HOME MATTERS.

COURT OF OYER AND TERMINER.

MONDAY, December 20.

On Monday morning the Court of Oyer and Terminer assembled at ten o'clock—Judge McClure and associates, Adams and Sloger, on the Bench.

Commonwealth vs. Benjamin Newman, Indictment "Murder." Flanegin and Hasbrouck for prosecution; Mabon and Hampton for defendant.

The prisoner was charged with the murder of a man named James Kipp, at his house, in Collins township, on the night of the 16th of October last.

The following jury, after a considerable delay, was formed:

1. George F. Hale,
2. James B. Meaner,
3. William Urban,
4. Samuel Shane,
5. Stephen P. Mercer,
6. Henry Marshall,
7. Stephen Hague,
8. James Brandy,
9. Philip Beamer, jr.,
10. William Woodford,
11. Bernard Ingles,
12. Jacob Aber.

District Attorney Flanigin opened the case to the jury for the prosecution. He alluded to the various legal authorities as to malice, murder in the first degree, &c. &c. He then commenced the examination of witnesses for the Commonwealth. We give below a condensed statement of the testimony elicited.

Dr. A. M. Pollock, sworn—Found Kipp dead in the house of Newman, in Collins township; found that he had been dead thirty-six or thirty-seven hours; found a slight wound on his left arm, and on a line with the general direction of the wound found a wound four inches from the nipple; the wound was larger than a quarter of a dollar, and its general direction from above downward and backward; the arm must have been drawn round in front of deceased's body some distance; and the seventh and eighth ribs were cut nearly off; the cord of the stomach was torn off; the spleen was torn nearly in two; the skin was dissolved where the second lumbar vertibræ was, and there was found the load from the gun; we took out some twenty or thirty shot; some kind of fire arms caused his death; the shot was No. 2; such a wound would necessarily cause death; on the 17th of October made the examination, about eleven o'clock in the morning.

Samuel Barton, sworn—On Friday night the murder was committed; on Saturday, when witness went out to make the arrest, the prisoner came into his own house; on the 17th witness left the city; it was on Saturday, before witness made the information before Alderman Steele; when the prisoner came into the house witness went with him; I made an examination of the house; the defendant showed me the condition of the floor between the room where the bed was, where the deceased lay, deceased and another person had slept in; the prisoner told witness that he and a half brother of the deceased were at work that day cutting ties for the railroad; after they had done their day's work, they came home and found deceased at the house; Kipp lay on the bed; when the supper was prepared, prisoner asked Kipp to get up and take supper with them, but he would not get up; the prisoner, a half brother to deceased, and Samuel Alexander, sat down together at the table; while they were eating, prisoner got up and commenced dancing around the table; prisoner told witness Kipp was dead; prisoner told deceased to sit down and eat, but he would not do so, and while they were at supper, deceased said that she must have a dance, and Newman must play the fiddle; prisoner then played the fiddle, they danced, and all got drunk; prisoner did not know how long they danced; deceased and half brother to the prisoner went to bed together; this is Newman's statement to witness; prisoner and wife retired to their own room to bed; witness asked prisoner how he come to have a gun, and he said he always kept a loaded gun in the house; he said that his wife had put the gun under the clothes in the bed; he says she took it from under the clothes, and handed it to him and said to examine if it was all right, as to the cap, &c.; he said that he raised the hammer with his thumb; he told witness that deceased burst the door open; just as he raised the hammer of the gun, deceased came to the bed where he was, and caught hold of him, and tried to take the gun out of his hands; in trying to do so, the gun went off and shot him; he said deceased fell back into the other room; he first fell with his face and belly on the bed, and then raised up and fell on the floor, and died; that was where he was lying when witness found him; Kipp was the gun in my possession, that it is in the Court; after the shot, the prisoner's wife said, 'My God, Benny, you're shot James;' he said, 'I hope not,' he told her to stay there, and he would run for the neighbors; he went down to George Shade's, he wakened him up and told him to come to the house; he told Shade that a man in his house had been fooling with a gun and had shot himself; Shade told him to go on and he would come after us soon as he got his clothes on; he told Shade to give his boy a candle; witness asked prisoner, coming in, in the buggy, whether he and deceased were tussling together on the bed, and he said they were; witness asked him how he got the shot in the man, and also about away the jacket that was hanging by the door, as the man was before the jacket; he said he did not know how that happened; the jacket was about four feet high from the floor; did not see any shot in the door; the bed on which Newman and he was when the man was shot, was over the commonwealth side.

By Mr. Mabon—Think there was no light in the house; they had all been put out; only one side of the jacket was shot away.

By the Commonwealth—[Witness explained the plan of the house, and how the deceased was lying on the floor. There was a pretty good deal of blood in the room where deceased was lying, and his clothes were also bloody; the wounded side of his body was lying towards the floor; saw no blood in prisoner's room; blood was on the sheets of the bed upon which the prisoner fell when he was shot; there were no shot holes in the bed clothes; the quilt that was made of cotton; from the appearance of the bed, I thought the whole load had gone into his side; witness observed his shirt, waistcoat and drawers all torn open by the shot; his whole side was bare; the clothing was burned; the clothes on the bed were not burned; there were no marks on the bed; the prisoner and his wife were lying; there was no blood in Newman's room; witness saw no blood anywhere nearer than where the man was lying; the blood had run from his body towards the fire-place; there was a black and blue mark below his eyes, and stains dried down the edge of his nose, and down his chin, which might have come down by a fall; there was another mark above his right ear; this was about the size of a quarter of a dollar; both were bruises, not cuts; blood was running out of his nose and one of his ears; he was so bloody that witness could not tell whether there was any bruises out of gunpowder on his body or not; witness was informed that the deceased had been dead sixteen hours before he arrived.

David Shade, sworn—Lives in Collins township; about three o'clock, the day this occurrence took place, Kipp was at my house, intoxicated with liquor; he was in John Gates' part of the house; at Mr. Newman's; Newman's boy came up to my house with George Shade and called for John Gates; and told him to get up, that Kipp had shot himself; Gates did not go with them, and in the course of two hours Newman came himself to Gates' house; he said it was in a case of death he had called, that James Kipp was dead. On Saturday morning I went down to Newman's house, and saw deceased lying on the floor just before the fire on the bed side; he was lying with his feet towards the bed, close to the foot of it; his head was right from the side of it. Kipp, when he was at my house, had half a gallon jug of whisky with him. Did not go to Newman's until the day night next day.

Cross-Examined—When I saw Kipp he was lying on the floor with his clothes on; he had no jacket on, but his jacket was hanging at the door between the two rooms. Newman called in a loud tone of voice when he came for Gates.

John Gates, sworn—Live out in Collins' township, to Shade's house. Kipp was at my house in the afternoon, drunk; he went away, and about 9 o'clock Newman's boy came to my house, and stated Kipp was killed; I asked the boy how he had been killed, and he said he had shot himself. After that Newman came and said Kipp was shot—that he attempted to pull the gun out of his (Newman's) hands, and that he shot himself. Newman asked me to go down to his place, and when I got there, Jim Kipp was dead, lying in front of the fire-place; can't tell the time of night; think it was about two o'clock. [The witness here described the position in which Kipp was lying in the house where he had been shot.]

George Shade sworn—On Friday evening, about 9 o'clock, Newman came down to my house and called me; I came out and he said, 'for God's sake, Mr. Shade, hurry and come up to my house;' he asked Mrs. Shade to loan him two or three candles; she said she could loan him but one; he said there was a man in his house feeling around with a gun, and he had shot himself; I said what is it. Mr. Newman? he said it was Jim Kipp; I went up to Newman's house with his boy; we saw nothing of Newman until about three o'clock in the morning; I thought he had gone for the Doctor; Kipp was lying on the floor; there was life and breath in him until about half past 4 o'clock. Mrs. Newman had come out when I first went there; I took particular notice when Kipp died that Mrs. Newman said he was not dead, but was sound asleep—that he was dull; I asked Mr. Newman when he came back, whether the gun had gone off in his hands; he said he did not know—all he knew was that the room was fire and smoke, until his wife said, 'My God, Benny, you have shot Kipp,' to said he did not know on which side of the door he stood, and he asked his wife; she said, 'Benny, you stood inside the door;' we were in the outer room; the last conversation I had with Mr. Newman was just after this, he said, 'the devil to be able to go home with a stout heart, but now he could not go home at all,' and he took out his knife and trousers, when we started. He said he was going to East Liberty for a doctor; saw blood on his bed at his Friday evening; Kipp's shirt was burnt; Kipp had no coat on; nothing but a woollen shirt; saw a vest hanging on one side of the door, which was burnt, and understood to be Jim Kipp's, on the other side, there was no blood in Newman's room; examined the door and bed, but could see no shot marks; I examined the rest to see whether it was probable that the vest had been burnt by the flash of the lock or muzzle of the gun; was convinced that it was done by the flash at the lock.

Cross-Examined—Examined wound particularly; it was no bigger than a quarter of a dollar; the skin around was black; the lower end of the vest was about two feet and a half from the door; the blood on the bed was on the quilt; did not examine the sheet; John Tipton said in the presence of Newman, and to him, "you were fooling around with the gun, and I told you all to come to bed or there would be some harm come of it."

Jonas R. McClintock was called, but declared he knew nothing of the affair.

Samuel Alexander sworn—Newman had a gun in his room; was not well during the day and retired to bed early; slept in Newman's room; after the rest had gone to bed and all was quiet heard a noise of some one opening the door leading from the room where Kipp was sleeping. The door was not much more than open before I heard the report of a gun. I got up and went into the next room; the wounded man was lying there; I got water and put out the fire; Mr. Newman also did. Mrs. Newman told her husband to go and get some of the neighbors. When I went out Kipp was lying with his feet close to the bed, and about opposite to the middle of the bed; could form no idea, from the report of the gun, where the man was standing when he was fired at. After Kipp was shot there was no part of his clothing taken off either by Mr. or Mrs. Newman or myself. There was a candle in the dead man's room when I went out; Mr. Newman had it; the candle was lit after the gun was fired; the deceased lay in the same place until Mr. Shade came there; after the gun was fired, I heard a noise like a man falling, in the room where Kipp was. Heard quarrelling or angry words between the prisoner and deceased; heard nothing like scuffling in the room where I slept.

Jonathan Tipton, sworn—Benjamin Newman and I had been at work at the coal pits; when we came home Mrs. Newman said, James Kipp had been here and asked me to give him a bed, which I did: she said he had brought some liquor there, and asked me whether we should take a drink, which we did; when we sat down to supper, directly after, he jumped out of bed and asked for his supper; we told him to sit down; he asked Newman if he would play the fiddle; he said he would, and after supper was over he played and we danced; we drank two "horns" of whisky, and I went to bed; the next thing I knew was when Mrs. Newman woke me up, and told me that my brother was shot; I jumped out of bed and saw my brother lying on the floor; the blood from the sheet sprung up between my fingers; when I went to bed, Mr. Newman, his wife and my brother were standing in front of the fire; Newman did not come in for about an hour after I got up; he said "he had done it, but not on purpose;" the clothing on my brother when I got up was on fire; I saw a vest with the corner burnt off, hanging up, which belonged to my brother, and traveled with Newman for about two weeks.

The cross examination elicited nothing new. Tipton has been alluded to in different parts of the testimony, as the half brother of the deceased, though his name was not known, until he was examined. At the conclusion of Tipton's examination, the Court adjourned.

The New Orleans Opera Troupe performed last evening to a highly respectable audience. Our readers will see by their advertisement that they give performances every evening this week, and a Christmas one in the afternoon. All lovers of music and fun should not fail to attend.

BAYNE'S PANORAMA.—We have never had among us a more beautiful or more popular series of paintings than the Voyage to Europe, which has been attracting such crowded houses for some weeks past at the Atheneum. The beautiful and exciting character of the scenes, united with the superior skill of the various artists who executed the paintings, must ever render it popular and successful. We are sorry to learn that Mr. Bayne intends closing his then far successful exhibitions in this city, at the termination of the present week. The mere announcement will secure him crowded houses.

ST. PETER'S CHURCH.—This splendid edifice was opened on Sunday last, when it was crowded to excess, many persons leaving, not being able to obtain seats. The following were the order of the exercises: Morning prayer to the first lesson, read by the Rev. J. A. Stone, Rector of Grace Church, Mount Washington; first lesson by the Rev. George C. Frost, Assistant Minister of Trinity Church, and the second lesson by the Rev. William White, Rector of St. Peter's Church, Butler. The remainder of the service was read with the Litany was read by the Rev. J. P. Taylor, Rector of Christ's, Church, New Brighton.

The Ante Communion Service was then read by the Rev. E. M. Van Deusen, Associate Rector of Trinity and St. Peters' Churches, assisted by the Rev. Thos. B. Lyman, Rector of Trinity Church, who read the epistle.

The sermon, which was from Exodus xx. 24, was preached by the Rector of Trinity Church.

The Church was opened again in the afternoon, when the same Reverend gentlemen assisted in the services, and the sermon, which was preached by the Rev. Mr. Van Deusen.

The sale of pews in this splendid Church will take place this morning at 10 o'clock, in the Church Edifice.

There is no place in the world where the quality of the soap used for cleaning the skin is of more importance than in Pittsburgh. The frequent ablutions necessary, with the constant use of soap, unless a good article is used, will soon ruin the skin. The Prize Medal Honey Soap, advertised by J. Kidd & Co., is well worthy the attention of those seeking a good article.

GALLIA FURNACE LANDING FOR SALE.—We refer our readers to the advertisement of Bentley, Campbell & Co., in another column, who offer for sale their present landing on the Ohio river, one mile below the town of Gallipolis, Ohio. The Gallia Furnace landing consists of six and a quarter acres of ground, with a two story frame house, three small frame dwellings and a store house erected on it. There is also a choice selection of fruit trees, grape vines, strawberries, &c., &c.

DISTRICT COURT.—In this Court yesterday the cause of David McKee vs. Wm. P. Jones and Aaron A. Hardy, surviving partners of Atwood, Jones & Co., was taken up and pleopied the attention of the Court until the hour of adjournment. List 134, No. 116, April Term, 1850; Mack for plaintiff, and Loomis for defendant. The plaintiff had been in the employ of Atwood, Jones & Co., as warehouseman, and as buyer of tobacco, at Louisville, for this firm. The suit was brought to recover $400 salary a year for seven years, with interest, instead of $300 a year, which had been credited to him on the books of the firm.

POLICE NEWS.

THREATS AND ASSAULT AND BATTERY.—A woman named Anne Porter laid an information before Alderman Major against a man named Jas. Millenger, who she said had come into her house and acted in a disorderly manner, pulling a dirk knife out at her, and threatening to kill her. A man named W. C. Hannen also made an information against him for an assault and battery, committed at the same time. A warrant was issued for Millenger's arrest.

ASSAULT AND BATTERY.—A man named Geo. Booth was arrested yesterday and held to bail by Alderman Parkinson, charged with an assault and battery upon the person of Archibald Paul. The affair took place at the house of William McDevitt, in the Fifth Ward.

On the same day George Booth instituted an action of assault and battery against John McCutcheon, before Squire Parkinson. He deposed that McCutcheon came out of his house on December, 18th, and struck him three times on the head with a club. McCutcheon was held to bail.

ATTEMPT AT ARSON.—George Booth, the prosecutor in the last case, made a deposition before Alderman Parkinson that he saw a man named Robert Algeo put a bunch of matches in his stable with the intention of firing it, on the 18th inst. Algeo commenced quarrelling with him; A man named Robert M'Devitt who was present joined in and threatened to whip him, as also did Archibald Paul. Two women named Ellen M'Devitt, and Rose M'Cutcheon encouraged them in their threats. He swore that he believed these persons would burn him out, or do him bodily harm. They were all arrested and held to bail.

A woman named Susan Booth also made an information before the same Alderman against Ellen M'Devitt for an assault and battery committed upon her. Ellen M'Devitt goes bail.

FRAUD.—John W. Moore was held to bail on dollars, he is safe. If he is overtaken by misfortune, and his all laid in ashes, he receives a recompense in a cash capital equal to his loss, and may soon restore what has been destroyed.

POLICIES issued at all times upon favorable terms, by

GEO. E. ARNOLD,
Agent for Pittsburgh and Allegheny Co.
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Furs, Furs, Furs.

M'CORD & CO. have just rec'd via express, a fresh supply of Stone Martin and Sable Muffs, Victorines and Cuffs. Corner Wood and Fifth streets.

Only Newspaper Foreign.

DICKENS' HOUSEHOLD WORDS and UNITED STATES WEEKLY REGISTER.

NEW ARRANGEMENT.—The publication of this periodical will hereafter be issued on the undersigned, who has become sole proprietor of the work. With the accession of Dickens' Household Words to the Register, under the title of "Dickens' Household Words and United States Weekly Register," the original work has attained such an improved character, as to be pronounced by the country, as to render any commendation of it in this respect unnecessary. It is sufficient to say that its originality, vivacity of style, and genial tone of feeling, it has been justly termed the greatest intellectual luxury of the age. One has only to peruse its pleasant pages to appreciate the truth of this assertion. Its object is required no small degree of research and theory to accomplish in this respect, and the undersigned feels that its services valuable in point of pecuniary saving. The price of this work for one year is $2, which places it within entertainment and instruction to the family circle that it cannot fail to earn for it the common run of books in the present edition. A copy can be seen at this office, in which each number, which cannot fail to prove of service to the American literature, will be present a and future reference. The work will continue to be issued in the form of the present number, each forming two volumes a year, worthy of a desk specially placed on the shelves of the library or the drawing-room table.

The Weekly Register portion of this work contains a record of important statistics, as well as of other matters of general interest in the United States.

Terms—For Dickens' Household Words commenced with No. 1 of the New Series, with which, and re-published from the beginning, new subscribers can be furnished.

TERMS—The Household Words may be obtained of Booksellers, periodical Agents, or at the office of publication (No. 17 Spruce street) at $2.50 a year, or 6¼ cents a number. Clubs of ten copies, $20; 20 copies, $40; 30 copies, $60; 40 copies, $80; 50 copies, $100. Clergymen supplied at $1.75 per annum.

Liberal arrangements will be made with Agents and Postmasters for its circulation.

Persons contemplating subscribing to a periodical will do well to procure a specimen number before deciding. All orders must be addressed to

MCELRATH & LORD,
No. 17 Spruce street, New York.

☞ Agents wanted in the City and for the Country. de15dlim

THE
CONTRACT
OF
INSURANCE

OFFERS an expedient, by means of which, prudent men escape losses. They transfer to others the risks which inevitably cause them. For a small consideration, these risks, which, if borne by a single person, would ruin individuals are safely assumed by Companies well organized, and judiciously managed. Such an institution is the

PROTECTION
INSURANCE COMPANY,
OF HARTFORD, CONNECTICUT.

This Company bases its operations upon such a perfected plan of cast premiums, well scattered risks and long experience in estimating hazards, that the interests of all concerned are secured. The Company receives from almost innumerable sources, and in small sums, a large annual deposits. From this fund, held as a public trust, losses are paid. To secure for the public and the Company a permanent ability to meet every demand, all erroneous or fraudulent claims are of course rejected. This is the only plan of Insurance which can long deserve the public confidence, and the undersigned, Agent, confidently invites his friends to secure themselves at his Agency, against

FIRE,
ON THE
PERILS OF NAVIGATION,

The advantages of this contract need scarcely be urged upon wealthy men, or merchants, for they rarely neglect it, and if they do, fires leave them other resources. It is especially valuable to laboring men, mechanics, and others of moderate means—who, perhaps, have little else than a home and its contents in the world.

These should never neglect to insure: a fire which may visit them at any hour, would leave them homeless, and with no capital but their labor, to begin again the struggle of life, and years of toil and watching must pass before they can regain what they have lost, if indeed it is ever done. To such, insurance is a duty. If the individual is worth little, the expense is low; if he owns much property, still, the expense is trifling, and by investing a few dollars, he is safe. If he is overtaken by misfortune, and his all laid in ashes, he receives a recompense in a cash capital equal to his loss, and may soon restore what has been destroyed.

POLICIES issued at all times upon favorable terms, by

GEO. E. ARNOLD,
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MISCELLANEOUS.

Improved Shoulder Braces.

Ladies', Gentlemen's, Misses, and Boys Shoulder Braces—of the most approved and fashionable kind, intended to relieve round shoulders, weak backs, leaning forward, &c. These shoulder Braces are an article of genius, and are vastly superior to most articles of the kind in use. The Gentlemen's Brace answers the purpose of a Suspender as well as Shoulder Brace, and at a very little above the price of Suspenders.

For sale at DR. KEYSER'S Drug Store, No. 140, corner of Wood st and Virgin alley.

Important to those afflicted with Hernia or Rupture.

☞ The subscriber having received the sole Agency for the sale of Dr. N W Hubbard's Truss, for the city of Pittsburgh, would respectfully invite the attention of physicians, as well as those afflicted with Hernia, to an examination of this instrument. The Truss of Dr. Hubbard has advantages believed to be found in no other one, and has received the sanction of the highest medical authority, wherever it is known. Its perfect simplicity, and can be fitted to every term in the human body, and any desirable amount of pressure can be had at will. It will retain ruptures that cannot be retained by any other instrument now in use. The patient can have an opportunity of testing its merits, by wearing one for a week, when it will be taken back if it does not give satisfaction. This instrument will radically cure the worst of the ordinary cases of Hernia or Rupture, if properly applied.

☞ Dr. Keyser's of a high character can be given in this city if desired.

For sale at DR. KEYSER'S Drug Store, 140 Wood street Pittsburgh, only agency in Pittsburgh.

Dr. Keyser's Pectoral Cough Syrup.

In diseases of the Lungs and Respiratory Organs.

☞ The Lungs, the Bronchia, the Trachia, and the Larynx, are the organs through which respiration is carried on. Any obstruction occurs in the skin, in the kidneys, or in any one of the organs above named, from cold, will be followed by irritation and inflammation in their exertions, and you have disease, irritation or inflammation, which can only be relieved by taking a proper remedy, one that will restore each one of these organs to their healthy action. Dr. Keyser's Pectoral Syrup is prepared for the sole purpose of relieving all such diseases. It combines ingredients to allay and soothe irritation, to dissolve tough mucus, to remove any obstruction from the bronchial tubes, to remove any obstruction from the pulmonary organs, and restore them to a healthy action; hence it is applicable to all cases of Coughs, Whooping Cough, Asthma, Bronchitis, Croup, Laryngitis, and any other Pulmonary disease, depending on a cold, whether it is severe and pleasant to take, and may be given with perfect safety to children. Try it, and if it will not do all we say it will do, you will not be disappointed.

For sale wholesale by DR. G. H. KEYSER, at his Drug Store, 140 Wood street, Pittsburgh, Pa.

A Sure Remedy for Baldness.

AMERICAN HAIR RESTORATIVE.

☞ The proprietor of this celebrated American Hair Restorative, has met with such unbounded success in effecting the object for which it is used, in restoring hair cases, and giving a written guarantee, that, for a price agreed upon, by himself and the person using it, the hair shall be restored, or he will refund the amount expended; or, he will sell at the usual price, the Restorative, and allow the full amount to such individuals who have had their hair restored, equal to the quantity they use of it. The following are a few of the numerous testimonials which have come to us from well known citizens:

Pittsburgh, Dec. 6, 1852.—This is to certify that I have used the American Hair Restorative, prepared by Dr. Chas. Stone, M. D., Capt. H Harris' patent invention, and was totally bald—now the head is complet ly covered with a new hair, thick and fine, and of very pretty color. Would invite particular attention to the following:

Cases of Baldness of 20 years' standing, cured by one bottle and part of a bottle of American Restorative.

Mrs. Alexander, aged 42, wife of Wm. Alexander, who resides on Penn street, Pittsburgh, Pa., has not been bald for the last 20 years; the head, on both sides, was perfectly smooth and bright, when she first commenced using the Restorative. She has now used a bottle and a part of a bottle of their Restorative, and found it regularly for the last six weeks. Her head is now completely covered with a crop of new hair, firm and strong, nearly one inch long, and of a beautiful color. She has no objections to the publication of these statements.

Mrs. Alexander has a brother in Baltimore, whose name is written out above, and know, personally, that the statements therein made are correct.

A H DAY, No. 95 Fourth street.

Sold, wholesale and retail, by DR. G. H. KEYSER, No. 140, corner of Wood street and Virgin alley.

BY TELEGRAPH.

CONGRESSIONAL.

WASHINGTON, Dec. 20.

SENATE.—Mr. King's health being worse, he sent his resignation to the Senate, and Mr. Atchison was elected President pro tem.

Resolutions expressing the thanks of the Senate, and regret for his illness were passed and sent to Mr. King.

The Kentucky Senatorial case was then taken up, when Mr. Merriwether said, as the vacancy had happened, and the Governor had filled it, there his power ended, and it was for the Senate to decide how long that appointment continued. He wished he could give his seat up to Mr. Dixon, as the Legislature declared their desire that he should have it, but the act of the Governor was clearly in pursuance of the constitution; that the appointment was to continue until the next meeting of the Legislature.

Mr. Rusk took Mr. Dixon's side.

Mr. Seward followed on the same side, giving his reasons.

Finally the vote was taken and Mr. Dixon was admitted by a vote of 27 yese to 16 nays.

Mr. Dixon was sworn in and the Senate adjourned.

HOUSE.—Mr. Brown, of Miss., submitted an amendment to the rules, providing for the appointment of a Committee of fifteen, to be called a Committee of Claims, which was debated.

Mr. Freeman proposed a substitute instructing the Judiciary Committee to inquire into the expediency of giving to the U. S. District Courts, full power at law, to hear and determine claims against the government. Voted down.

Mr. Ewing submitted a resolution requesting the Judiciary Committee to inquire into the expediency of reporting a resolution providing for the amendment of the Constitution, so as to require the Presidential electors, to be chosen in each State in the several districts, instead of the whole States. The House then adjourned.

NEW YORK, Dec. 19.

The steamer United States arrived at Aspinwall with two days later news from San Francisco, and $850,000 in gold dust. She was brought down by the Winfield Scott. Amon her passengers are the Captain and officers of the city of Pittsburgh.

SAN FRANCISCO, Nov. 17.

The markets are more active. Flour unchanged, with a downward tendency. Provisions—Clear pork 29½; other staples favor buyers.

We have dates from Oregon to the 10th, from which we learn that nearly all the overland emigrants had reached the Dalles. Provisions were plenty on the route, and there was but little sickness.

Dates from Valparaiso to the 15th of Nov. have been received. At Peru military forces were quietly concentrating, but the purpose is not known. It is presumed they are preparing to resist the demand of Ecuador for satisfaction in the Flores affair.

The English Government have made a formal de'a all on of a blockade of the coast of Peru, on account of the Mackintosh claims. The blockade was afterwards countermanded.

The Peruvian Consul at Panama has given notice of the extension of the Lobos question.

The subscriptions received by the passengers of the City of Pittsburgh had enabled most of them to continue their voyage to California.

Kingston, Dec. 9.—Business is dull owing chiefly to the advanced prices.

NEW YORK, Dec. 19.

The Star of the West arrived from San Francisco, with dates to the 10th. She brings 49 passengers.

The Cherokee also arrived from New Orleans, having left Havana on the 14th. She was permitted full communication with the shore to land and receive the mails and passengers.

The city was healthy. No news.

WASHINGTON CITY, Dec. 19.

Mr. King was more feeble yesterday, and is worse to-day. The nature of his disease is an affection of the lungs; the same as Mr. Clay's.

CINCINNATI, Dec 20.—Whiskey has further advanced to 19½; the market closing firm and buoyant. Checse; sales 600 boxes at 9c, and 1000 do ordinary at 8c, demand only moderate. Butter is in active request: sales 70 bbls prime roll at 19c; and 60 firkins do at 16@19c, market very firm. Dried Peaches $3,80 per bu, and apples at 6@6½c per lb. Salt in bulk, the fair demand at 4½c Mess Pork, $17. Bulk sides would bring 8½. The river has seven feet in channel.

EXPLOSION OF THE MAGNET.—The following is the only complete account we have seen of this explosion.—It is from a Zanesville paper:

DEAR SIR:—The steamboat Magnet burnt her boilers at the head of Grandview Island, on her upward trip from Ironton to Pittsburgh, and lies at shore a total wreck. She was laden with pig metal, oats and flour.

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D. D. Boyd, Captain, scalded and wounded.
Wm. C. Beck, clerk, scalded mortally.
Wm. Champlin, mate arm broken.
Abner Long, pilot, dead.
Robert Leister, pilot, thigh broken and dangerously injured.
John Flood, watchman, not injured.
Martin Ballard, engineer, safe.
Henry Sheppard, do., slightly wounded.
Alexander Low, deck hand, mortally wounded.
One passenger slightly wounded.
Respectfully yours,

JAS. W. WILLIAMSON

Exchange on the East Reduced.

WE are drawing on Boston, New York, Philadelphia, and Baltimore, at par for sight funds, and three eighths of one per cent. (¾) for currency. de21 J. A. REPPERT, No 61 Water street.

SUGAR HOUSE MOLASSES—50 bbls for sale by [de21] BURBRIDGE & INGHRAM.

LOUISVILLE LIME—160 bbls for sale by [de21] BURBRIDGE & INGHRAM.

GREEN APPLES—50 bbls assorted kinds in store and for sale by RHEY, MATTHEWS & CO

FLAX SEED—5 sacks in store and for sale by [de21] RHEY, MATTHEWS & CO.

CHESTNUTS—12 bbls, a prime article, in store and for sale by BURT, MATTHEWS & CO.

FEATHERS—15 sacks, Live Geese, in store and for sale by RHEY, MATTHEWS & CO.

HORSE COVERS—Just received at the Rubber Depot, 6 and 8 Fifth street, India Rubber and Oil Cloth Horse Covers, for sale low by

H H PHILLIPS,
de21 No 110 Market street.

INDIA RUBBER PASTE—This article is warranted to make boots and shoes perfectly waterproof, and will last for years. For sale by

H H PHILLIPS.

BUTTER—2 bbls fresh Roll, rec'd this day and for sale by H H COLLINS.

GOTHIC CHIMNEY TOPS—140 this day rec'd and for sale by [de21] H H COLLINS.

CHEESE—300 bxs. prime cutting; 25 " English Dairy, rec'd and for sale by [de21] H H COLLINS.

BROOMS—140 doz. rec'd for sale by de21 H H COLLINS.

APPLES—141 bbls. Pippins in prime keep ing order; for sale by H H COLLINS.

APPLES—80 bbls. Russetts and Green Pippins; just rec'd and for sale by J S DILWORTH & CO.

POTASH—10 cks. rec'd for sale by de21 J S DILWORTH & CO.

WINDOW GLASS—200 bxs. 8 by 10; 50 do 10 by 12; for sale by J S DILWORTH & CO.

N. Y. SYRUP—20 bbls. prime, for sale by de21 J S DILWORTH & CO.

WRIGHT'S PILLS—A large supply of Dr. Wright's Indian Vegetable Pills just rec'd by L WILCOX & CO.
de14 and 56 Smithfield street.

AYER'S CHERRY PECTORAL—A CURE for Coughs, Colds, and Consumption: for sale by L. WILCOX & CO., No. 54 Market st., and 56 Smithfield street.

Two Per Cent Premium in Gold

WILL be paid for Silver Coin, at the Exchange Office of A WILKINS & CO.

CORN AND HAY—100 bushels of Corn, and for sale by J A REPPERT, No 61 Water street.

EGGS—6 bbls Eggs. Just rec'd and for sale by [de 19] J A REPPERT.

WAFERS—50 lbs fine, rec'd for sale by B A FAHNESTOCK & CO.

BUTTER—11 bxs. fresh Roll rec'd and for sale by [de10] S. HARBAUGH.

FRESH FRUITS, ETC.—
60 boxes and half boxes M R Raisins.
25 " Cracker "
200 lbs Sealtese "
5 bbls Zante Currants.
21 jars Bordeaux Prunes.
200 pounds Malaga Figures.
100 bags prime Rio Coffee.
20 " Java "
15 " Old Government Java.
18 packages Green Teas.
60 " Black "
16 Chests Metcalfe's Tea.
2 cases Arrivey's D. K. Soap.
10 bbls. crushed and pulverized Sugar.
" Sigrist "
" New York Syrup.
20 bbl. bbls. Go ies.
10 bbls. Sugar House Molasses.
20 " New Orleans.
25 doz. Pine Wash Boards.
100 " Corn Brooms.
100 " Mason's Blacking.
1 case Miller's Water proof Blacking.
25 bbls pure Cider Vinegar.
50 mats Oranges. For sale by

de10 J D WILLIAMS, Wood st.

SAND PAPER—60 reams for sale by de15 B. A. FAHNESTOCK & CO.

POTATOES—180 bbls. choice, well packed; for sale by J A REPPERT. de18

BEANS—30 bu. small white, for sale by de15 BELL & LIGGETT.

COMMERCIAL.

PITTSBURGH MARKET.

OFFICE STATISTICAL GAZETTE,
Tuesday Morning, Dec. 21 1852.

The weather was very unpleasant yesterday, with continual showers, which will doubtless keep the rivers up for a while. Business was a little dull, but we note as much activity as is usual at this time of year. There was no flour offered, but it has slightly advanced.

HOGS—Sales 125 head, averaging 200 lbs, at 7; 160 do. at 6¾ to 7,00; 20 dressed, at 6.00, 50 dressed at 6,50; 90 do. at 6¼ to 6¾; 21, on the hoof, at 6,75 to 7,00.

BULK MEAT—Sales 25,000 lbs shoulders, at 7¾; 25,000 lbs hams, at 9¾; 48,000 lbs sides at 8¾—market firm.

BACON—Sale 1 cask clit sides at 9c.

GRAIN—Sales 3000 bus. corn, from first hands, at 45; 1000 do. from store, in the car, at 50; 250 do. on the wharf, at 45. Oats, sales 80 bus. at 34.

GROCERIES—Sales 30 bags coffee from store, at 10 to 10¾; 25 do. do. at 9¾@10. Sugar, sales 8 bbls at 4¾ to 5¾; 10 hhds do. at 4¾; 10 hhds. do., from first hands, at 5 to 5¼. Rice, sales 2 tcs at 5¾.

ASHES—Sales 3 tierces Pearls at 5¾.

HAY—Sales 4 loads at $8 to $10.

PIG METAL—Sales yesterday of 75 tons, Allegheny metal, "Winfield," at $40, 4 mos.

SALT—Sales 200 bbls at Canal, at $1.10.

BROOMS—Sales 200 from first hands at $1.75.

APPLES—Sales 50 bbls from store at $1.70 to $1.75.

BUCKWHEAT FLOUR—Sales 135 sacks on the wharf, at $1.62½.

BUTTER—Sales 7 bbls roll, at 18.

CLOVER SEED—Sales 13 bbls. at $5.45 @ 5.50.

LARD—Sales 11 kegs, country, at 10¾.

BEANS—Small white, sales 8½ bus. at $2,50 from first hands.

HOOP POLES—We note a sale of 17,000 at $18 ⅌ thousand.

FLOUR—No sales reported to us. Prices are a shade better, but we have no quotations to offer.

MONETARY AND COMMERCIAL.

NEW ORLEANS, Dec. 6.

There was a good demand for sugar, with sales of 1200 hhds, full 3% @4¾c. Of molasses, 1000 bbls were taken at 21@23½c per gal.

The flour market is dull in consequence of the diffic lty of effecting shipments; sales 3,500 bbls. at $4,25@4,37½ for Ohio and Indiana, and $4,62½@5 for extra brands of Saint Louis.

BALTIMORE, Dec 18

COFFEE—The coffee market has been quiet during the week. There has been a fair enquiry, but no holders are disposed to make sales except to purchasers for actual consumption, but a fair amount to report. The sales of 400 bags Rio at 9¾@9¾c; 1400 bags at 9¾@9¾c and 1000 bags at 9¾ @9¾c. Some small lots of very prime at 10c. Other grades have been ruled for some time. Sales of the best Rio 10,000 bags Rio. Importations 2000 bags Rio.

MONEY AND TRADE IN ENGLAND.—The Mark Lane Express, London, the organ of the Grain Trade, looks to higher prices in English markets, and gives largely from private advices from the north of Europe and Fra ce, showing a speculative activity at Baltic and Hamburg. Indeed, the Continent is a large and very active buyer of Indian corn this spring. English orders were at Hamburg for wheat. The iron trade is said to be in the same state. Bills have been sold at 5s 10.

The Cherokee has arrived from New Orleans, having left Havana on the 14th. She was permitted full communication with the shore to land and receive the mails and passengers.

The city was healthy. No news.

WASHINGTON CITY, Dec. 19.

Mr. King was more feeble yesterday, and is worse to-day. The nature of his disease is an affection of the lungs; the same as Mr. Clay's.

CINCINNATI, Dec 20.—Whiskey has further advanced to 19¾; the market closing firm and buoyant. Checse; sales 600 boxes at 9c, and 1000 do ordinary at 8c, demand only moderate. Butter is in active request: sales 70 bbls prime roll at 19c; and 60 firkins do at 16@19c, market very firm. Dried Peaches $3,80 per bu, and apples at 6@6½c per lb. Salt in bulk, the fair demand at 4½c Mess Pork, $17. Bulk sides would bring 8½. The river has seven feet in channel.

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