminary address, setting forth that he had well considered what he was about, and that as a matter of duty, he could not avoid it and would not withdraw it, Mr. Toombs, of Georgia, offered the following resolution:

"*Resolved*, That Congress ought not to pass any law prohibiting slavery in the territories of California or New Mexico, nor any law abolishing slavery in the District of Columbia."

No sooner had the Secretary read this resolution than an intense excitement was aroused; but it did not express itself in action, or in violent words—but a discussion ensued, and, as I understand, the calmest and coolest in manner, taking all things into consideration, ever known under such circumstances. The Whigs were not at first certain what Mr. Toombs was after—what he meant—what was intended by him and and his associates—but it soon became manifest that unless the caucus took in this, as its own firebrand, and adopt it as its own, Mr. Toombs & Co., would take up their beds and walk.

The writer of this letter, (who is probably Mr. Brooks himself,) then goes on to give a report of the speeches of those present, some of which were certainly any thing but conciliatory in their tone and temper. Finally, the resolution of Mr. Toombs was postponed, when "*Mr. Toombs of Georgia, rose and left the room, and with him four other gentlemen*, who wbre subsequently followed by Mr. Hilliard of Alabama." The letter concludes: "What is to be the end remains to be seen. I must confess I look upon it as an event of evil omen, but I hope for the best, and that all will end well."

The determination of a portion of the Southern whig members not to vote for Mr. WINTHROP, the caucus nominee, under any circumstances, clearly indicates that Gen. Taylor is not going to repose upon a bed of roses during the balance of his administration. The falsehoods which were circulated by his friends before the late election, like young chickens, are now coming home to roost. It is well known that in the South whig orators and newspaper editors proclaimed that Gen. Trylor would veto the Wilmot Proviso, *because* he was the owner of 300 negroes. In the north, on the other hand, it was just as zealously asserted that the General would sign a bill containing the Wilmot Proviso; and some of the federal orators went so far as to declare that a letter to that effect had been written by old Zack to Abbot Lawrence of Boston. It is evident, now, however, that "a lie is out somewhere," but the democracy do not care a straw upon which branch of the whig party it falls. Let them fight it out the best way they please!

☞ THE COLUMBIAN is the title of a new literary paper, recently started at Cincinnati. It is a large and beautiful sheet, made up in the style of the Home Journal, and is edited with considerably ability by Messrs. Wm. D. Shattuck and W. B. Tidball. Morse, on Fourth street, is agent for this city.

☞ We learn from the Florence Enterprise, that the Rev. JOEL STONEROAD, Pastor of the Cross Creek Congregation, has given notice of his intention to dissolve his connection with said Church.

☞ The St. Louis papers are still filled with accounts of fresh murders committed in and about that city. We think missionaries should be sent out there to try and mend the people's morals.

"Interpolation into the Whig Creed."

In the caucus of the Whig members of Congress, at Washington, it is reported that "Mr. Ashmun, of Massachusetts remarked that, though he was in favor of the Wilmot proviso, and of abolishing slavery wherever it could be constitutionally abolished, yet he was not for making any such things a test for the national Whig party; and when, in Massachusetts such a thing had been attempted, at the Springfield Convention, he, in common with Mr. Winthrop and others, had successfully resisted any such new interpolation into the Whig creed."

Ah, ha! the Wilmot proviso will not *now* be touched by the Whigs, because it would be an "interpolation into the Whig creed!" Remember this, ye who have been duped and fooled by the Whig prators and newspaper editors in the north. To secure the votes of the anti-slavery men for the Louisiana slave-holder, the Whigs in every northern State, during the late Presidential campaign, adopted the Wilmot proviso as an article in their creed. But the fraud has served its purpose, they are for discarding the proviso, as an "*interpolation* into the Whig creed!" We only wish that Gen. Taylor will again be the candidate of the Whig party—for we honestly believe that he could not receive the vote of a single State in the Union!

Railroad Meetings.

The citizens of Washington county are alive to the importance of a Railroad between Pittsburgh and Steubenville, to connect at the latter place with the Steubenville and Indiana Railroad. A meeting of the citizens of Smith and Hanover townships was held at the house of Thos. Bavington, in Smith township, on the 6th instant, of which ALEX. SCOTT was Chairman, and JAMES MCFARREN, Secretary. We learn from the Florence Enterprise, that Mr. Samuel Livingston, and others, addressed the meeting on the subject of the proposed Railroad between the cities of Pittsburgh and Steubenville.

The following resolution was then adopted:

Resolved, That a public meeting be held at Florence, on Thursday the 20th day of December, instant, and that the friends of the proposed road be invited to attend.

Messrs. Livingston and McFarren were appointed a committee to invite the friends of this enterprise, in Virginia and Ohio, to be present at the proposed meeting.

We are pleased to learn from the Enterprise that there is a fixed determination to go ahead with the Railroad. And will not the citizens of Pittsburgh co-operate with our Washington county friends in making a Railroad to our city along the valley of Chartier's Creek? We hope and believe that they will.

Report of the Director of the Mint.

A report from the Director of the Mint, Dr. Patterson, accompanies the Report on Estimates to Congress. The report says the amount of California gold in the last year, $3,200,000 in value, has increased the expenses of that establishment, as the gold must be separated from the silver by a chemical process, requiring, upon operations for so large a scale, a great and expensive increase in the laboatory, and the employment of additional workmen. It asks for $56,000 to meet the current expenses of the year, $80,000. It also asks that the salary of the Assayer, who receives $1300, shall be increased to $1500. The appropriation for the wages of workmen has, for a long time been $24,000. The increase of labor at the Mint has made it necessary to present an estimate of $25,200.

Breach of Promise.

SUNDAY CONTRACTS.—A suit, for damages for the breach of a marriage contract, was lately tried in Philadelphia, where the defence set up was, that the contract was made on Sunday, and therefore void. On this point, the Judge's charge to the jury is thus reported:

"That the law in regard to Sunday contracts did not extend to contracts of marriage, which, by many religious sects, were considered as solemn sacraments, to be only sanctioned by impressive ceremonies.

"The contracts made on Sunday, which are void, are those relating to worldly business. To hold that marriages solemnized on that day were void, would be to disturb thousands of marriages which have been contracted, and to render illegitimate a very large number of citizens."

The jury found a verdict for plaintiff for $900.

Whiggery opposed to Voting by Ballot.

In the Convention to revise the Constitution of Kentucky, the Democrats proposed the introduction of a clause into the Constitution, authorizing the ballot to be used at elections, instead of voting *viva voce*. This proposition was violently opposed by the Whigs. And for what reason do you suppose, reader? Because, as they said, it would enable the *tenant* to vote his own sentiments without being overawed by the *landlord!* That's Federalism for you. Let poor men think of that, and then satisfy their consciences if they can, that they should support the Whig party.

Louisiana Election.

We copy from the True Delta, the following paragraph, giving the official results of the late elections in Lousiana:

LOUISIANA ELECTION.—*The official returns*—Claiborne parish has at length been heard from, and the official returns from every parish in the State have now been received. The result is ascertained to be the election of Gen. Walker, as Governor, by a majority of 999; Gen. Plauche, as Lieutenant Governor, by a majority of 425; and Mr. Baudelon, as Auditor, by a majority of 247. Gen. Walker's majority in Claiborne is 209.

The majority given to Gen. Taylor in the presidential election in November last, was 2,893. Taking the majority of Mr. Walker, the democratic candidate for governor, as the test, the democratic nett gain since the November election, is 3,892. Glory enough for the gallant Louisianians. The defeat of Gen. Taylor in the State of his own residence (adds the Washington *Union*,) is more signal and decisive than any which he has sustained during the present year. The parish in which he resides gave an increased majority against him. He gets worse treatment from his own neighbors than he did from the Mexicans.

☞ We believe that every paper in Pennsylvania, known and recognized as being a Democratic sheet, has taken decided ground against the scheme of the monopolists to increase the taxes of the people, for the benefit of the iron masters. The masses of all parties are also hostile to the outrageous proposition. The representatives of the people in Congress—we mean the Democratic representatives—will stand firm. The Tariff of 1846 will not be disturbed.

A LONG MILL SHAFT.—Messrs. Olmstead & Co., of Cahoes, have built a grist mill in the immediate vicinity of the suspension bridge at Niagara Falls. The mill is built on the bank, and the shaft by which the gearing is propelled is moved by a water-wheel 250 feet below the mill. A nine feet fall is secured by a race a few rods in length.

☞ The convention of Iron Men which met in Pittsburgh a couple of weeks ago, is bringing upon it the derision not only of democrats, but even of a portion of the whigs also One of the leading men of the convention was Judge Dempsey, of Hanging Rock, who wrote a letter in April last, giving the general profits of the iron business, and stating that he had made at least *one hundred thousand dollars.* Notwithstanding this fact, he and others engaged in the iron business, are clamorous for more "*protection.*"—*Ohio Patriot, New Lisbon.*

ARRIVAL OF HON. THOMAS BUTLER KING.—Among the passengers by the Crescent City, is Hon. Thomas Butler King.—*N. Y. Mirror.*

MADAME BISCACCIANTI is giving concerts in Charleston with her husband, Signora Casini and Strakosch.

Additional Items from California.

Lieut. F. Beale is a passenger in the Crescent City, and bearer of despatches to Washington.

Passengers sufficient to fill the next two steamers, besides several large sailing vessels, were awaiting a passage home on the departure of the California from San Francisco.

On the 26th and 27th, upwards of thirteen hundred persons passed through Chagres; every hut and habitation was tenanted by Americans, and hundreds were forced to walk the filthy passages during the nights above mentioned.

Four steamers were anchored at one time off the harbor, namely, the Crescent City, Falcon, Alabama, and British mail steamer Avon, also a bark just arrived. On the Pacific side at the same time, were the California and the New Granada, all with passengers.

The mail brought by the Crescent City was dispatched immediately, and would undoutedly reach Panama before the sailing of the California.

There was no sickness on the Isthmus.

The U. S. Consul at Chagres, Mr. Gleason, was ill with the fever, but not dangerously.

The news from Panama is down to the evening of the 25th. Some four hundred persons were then waiting the sailing of the California, and two other vessels advertised for San Francisco. When the passengers by the Crescent City, Alabama, and Falcon shall have reached Panama, the number will be increased to about fourteen hundred.

The Panama Star of the 20th November intimates that a fever of some severity is prevalent in that place.

The Californian of the 1st November publishes Gen. Riley's Proclamation, in English and Spanish for the observation of the 29th day of that month as a day of thanksgiving and prayer.

A letter announces the arrival at San Diego of the remainder of Capt. Webb's unfortunate party. Col. Collier, the new Collector for the port of San Francisco, reached San Diego, in October, from St. Louis. The captain of the company to which Col. C. was attached, with two of his comrades, were drowned in attempting to ford a river near San Diego.

The California reports much sickness at Mazatlan. The natives are dying off very rapidly from attacks of billious intermittent fever, which had assumed all the features of a violent epidemic.

NOT TO BE HANGED—AT PRESENT.—Judge Burnett, of the Court of Second Instance, has allowed a writ of error in the case of Joseph Daniels, who after a fair trial had been convicted of the murder of his comrade, Peter Pettit, by shooting him through the head while on a hunting excursion, between this city and the Mission Dolores. Daniels is now on board a vessel of war, and would have been hanged to-morrow, had the sentence not been suspended by a higher court.

SUICIDE.—An inquest was held on Tuesday, 23d inst, on the body of Captain Thorndike Proctor, of the ship "Capital," now in our harbor; from the evidence before which, it appears that the deceased, from a protracted illness, had been lately subject to occasional fits of derangement, during the last of which he jumped overboard, and was drowned on the 16th—his body not being found until the morning of the inquest.

DIED AT THE HOSPITAL.—Selden M. Burton, M. D., of Philadelphian, formerly residing near the corner of Vine and Sixth streets, in that city, died at the hospital in San Francisco, on the night of the 19th of October. He had been laboring under *mania potu*, and his arrest, to prevent suicide, was noticed last week.

Mr. W. C. Harris, at one time a citizen of Baltimore, in good circumstances, who arrived here in August last, died on the 16th, at the hospital. Mr. H. was a man 50 years of age, and had come down on a short visit to the mines, in bad health, but a few days before his death. He had been previously somewhat deranged.

OUTRAGEOUS IF TRUE.—It was currently reported in this place during last week, that the government of Chile had sent convicts to this country, in various vessels arriving at this port Conversing with a gentleman recently from Chile, we were informed that in the vessel which brought him hither, many of the passengers on board were shipped to California at the expense of their government.

DEATH OF THE OLDEST INHABITANT OF SAN FRANCISCO.—A gloom has been cast over a large portion of this community in consequence of the sudden death of Don Nathan Spear, probably the oldest inhabitant of San Francisco. He had been for some time past afflicted with sickness of a complicated form, and suffering intensely from disease of the heart. He breathed his last at the residence of W. H. Davis, in this city, on Sunday, the 28th of November.

THE WEATHER.—The mercury, on Wednesday morning at sun rise marked as low as 44o, and during the day quite a volume of water fell. We shall have two or three months respectable weather before the rainy season sets in. If proper precautions are taken, we can "radiate" about these "diggings" all the winter, and be as dry as a powder house.

LARGE SUIT.—The case of J. C. Fremont, vs. the Leidesdorff estate, involving a considerable sum of money and many important legal principles was taken up before Judge Greary yesterday. Much interest is felt in the result of the trial.

ROWE'S OLYMPIC CIRCUS.—Rowe's Olympic Circus opened to a crowded house, and the performances gave ample satisfaction, if we are to judge from the frequent and uproarious bursts of applause with which the varied entertainment was greeted. This house has been plainly but comfortably fitted up, and will conveniently seat from twelve to fifteen hundred persons. It consists of a pit and tier of boxes, with private boxes, set apart and planned for the uninterrupted and full enjoyment of the sports of the ring.

THE PHILADELPHIA MINSTRELS.—Our citizens have been favored during the week by the truly amusing concerts of the above band. They are eight in number, and their songs and instruments are well selected. Three times a week they give concerts at the Belle Union Hall.

CAUTION.—The public are cautioned to be on their guard against receiving spurious half eagles, purporting to be U. S. coin, which are in circulation to a considerable extent in San Francisco and its vicinity. The execution is good, but they are actually but brass, galvanized.

EAGLE THEATRE.—This place of amusement has just been opened to a full and fashionable audience. The dress circle was graced by a number of fine looking ladies in elegant costumes.

MURDER CASE AT STOCKTON.—We have been furnished with a copy of the testimony in the case of the people vs. John W. Tracy, indicted for the murder of Dennis Mehan, about the ninth of October. The trial took place at Stockton, before the Judge of First Instance, on the 16th October, and occupied the court until the 24th.

The facts, as they appear by the testimony, are, that Mr. Tracy had some difficulty with a man called "Texas," the day before the unfortunate affair took place, in consequence of which, a friend of Texas, named Davis, prepared himself with a knife and rifle, and went on the day in question, thus armed, into the street, in search of Tracy. The friends of Tracy gave him notice of the fact, and described the person of Davis, and advised him to arm himself and leave town; that he prepared himself to take the advise of his friends, and went to the place where the deed was committed, the United States Hotel, to pay his bill and leave town; that while paying the bill, he was assaulted by the deceased and two of his companions, one of whom was named Brady, and asked why he was armed, to which he replied that he did not know them, and that they must keep away from him, that he wanted nothing to do with them.

The deceased then threw his hat on the counter and said he could whip Tracy. Tracy then drew his pistol and told him not to approach him. Brady seized the pistol, and endeavored to take it from Tracy, during which time the parties were backed into another room, and after repeated warnings to keep off, Tracy discharged one of the barrels of his revolver with fatal effect, and the prisoner surrendered himself up.

The case was submitted to the Jury without argument, who, after an absence of five minutes, returned their verdict of not guilty.

The District Attorney, Thomas R. Van Buren, Esq., was assisted by W. G. Wood, of New York, and Dr. Roberts, of Stockton.

The prisoner was ably defended by Col. Lyons, Mr. Brooks, Mr. Fair, Major Creamer, of Sacramento city.

ANOTHER MURDER.—A man was found murdered last week, about 15 miles below here, on the road to Benicia. He had been shot under the left eye, and hit over the head with a gun, his skull being broken. The clothes of the murdered than were marked G. W. H., and, from his dress, was evidently a U. S. soldier.

SUICIDE.—A man, name unknown, was found shot, near the Slough in this city The charge entered his head, shattering his skull. The Jury on the inquest were of the opinion that he had committed suicide, as a pistol was found in the vicinity.

We also learn that a man named Fuller, a passenger by the ship Charlotte, put an end to his existence on the 3d inst., by cutting his throat. We believe that the above named individuals lived in tents near Happy Valley. Such are the results, not of California enterprise, but of California dissipation.

MISCELLANEOUS.

The courts of equity (not of law) were inundated with the most complicated cases of litigation, growing out of the looseness of real estate purchases and operations.

The punishment of masters of vessels by passengers, has been another prolific source of wrangling and litigation. The greatest misery and sufferings have grown out of the abuses and maltreatment of passengers by the masters of vessels, and nine out of ten have been prosecuted, and made to pay dearly for their inhumanity.

Business at the mines have been good, and they have yielded an average of $10 per day. The number of hands at work through the various diggings, is computed to be about thirty-five thousand.

The municipal authorities have made provision for the sick and destitute.

The new Legislature, which would be elected on the 14th of November, was to meet at the town of Pueblo de San Jose, which place has been fixed upon as the capitol of the new State.

Gen. Persifer Smith was expected from Oregon about the 10th ult. Gen. Riley was at San Diego. He had appointed the 29th November as a day of thanksgiving.

A hospital, established upon the liberal principles of New Orleans institutions, was opened about the 18th of October, by Drs. Stivers and Thorpe.

The naval station at Benicia has proved a failure.

A company was formed to supply shipping with water taken from the springs at Soucilleto, and another enterprise was on foot to supply the city of San Francisco by means of a reservoir placed upon an eminence, and filled by water drawn from wells by steam power.

Col. Weller, the commissioner on the boundary survey, was shot through the leg by Mr. Greaves, one of the surveyors, previous to the arrival of the C. at San Diego, where the Col. was under medical treatment.

The disgraceful rencontre between these gentlemen took place in the vicinity of San Diego, and had created some excitement, and a good deal of indignation among the officers of the army and the commission.

The California passed on the 8th of November, near Cape St Lucas, and within six miles of the town of San Jose, the steam propeller Hartford, from N. Y. for San Francisco. She was close in shore and apparently wooding.

Great excitement, indignation and disappointment universally prevailed, growing out of the irregularity of the mails.

Families, consisting for the most part of females and the children of the respectable working classes of Europe, were arriving daily in large numbers at the landings. The emigration from China is already extensive—almost every day, large shiploads of these industrious people were being landed, and immediately caught up by merchants and operators of every class.

Emigrants by the overland route were arriving slowly. Many had suffered severely from various causes, but more especially from the frequent attacks of hostile Indians. Depredations of the worst character had been frequent, but of late, the Indians in the vicinity of the mines have assumed a peaceable character.

The mean temperature during the week, ending 16th October, from 7 A. M. to 7 P. M., was 64 deg. 23 m.

The utmost activity prevailed in all branches of trade. The speculations either in real estate or in merchandize were not so wild, and there were more confidence and firmness in all transactions.

Speculators were in the market before the sailing of the California, buying up all the flour and pork, at immense heavy prices Their calculations of profit are based upon the fact, that between the months of January and June last, the exportation from the U. S. were limited, and hence an increase in prices.

Imported provisions, with the bare exception of beef, have become scarce and high. Lumber, the surest and greatest article of traffic, was yet in demand at high prices.

A rain storm on the 9th of October, and one more recent, forced on the occupants of canvass stores and houses, the necessity of providing against future losses. The damage done to merchandize by the rain was very heavy, being estimated at $100,000 in San Francisco alone. Lumber, in consequence, took another rise, and was still high.

The estimate of the number of houses built in one month in the city of San Francisco, is 300, or an average of ten every day, completed and ready for occupation.

The carrying trade on the rivers was immense, some two hundred small vessels are employed in this business.

The small steamers built for the river Sacramento have proved failures.

The Boston Tragedy.

Nothing new has been developed in regard to the mysterious and awful tragedy in Boston. The Coronor's Inquest is still in session, but with closed doors, thus excluding the reporters of the press. This is certainly an extraordinary movement. An intimation is given out that Dr. Parkman has not been murdered. It is suspected that the relatives of the missing man are desirous to appropriate the great wealth which he possessed, and are too easily satisfied that the human fragments discovered are those of Dr. Parkman.

From the Chronotype.

DR. WEBSTER'S HOUSE SEARCHED AGAIN AND HIS STATEMENTS CORROBORATED.—On Wednesday forenoon, Professor Webster's house at Cambridge, was subjected to another search. This move was the result, says rumor, of a conversation which took place at the jail, between Professor W. and his counsel, and which was overheard. The officers were very politely received by Mrs. W. who readily assented to the search.

On opening Professor Webster's private desk, they discovered beneath some papers, the identical note $483, which Professor Webster has stated he took up on the Friday that Dr. Parkman was last seen. Also a note running five years, payable to Dr. Parkman, for $2400, dated 1847, and becoming due in 1851. This note was fully liquidated by several endorsements on the back. It being secured by a mortgage on real estate, it was probably taken up by the Professor in advance of the date upon which it was payable, in order that he might dispose of his property, which every one knows he could not do while covered with a mortgage.

ANOTHER MYSTERIOUS DISAPPEARANCE—*More Foul Play Suspected! Murder, Perhaps!*—James R. Rowe, Esq., an eminent lawyer from Albany, and recently arrived in this city, has very mysteriously disappeared, and there is some apprehension that he may have become a victim to assassination. On Thursday evening he attended the Boston Theatre, and at the close of the entertainment he is said to have taken to further enjoyment, and at four o'clock, on Friday morning, was picked up in the street by a cabman, and conveyed to the Montgomery House. During that day, he remained in a state of indisposition. Dr. Lane was called on to visit him, and expressed the opinion that the patient was laboring under the influence of morphine. At 10 o'clock, on Saturday morning, Mr. Rowe, still observed to act somewhat strangely, left the house, and has not since been heard from.

A telegraphic despatch has been sent to Albany, and an answer received, but no trace of him has been found out.

Mr. Rowe had in his possession at the time of leaving the Montgomery House, two notes of hand, of $1100 each, and one of $800,—also, a gold watch, and probably, considerable of money. His effects remain at the house.—*Boston Times, Dec. 7.*

News and Miscellaneous Items.

☞ The Supreme Court of Louisiana in a recent decision has affirmed the doctrine of their predecessors, that where a party applies for separation, and it appears from the evidence that his, or her conduct has been outrageous and provoking, no relief can be afforded at law. As the Chief Justice quaintly observes, "the remedy must first be sought in a reformation of conduct and deportment." This is good advice and good law too.

☞ Private letters received in London from Genova, refer to an extensive organization for a new revolutionary movement, which will be commenced in Geneva and Paris on the same day. Such a scheme has been for a long time in preparation, but the conspirators are narrowly watched by the French government, and any fresh attempt to disturb public tranquility would be immediately put down.

☞ A surgical operation was performed a few days since in the Washington Hospital, by Professor May, of that Institution, for the amputation of the leg of a patient. The subject was under the influence of chloroform, and upon awaking from its effects, he inquired which of his legs had been taken off—an incontestible evidence that he had experienced no pain whatever.

☞ As apropos of the present excitement in Boston, on the subject of murder, the question, "Ought the next Legislature to abolish capital punishment?" was discussed on Monday evening, by the Mercantile Library Association, in a very able manner, the Post says, and decided in the negative, by a majority of three to one.

☞ The Fort Smith Herald states that a company from Independence, Mo., are now digging gold somewhere on the Arkansas or its tributaries. A Frenchman who had resided for some time among the Indians, discovered the placer, and immediately communicated the information to Mr. Norland, of Independence, who set out with a large party for the "diggins."

☞ The Rochester American, it appears, was mistaken in stating that Mrs. Miller had been arrested in her flight from Niagara Falls, at Syracuse. The Syracuse Star says the statement of the American lacks one important feature—that of truth.

☞ Mr. John Doyle, formerly an office-holder in the Custom House, Philadelphia, left his residence, on Wednesday morning, and has not since been heard of. He was 77 years of age, and had a gold watch in his pocket.

☞ The cholera has been very fatal among the Indians in Northern Wisconsin, lately. About six of the Menomonies have died since Oct., 15th. It has been aggravated by their imprudence and intemperance.

Libel Suit for Slander.

In the court of common pleas at New York, on the 5th instant, Judge Daly presiding, an action was tried to recover damages for a libel. The defendant had written a letter and put it in the post office, in New York, directed to a person at Cuba, in which he stated that the plaintiff's wife, who was then in this city and her husband absent from it, had committed some act of conjugal infidelity. This letter found its way into the hands of her husband, but by what means did not transpire. Nor was there any evidence to show that it had ever reached the person to whom it was written. For the defence it was contended that inasmuch as the defendant, although he had written the letter, had not published it, he was not responsible for it; and that, although putting it into the post office was evidence of publication at the place it was put in the post office, it was not evidence of publication where it was sent to; and if it did not reach the place to where it was sent, the writer could not be held responsible.

The court said that where a person writes a libel, he renders himself responsible for the publication of that libel, no matter by what means the publication takes place, nor is it material where the publication occurs.

Verdict for the plaintiff, $1,000.

The Sentence of Mills, the Seducer.

[Correspondence of the Pennsylvanian.]

HARRISBURGH, December 6,

Jonathan Gibbons Mills, who some time since was convicted of seduction, in the Quarter Sessions of Dauphin county, and in whose case motions in arrest of judgment and for a new trial, were made by his counsel, was to day sentenced, and all motions overruled, by Judge Pearson. The sentence was, in the case of seduction, imprisonment for three years in the Dauphin county prison, costs of prosecution, and a fine of $100. In that of the two attempts to procure abortion, one year on each indictment, with costs, making five years' solitary confinement, in all. In the two cases of fornication and bastardy of which he was convicted, the usual penalty was imposed. Before sentence was passed, Mills read a long statement to the Court, detailing his past life, and in justification of himself. From it, it appeare he was born in Chester county, learned the printing business in the *Record* office in West Chester, then studied dentistry in the same town, after which he removed to Danville and married; his wife dying, he came to Harrisburgh; his operations here, what he did, and what he has received, is written above.

A VENERABLE CITIZEN.—Richland District numbers within her population a lady entitled to the veneration and esteem of the present generation, Mrs. E. Horns. She is the relic of a Revolutionary soldier who was killed in the siege of Savannah. The venerable lady is now in her one hundred and sixth year, and we are informed has never been out of her native district.—*Sumter S. C. Banner.*

☞ **Democratic Ward Meeting.**—The Democratic citizens of the Third Ward will meet on Saturday evening, the 15th inst., at 7 o'clock, at the CERRO GORDO HOUSE, (Capt. Seidenstriker's,) to place in nomination candidates for Aldermen and Ward officers.
dec12:4t* MANY CITIZENS.

☞ SERGEANT GEORGE DOUGHERTY will be a candidate for ALDERMAN in the Fifth Ward.
dec11:3t MANY VOLUNTEERS.

☞ **Oysters! Oysters!**—The subscriber will keep up constantly (at the Monongahela Exchange) from this time, FRESH OYSTERS, which he will serve up in the very best style. E. C. CAMPBELL,
sep18:tapr Cor. of Smithfield and Fourth sts.

THEATRE.

MANAGER.....C. S. PORTER.
ADMISSION:
Dress Circle and Parquette.....50 cents.
Second Tier.....25 "

☞ *THEATRE WARM AND COMFORTABLE.*

WEDNESDAY, December 12, will be presented a Comedy in five Acts, called—

SHE STOOPS TO CONQUER.

To conclude with

CRIMSON CRIMES.

TIME ALTERED—Doors open at 4 past 6; Curtain rises at 7 o'clock.

J. H. LAWHAN'S
SHIRT MANUFACTORY,
AND
Gentlemen's Furnishing Emportum
WHOLESALE AND RETAIL.
NO. 68 *FOURTH STREET, APOLLO BUILDING*
BETWEEN WOOD AND MARKET STREETS,
PITTSBURGH, PA.

☞ Always on hand, a large assortment of Shirts, Bosoms, Collars, Cravats, Gloves, Hosiery, Suspenders Under Shirts, Drawers, &c., &c.
mar12

Trustees' Sale.

THE undersigned, Trustees of the Estate of David Zilhart, dec'd, will sell at Public Vendue, on Thursday, the 20th December, instant, at 3 o'clock, on the premises, the Two Storied Brick Dwelling House and the Lot on which it is erected, situated on Third street, South side, between Grant and Ross sts. Terms at sale,
JOHN BRICKEL Jr.,
THOMAS McKEE, } Trustees.
EDWARD DUFF,
dec12:td

For Sale.

A TRACT OF LAND, situated in Peebles Township, five miles from Pittsburgh, on the bank of the Allegheny river, opposite Sharpsburgh. For terms, apply to
dec12:w3t JAMES KING, Lawrenceville.

More New Books.

AT MINER'S LITERARY DEPOT, Smithfield st.—SARTAIN'S UNION MAGAZINE for January.

No. 14 of the Poetical Works of Lord Byron.

The People's Scripture Gallery of Engravings—by the most eminent British and foreign Artists. Published in London.

The National Gallery of Pictures—by the great masters. Published in London.

Foxe's Book of Martyrs—edited by Rev. John Kennedy. Published in London.

The Two Sisters—by Lady Charlotte Berry.

Norwood, or Life on the Prairie—by Ned Buntline.
dec12 M. A. MINER, Smithfield st., between Second and Third.

Administrator's Notice.

LETTERS OF ADMINISTRATION, with the Will annexed, have been granted to the subscriber, upon the Estate of Sarah T. Evans, lately Sarah T. Geib. All persons having claims or demands against said Estate, are requested to make known the same, without delay, to
dec12:w6t P. C. SHANNON,
Office, Fourth street, Pittsburgh.

LOCAL MATTERS.

☞ The *right* which every man has to labor, is beginning to be recognized by statesmen and the public press. We quote from the Philadelphia Ledger, the annexed, which we commend to the attention of the benevolent citizens of Pittsburgh:

Philadelphia abounds in benevolent institutions, where shelter for the houseless, food for the hungry, clothing for the naked, are to be found, and what is more and better than all, *employment for the idle.* Who can doubt that Philadelphia, with all her keen sympathies and high claims to the fame of philanthropy, would earn a still higher one if she found employment for all the idle, as well as food for all the hungry? In all civilized communities, it is a duty, not a charity, to support the poor, but not support them in idleness, if capable of work. There is no hardship in labor, within the limits of health. Man was created for industry, as an element of happiness. The doom of labor is a blessing, not a curse, and it is a sound maxim, in time of enlightened philanthropy, to assume that poverty is the result of want of occupation, for it is idleness that begets seven-eighths of the vice, profligacy and crime that twins with poverty. Infirmity alone can claim exemption from the labor-doom, which is the parent of all the virtues, and with the exception of hospitals, a civilized community want no other public charity for the poor but employment. Private benevolence can always luxuriate in doing good without bounds to its benevolence; but were we asked for a remedy for all the social evils of civilization, we should give but one—*employment.*

AN ARMED POLICE.—The following Resolution is under consideration by the Philadelphia Councils:

Resolved, That the Police Committee be directed to procure one hundred stand of arms, with ammunition, to be placed in the Station Houses, the Mayor's office, or some other convenient and suitable place, for the use of the city police, under the immediate direction of the High Sheriff, or Superintendent of Police, whenever authorized by law to employ the same in the suppression of riots.

The people there think that *armed* rioters cannot be put down by *unarmed* Police. In Pittsburgh there are persons who complain because the officers are allowed to carry sticks.

GOOD.—The editor of the *Gazette*, a few days ago, wrote to Salem, Ohio, inviting a Jour. Printer to come on here and take a situation in the "oldest office." He arrived yesterday morning. An excellent compositor, named Locke, was discharged to make room for the new comer, who immediately went to case. In a moment he found that something was wrong, and enquired the meaning of the strange movements. The replies to his interrogatories satisfied him that the pious Deacon was trying to make a *Rat* of him. The honorable printer put on his coat and mizzled!

Row.—Officers Glenn, Hill, Barr and Reed, broke a party from Heitzel's Tell House, Water street, yesterday, who were charged with raising a row. It seems there were a number of drunken men in the crowd, and a fight was the natural consequence. The prosecutor was also brought up. The Mayor took the Chair, and was fixed for hearing the case, when it was announced that the prosecutor had made his escape. Glenn started in pursuit—with what success, we did not learn. It is very likely he was the most guilty man in the crowd.

☞ It is a fact that we are once more blessed with snow in such abundance as to afford to the gay and frolicsome youths of the city an opportunity for sleighing. The bells rang merrily yesterday and last night. We have not had such a bed of snow for a number of years, and the prospect at present is that, it will remain for a few days more. We advise our citizens to go it while they can, for it will not be long before they *can't.*

☞ A poor, simple looking man called at the Mayor's office yesterday, to complain that he had been duped by some rascal, who put a worthless watch upon him and received five dollars for it. As it was a "fair business transaction," as this world goes, nothing could be done. The poor fellow lost his money; and the fact that the speculator had not committed an indictable offence, seemed to give him no consolation.

THEATRE.—Mr. Booth and the prompter got along pretty well last week. To-night, the prompter has to do the business himself, with the little aid he may obtain from the company. O, such a company for a place like Pittsburgh. The whole posse would not make a respectable strolling band. If empty boxes greet their eyes, let not the people be blamed.

☞ Three or four men were in the Tombs yes