HOME MATTERS.

TRIAL FOR MURDER.

OPINION OF JUDGE McCLURE.

MONDAY, Jan. 16.

The Court opened at the usual hour. This was the day set apart for the trial of Copples and Hull, charged with having committed the manslaughter of Benjamin Fox, on Liberty street, on the night of the 19th of October.

Flanegin, Hasbrouck, and Frew, for the prosecution; Darragh, Black, and Roberts, for the defence.

District Attorney Flanegin asked for a postponement of the trial, as one of the most important witnesses for the Commonwealth was absent.

Messrs. Darragh and Black opposed a postponement, as an important witness for the defence could not be detained any longer. She was about returning to Ohio, and it was with the utmost difficulty she had been detained until the present time.

It was decided that the trial should proceed.

Two or three witnesses being absent when the roll was called, Judge McClure remarked that he would take that opportunity of their absence, of reading an opinion upon the contested election question, which had been argued before him on Saturday, by which time the witnesses would be ready.

Judge McClure then read the substance of the petition, which he said resolved itself into the following four positions:

The grievances set forth in the petition resolve themselves into the following specifications:

First, "That nine votes in the Sixth Ward for Kent were scratched out on the tally list."

Second, "Neglect or omission to file in Prothonotary's Office a list as required by law."

Third, "The clerk did not enter "tax" to those who voted on tax, or "age" to those who voted on age."

Fourth, "Large numbers of forged naturalization papers were issued previous to said election for the purpose of imposing upon the judges and Inspectors of said elections."

First. Petitioners do not charge that these nine votes were falsely or fraudulently scratched, or that they were scratched by mistake. The law presumes men to do their duty until the contrary is alleged and proven. Here it is not alleged, that the votes were improperly scratched. This alone would not change the result of the election, even if these nine votes had been erroneously scratched.

It is alleged that because there was omission or neglect to file the list of voters in the Prothonotary's Office from various Wards, that this is fraud on the face of the record, and proof that every vote was illegal in all Wards which were guilty of such omission, and that the votes of all Wards should be rejected by this Court by wholesale.

Omission is not fraud, neglect is not fraud, mistake is not fraud, and ignorance is not fraud; and how this failure to return a list of voters to the Prothonotary's Office after those upon such list had voted, I say, how this omission should have such tremendous retro-active energy as to render a vote illegal that was legal when it was polled, is more than I am able to discover. The voters may well be troubled about many things upon election day, if, the technical omission of one name after the polls have been closed, and the votes counted, shall carry with it this retrospective blasting power. If this part of petitioner's complaint, and its influence, be sound, then the political disfranchisement of a thousand citizens may be carried about in the breeches pockets of some district, or forgetful, or careless man, some one, about town. If a vote is valid when it is polled, it does not become void by a future neglect of another. If a vote is legal when it is polled, it does not become illegal by the agency of another afterwards. "As the tree has fallen, so it must lie."

The provisions of the election laws enjoining the officers to make returns of the list of voters, in directory, and its neglect works no forfeiture to the citizen: 1 Kent's Comm. p. 465.—The words of the act are affirmative. In an act like this, it requires negative words to make it imperative: Dwarris on Statutes, p. 716.

In the construction of statutes, it is the duty of the Judges to make such construction as will repress the mischief and advance the right, *the merits*.

The plain intention of the Legislature was to secure the right of suffrage, not to peril it. The rules adopted for the government of Judges, Inspectors, clerks, and officers to facilitate, not to endanger the right of the citizen. No Legislator ever set traps for the voter. See act of 1839; see 100, 101, 102, 103. The voter has no control over the action of the judge, inspector or clerk of an election. Each of these officers is indictable for a criminal neglect of duty. The penalty falls on him, and not on those innocent citizens whose trust he has betrayed.

Third. That the clerk did not annex "tax" or "age" to the list, is not fraud, or proof of illegal voting or any evidence thereof, but an "irregularity," similar to that considered under the second specification.

Fourth. This charge that large numbers of forged naturalization papers were issued previous to the election for the purpose of imposing upon the judges and inspectors, is a most grave and solemn charge, indeed.

Fraud will vitiate anything, and this Court will never hesitate one moment to tear in pieces without mercy or remorse, anything that is so tainted, and comes judicially before it, let the cost and consequences be what they may and fall where they will.

If the petitioners had intended or desired the Court to take judicial cognizance of this sweeping accusation, which, as it stands, is calculated to throw suspicion on the innocent, even though the charge should be true, the persons making this grave and general charge, were in duty bound to set forth, in addition, the names of those persons who got and obtained the forged naturalization papers; that they voted on them; that they did impose the fraudulent votes on the judges and inspectors of the election, and for whom they voted, namely for Wm. Magill, and further that they changed the result of the election; that is to say, Charles Kent would have been elected Sheriff, and not anybody else, for recollect there were five candidates for Sheriff.

Assuming that there were fraudulent votes it dont appear for whom they were cast.

In the case of Kneass, decided in Philadelphia, Judge Kelly says, in his opinion, "The laws require the participating of an undue election, a false return of an officer, to set forth in their petition, not only the fact of fraud or mistake, but the nature and extent of the alleged fraud or mistake, and to aver and set forth that it changed the result of the election;" and he adds, "the observance of these rules enables the court to prevent much expensive, exciting and fruitless litigation."

The power vested in the Court of Appeals, by section 104, act of 24 July, 1839, in contested elections of county officers; where petitioners complained of—*First*, "An undue election," and *second*, "false returns" of any such officer.

Is there any complaint here that the election itself was improper, according to the act of assembly? Is there any concise complaint here that the returns were false according to act of assembly?

The judicial power is circumscribed by the act which confers it. Its channel is narrow; it does not canvass; it decides.

An election held at an improper time or place would be an undue election, or held by those unauthorized to hold it—illegal votes received and counted, or legal votes rejected, would be an undue election, and such, or whatever else it is, must appear, specifically, in the petition.

An omission to return the list of voters is not an undue election, for the election is over.

Was there a "false return." The petition no where charges a false return. It alleges that in the Sixth Ward, nine votes were scratched, but it does not allege that they were scratched by fraud, falsely, or by mistake. Nine votes would not change the result.

The petition no where alleges that a single fraudulent vote was polled, or a single legal vote rejected, and remarking the sweeping charge of forged naturalization papers charges that they were obtained for the *purpose* of imposing on the judges and inspectors, but it does not even say that such purpose, if any, met with success.

The act conferring this power upon the Court says, in these words—"that the said Court shall in judging concerning such election proceed upon the *merits* thereof." The *merits* thereof, and determine *finally*.

* * * * * * *

The Sheriff has given bond and sureties approved by the Court, entered into recognizances before the Recorder, been duly commissioned and sworn, and in the active discharge of the duties of his office. All these evidences are of record here and at Harrisburgh. Analogy would indicate that proceedings should commence before the Sheriff was commissioned and sworn, at Court. In the cases of contested election of Prothonotary, the act of assembly goes on to say, "and in such cases no commission shall be issued until the Court shall have determined and adjudged on such complaints.

The First and Second Wards, Allegheny, I have not noticed, because petitioners specify no reason why the votes in these wards should be omitted by the Court.

The petition alleges that respondent, William Magill, was returned as duly elected, commissioned and sworn. In judicial decisions similar to this, it will be observed neither of the rival candidates had been sworn.

The motion to grant was the proper and legal manner to proceed in this case, and the proceedings and the opinion of the Court are fully sustained and borne out by the decision in the trials of Alderman Barlow, Prothonotary Skenit, Sheriff Select, and District Attorney Kneass, in Courts of great learning and experience, and of high authority.

Now, what is the Court asked to do here? Why, by one sweep of the pen to exclude 2,912 voters, upon the bare inspection of the record, to "declare the election null and void, and to adjudge and decree that Charles Kent is Sheriff, and if the Court should decline to do this, then to issue process, &c., &c., &c.

If the election was null and void, I am at a loss to see how any body could be lawfully declared elected, either Magill or Kent. The Governor does not seem to think that the election was null and void, for he sent a commission in pursuance of said election.

Before a court will proceed, even under clear authority to interfere with or set aside the elective franchise, once expressed, it behooves the Court to be very slow and very sure. The elective franchise in a varied trust, not to be trifled with. This petition does not go to the *merits* at all. The courts are vested with powers for the express purpose of carrying out the popular will. The object of this petition is not to assert, moderate and carry out the popular will, but to thwart, pervert and strangle it.

Should the Court make the order prayed for in this petition, upon inspection of the record, the act would be unlawful, arrogant, anti-republican, wanton and despotic.

It is not to be expected that judges, inspectors and clerks of elections should discharge their duties with formal and clerical accuracy, such as is demanded in courts of justice. If this Court should incautiously embark upon a voyage of discovery, and issue process, &c., as suggested and prayed for, when and where would it be likely to have an end? Of course this Court will grant process in a proper case, but this is not that case.

Let us see; this petition is mostly based on a technical omission, occurring in a few wards of the two cities. There were five candidates for Sheriff. Inaccuracies of similar character, and omissions and commissions of all sorts, occurring in other wards and districts, will form the staple of bills, answers, counterbleas and underpleaders, amendments and supplements. Each of the five would have a right to take a hand in the game, for each had a stake, and in the confusion there is no knowing who would come up. Each man would have a right to select his own field of operations; that would of course be close districts, which gave majorities against him. This was done in the case of Kneass. In that case there were two candidates, here there are five.

This Court has a discretion to say who shall pay the costs. The costs in such a case would ruin ninety-nine men out of a hundred, and in such a case as this one we are considering, or those we have adverted to, we should not think for a moment of imposing it on Allegheny county. For an investigation based upon the allegations of this petition, would, in the language of Judge Kelley, be productive of enormous expense and exciting and fruitless litigation.

The motion quashed.

The Court then adjourned until the afternoon.

AFTERNOON SESSION.

The Court proceeded to the trial of Andrew J. Copples and John Hull. The prisoners were brought into Court.

After considerable trouble, a jury was formed, consisting of the following persons:

1. William Wood,
2. Solomon Berlin,
3. William Holden,
4. William Rapp,
5. Fleming Morrow,
6. William McGaw,
7. William Nesbitt,
8. Richard G. Nelson,
9. James T. McClure,
10. Michael Krebs,
11. Francis Snee,
12. James D. Varner,

The indictment being read to the prisoners, they plead not guilty.

C. Hasbrouck, Esq., opened the case to the jury, in a short speech, in which he narrated the circumstances of the affray, and what the Commonwealth expected to prove. He also read, as usual, the law of 1794 relating to murder in the several degrees. The following witnesses were then called.

James Lowry, Coroner—Held an inquest upon the the body of Benjamin Fox, on the 19th of November last, in the Fifth Ward; found the dead body in a grocery store, where the deceased boarded.

Dr. John O. Patterson, sworn—Was called upon to make a postmortem examination upon the body of Fox; assisted Dr. Black; found a contusion on the left side of the head, just above the ear; there was no abrasion of the skin; there was only a slight swelling in that part from the infusion of the coagulated blood under the skin; made an incision across the head, and dissected the scalp backward and forward; under the place where the contusion was, found a considerable quantity of coagulated blood between the skin and cranium; found the thin portion of the temporal bone fractured; suppose to the extent of from ¾ an inch to an inch; found the extravasated blood oozing out of the fracture; on the back portion of the head I discovered no external contusion; when we opened the cranium we found about 12 or 14 ounces of coagulated blood immediately under the fracture, between the cranium and the external membrane of the brain; there might have been 14 ounces; found no blood in the inner portion of the brain; found nothing there but what was in a healthy and natural condition. On the breast bone a slight contusion, and on the left a bruise; the wound in the head was sufficient to cause death; the wound appeared to be done with some bluntinstrument; the pressure of blood upon the brain produced the symptoms I found him laboring under when I visited him previous to his death.

On cross-examination the witness described more particularly the nature and situation of the wounds. Dr. Black thought the wound might have been caused with the toe of a boot, but I hardly thought the fracture could be caused in that way; I was called in a few moments before three o'clock, on the morning he died, to see deceased. He was then working in strong convulsions. After having made a satisfactory examination, and discovering that there was no hope for him, I went home.

George Rowly, sworn—Deceased boarded with me, next door to Dr. Patterson on Penn street; I was at Mr Smedile's, and Fox was in the back kitchen; I heard an uproar, and Fox started to go out; but I told him not to go out, and told him by the coat; he would go out, and I told him he would get his brains knocked out; in about three or four minutes afterwards he was brought back to the bar room bleeding; he said "old man they've killed me, they've killed me;" I asked Mrs. Smedlie for some water, and she brought it in a cloth, and I washed his head; then took him home to my house; that was between 12 and 1 o'clock; about two o'clock a man named Kincald, halloued out that Fox was dying or smothering; we did all we could for him, until after three o'clock when he died; sent for the doctor a little while before he died. (The witness described the location of Smedlie's tavern; deceased was about 23 years of age, and unmarried; saw nothing of the fuss, as I was in the kitchen.

The cross examination elicited nothing new.

Dr. Black was sworn and testified that he found on post mortem examination on the body of deceased, a slight wound in the centre of the breast bone, and a slight abrasure to the left. The wound might have been inflicted with the heel of a boot, if there were no nails in it; do not think falling would produce the fracture; but it might be done if a man fell a considerable distance and lit on a round stone, which would not break the skin; any blunt instrument would produce the wound.

James McPherson sworn—Heard a noise and run out to the door, and saw some men come out of Smedile's, and run after this man and knock him down; think some one came down the street, pick up a stone and come back and hit the man who was lying on the ground. The men who was beating him, then ran away. The man who picked up the stone was a small sized man; I and some of my boarders went across and saw a watchman there; the man was picked up and carried into the house; he said "Oh, don't move me, I'm killed." Some persons ran away and others went into the house.

Cross-examined—Knew none engaged in the fight except George Rowley, and he came out after Fox was knocked down. The persons ran up Penn street. When Fox was down did not see any man strike him, except the person who ran across the street and got the stone; Fox was lying down when I saw him.

Ann Smedlie sworn—Am daughter of Mr. Smedlie, at whose house the dance took place on the 18th November; was in the room where the dancing was; some young men came into the room; cant say how many; they had some words with John Rowley; father was called up, and the men were down stairs; cant say how many came up; saw nothing more of the occurrences of the night.

Mrs. Mary Smedlie, sworn—[This witness was called out of order by the defence, in order that she might be permitted to leave the city this morning.] I know Benjamin Fox; he was in my house on the night of the party, he was in the house about an hour, when the disturbance took place. He said, while in the kitchen; that some persons had a spite against him for working at ander prices, and they wanted to whip him, and expected he would have a fight. Fox worked in asteel factory.

Cross examined—I was up stairs when Fox went out; he said it was not done with a kick or by the fist; [A discussion here arose, as to whether the Commonwealth had any right to summon the witness for the Commonwealth; a question was asked by the District Attorney, on cross examination, which was very important. The question was objected to by defence, when the Prosecuting Attorney said, that if she was not allowed to answer it, he would subpœna her as a witness on the part of the prosecution; the Court decided against Mr. Flanegin, when he said he would have the point decided by the Superior Court.]

The Court adjourned until half past 7 o'clock.

GAS IN ALLEGHENY CITY.—Last night, for the first time, Federal street, Allegheny, was lit with gas. We understand the other streets of the city will be supplied with gas in a short time. The next improvement introduced should be a system of watchmen.

DISTRICT COURT.—Before Judge Shannon and Williams.

Voorheis, Miller & Co. vs. *Wm.* A. Hill, impleaded with R M. Hunter and others, owners of the S. B. Lydia Collins. Action for money advanced by the plaintiffs, merchants of St. Louis, to release the boat from an attachment against her at St. Louis. In defence Hill denied all connection with or ownership of the vessel. Miller and Geo. P. Hamilton for plaintiffs, Cochran, Shaler and Umbstetter for the defendants.

The case was closed and given to the jury, having occupied all the day.

☞ We call the attention of readers to the advertisement of R. Hopkins, offering for sale a country seat. Take it for all in all,—for easy access, fine improvements, beauty of location, cheapness, and easy terms of payment,—this is a rare opportunity of acquiring a comfortable rural home.

ARRESTED.—Three men were arrested by officer Hague yesterday, charged with having caused an affray, in which one person was severely stabbed.

APPOINTMENTS.—The Police Committee, which convened in the Mayor's office, Allegheny, on last Saturday night, made the following appointments:

HIGH CONSTABLE.—Daniel M. Montgomery.

POLICE.—Samuel Long, Hugh Gallagher, Daniel Trent, Brutus Renter.

SURETY OF THE PEACE.—H. Spalty lodged an information, yesterday morning, before Mayor Park of Allegheny against John Ramsey, for assaulting him without provocation. He was held to bail in the sum of $200 to answer the charge.

Three crates white ironstone China, Granite and Queensware, will be sold this afternoon at 2 o'clock, at Davis' Auction Rooms.

GAS LAMPS.—The lamps and burners intended for the gas posts in Allegheny City, have arrived and were yesterday placed on the posts.

PROFESSOR CHARLES, THE MAGICIAN.—The Soirees Philosophique of this gentleman, are attended nightly by respectable audiences, at Athenæum Hall. Unlike some of his predecessors in the city, Professor Charles is unexpressed in feats of magic. Those who have not visited him, should not fail to do so.

We extract the following items from the Allegheny Enterprise of yesterday afternoon:

OFF THE TRACK.—The baggage car of the Accommodation train, ran off the track this morning between New Brighton and Rochester, and was nearly smashed to pieces. The train put back to New Brighton, where it left the car, and arrived at the Federal street Station about an hour and a half after time. No person was injured, and but little delay was occasioned to the Express train by the accident.

PASSING COUNTERFEIT MONEY.—Thomas Morrow lodged information this morning, before Mayor Park, against two boys named Wm. Hutchinson and James Holly, for passing a counterfeit half dollar upon him. They were arrested, but were discharged upon redeeming it and paying costs, as they were not aware of it being "bogus" money at the time of passing it.

Clerk of the Market.

☞ Col. WM. DIEHL will be a candidate before the coming Councils for the appointment of Clerk of the Market. Col. D. Moore of our other citizens, and "from long experience" in the line, peculiarly adapted to fill the place he seeks. It is hoped his numerous friends will be on the alert, and by a combined and well directed effort, endeavor to secure to him this small favor, the fruits of which are so necessary to soothe the asperities of declining years, and tranquilize the evening of a life in which he has done the State some service.

jan16:lt MANY CITIZENS.

COMMERCIAL.

PITTSBURGH MARKET.

OFFICE PITTSBURGH GAZETTE,
Tuesday Morning, Jan. 17, 1853.

There was nothing particular to note in the markets, yesterday; there was a speculative movement in Molasses, and considerable amounts changed hands, with a slight advance in figures towards the end of the day.

FLOUR—Very little offered. Sales of 65 bbls s. f. at $4.25, and 25 bbls from wagon at $4.33. No change.

MOLASSES—Sales of 100 bbls and 50 do at 31 cts., one 30 bbls. old, at 30c; 150 bbls on wharf at 31c, equal to cash; 300 bbls from store at 31½ cts, 4 months; 100 bbls. sold on private terms, time over 31 cts. All our large holders look for higher figures, and several refused offers of 31 cts.

SUGAR—There was a little more inquiry for sugar yesterday. Sales 20 hhds. at 5¾, and 8 do. 10 and 15 do at 5¾.

BACON—Some contracts are being filled, but we have no material change to note.

SALT—Sales 400 bbls at $1.10.

OATS—Were in demand, and sales of 200 bus at 25, and 300 bushels 34 bus at 24 cts.

WHISKEY—Sales 50 bbls at 21½@22 cts.

HAMS—Sales of 1700 lbs at 5¾.

EGGS—Sales of 5 bbls at 17 cts ⅌ dozen.

BUTTER—Sales of 20 kegs, on the wharf, at $1.87, which is at the decline before noticed.

RIVER INTELLIGENCE.

STEAM BOAT ARRIVALS AND DEPARTURES

THE RIVER—There were 6 feet 6 inches water in channel last evening, at dusk, by pier mark, and falling.

ARRIVED.

Thos. Shriver, Bailey, West Newton.
Jefferson, Parkinson, Brownsville.
Luzerne, Bennett, Brownsville.
Col. Bayard, Peebles, Elizabeth.
Beaver, Gordon, Beaver.
Kanawha, Rhodes, Bridgeport.
Columbian, Lyon, Cincinnati.
Julia Dean, Hemphill, Cincinnati.
St. Clair, Cochran, New Orleans.
Golden Eagle, Anthony, St. Louis.
Allegheny, Batchelor, Cincinnati.
Cincinnati, Kouts, Cincinnati.
Winchester, Moore, Wellsville.
Michigan No. 2, Wolf, Wellsville.
Huron, McMillin, Nashville.

DEPARTED.

Jefferson, Parkinson, Brownsville.
Thos Shriver, Bailey, West Newton.
Luzerne, Bennett, Brownsville.
Col. Bayard, Peebles, Elizabeth.
Beaver, Gordon, Beaver.
Kanhawa, Rhodes Bridgeport.
Keystone State, Hamilton, St. Louis.
Michigan No. 2, Wolf, Wellsville.
Diurnal, Calhoun, Wheeling.

BOATS LEAVING THIS DAY.

ZANESVILLE—Julia Dean.
WHEELING—Winchester.
NEW ORLEANS—St. Clair.

SNOWDEN'S PACKET LINE.

BROWNSVILLE, 8 A. M. and 6 P. M.
WEST NEWTON, 8 A. M. and 4 P. M.

ACCIDENT TO THE "AUSTRALIA."—The Australia, while passing down the river on Sunday, met with an accident which came nigh proving disastrous. She was passing through "Horse-tail," hugging the shore, when the Michigan No. 2, having the hull of Capt. Kounts' new boat in tow, came in contact with her, catching her on the starboard guard, near the bow, and tearing every thing before her to the wheelhouse. No injury was done to the machinery; but the steam pipes were within a few inches of being crushed. The wind was very high at the time, which probably rendered the hull unmanageable, and as the Australia was near shore, she could not escape. The Australia has returned to our wharf for repair.

The hull of Capt. Kounts' new steamer was launched last Saturday, and is now at our wharf.

THE JULIA DEAN—Will leave for Zanesville this morning at ten o'clock, instead of two o'clock as heretofore.—Captain Fenning does all that is possible to render his passengers comfortable.

IMPORTS BY RIVER.

NEW ORLEANS, Br St Clair—13 hhds sugar, 10 tcs do, 1 bbl molasses, 1 bbl do, 1 bbl Spanish flies, 1 bbl do, 50 do do, 100 bbls molasses, W Holmes & Co; 21 bbls sugar, 10 do do, 5 bbls molasses, Tom Kirk; 2 kegs copper, 3 bales zinc, Herron & Criswell; 4 bales mos, 2 bbls sugar, B H Curry & Co; 100 bbls molasses, 5 bbls sugar, Lee, Fox & Co; 1 hhd molasses, 1 bbls sugar, discharged at Wheeling and Wellsville.

BRIDGEPORT, Br Excelsior—1,050 pcs bulk wheat, Baker & Forsyth; 100 bbls flour, J Montgomery; 175 do do, 57 kegs lard, 10 bbls do, J Forsyth jr; 230 bbls flour, D Leech & Co; 200 bags barley, A & A Wood; 171 sks wheat, L Wilmarth & Co; 20 tons pig iron, Jno Flack; 30 casks earthen ware, P G Good.

WHEELING, Br Diurnal—7 bbls paper, D R Karr; 10 do, D N White; 6 do, J H Mellor; 19 sks wheat, Wilmarth & Co; 8 bbls poultry, Bell & Lafferty; 20 cks hams, G C Francisque; 265 cks rope, J L Shaw; 20 bags candles, J Graham; 12 bbls barley, Geo W Smith; 82 bbls flour, Brown & Kirkpatrick.

ZANESVILLE, Br Julia Dean—146 sks corn, J McClung; 5 bbls wheat, R Hazelton; 43 bbls wheat, 83 sacks do, L Wilmarth & Co; 7 hhds bacon, L & S Waterman; 50 dos brooms, Bagaley & Co; 76 bbls rye, A Wan, T R Hall; 6 bbls corn, D T Morgan & Co; 3 do do, H Ha h; 25 sks beans, 22 do oats, 12 do corn, A Glass; 199 sks corn, Baxter & McKee; 152 sks oats, S Israel.

NASHVILLE, Br Huron—144 ics lard, 16 bbls do, 3 hlf do do, 175 bbls pork, 25 bbl flaxseed, 2 tcs do, 25 do, 25 bgs dry apples, 1 hhd do, 174 bgs dry peaches, 5 sks chestnuts, 11 do beans, 77 do sumac, 1928 blooms, 4 bales cotton, J Dickey & Co; 8 bags feathers, 11 hhds tobacco, Forsyth & Co; 91 pcs iron, Lee, Davis, Detzell & Co; 30 bales cotton, King, Peacock & Co; 25 do do, McCormick & Co; 115 bags feathers, 12 do ginseng, 3 cks beeswax, Butler & Irr; 101 bgs lard, Clark & Thaw; 27 bales ginseng, 3 bales hemp, Wallingford & Co; 65 bags feathers, Leech & Co; 87 bbls tallow, Irwin & Sons.

Something New.

MRS. H. G. SUPLEE, invites the attention of country Merchants and Dress Makers to her unrivalled assortment of

PAPER PATTERNS,

For full size Ladies' Dresses, Sleeves, Mantles, Talmas, Mantillas, Capes, Aprons, Sacks, &c, &c.

The Patterns are embroidered in various designs, printed and fringed, showing exactly how the Dress will appear when made.

Being in constant communication with the best houses in London and Paris, and furnished monthly with every new design, as soon as it appears, she can always depend on this Old Established House for the most recherche novelties in dress.

Always on hand a beautiful assortment of

Children's Clothing,

Of the newest styles and material.

☞ A set of six patterns will be sent to any one enclosing three dollars.

MRS. H. G. SUPLEE'S
Children's Clothing and Pattern Emporium,
54 South 2d st., Philadelphia.

ja10:3m

Salesman Wanted

IN a Retail Grocery and Dry Goods Store, one that has had some experience. Good references will be required. Address A. R., Gazette Box. ja8

A Female Teacher Wanted,

TO teach in a Private Family, residing a few miles from the city. Please address Box 218, Pittsburgh Post Office. dec23:tf

BY TELEGRAPH.

ARRIVAL OF THE ARABIA.

FURTHER FOREIGN DETAILS.

NEW YORK, Jan. 17.

The steamer Arabia arrived here yesterday at 1 o'clock, P. M.

The new Ministers took possession of their official quarters on Wednesday. Lord John Russell held a diplomatic levee at the Foreign Office. Mr. Ingersoll was present.

Napoleon returned to Paris on the 28th. There was no enthusiasm manifested, notwithstanding the many rumors of attempts upon his life during his absence. Rumor says he is much annoyed at the delay of Russia, Austria and Prussia to recognise him. He insists upon being called "Brother" and "Napoleon III" by the crowned heads. England has acceded to the civility.

The French Senate is to meet on the 14th of February; the corps legislatif on the 13th.

Napoleon is parcelling the royal residences among the family of the Emperor. He has signified to the British Minister that he cannot hereafter receive an Englishman, unless previously received at the court of his own sovereign.

M. Gariller, professor of mathematics, a distinguished republican, has been ordered to quit France.

The French Government is making great exertions to effect a commercial treaty with Germany founded on mutual concessions.

The court of Rome has addressed a letter to all the European powers, inviting them to interfere in behalf of the christians suffering persecution from the Turks.

The Porte has refused to grant further concessions respecting the navigation of the Bosphorus.

The Turks were routed in a recent battle with the Montenegros. The latter have garrisoned the fortress and are putting it in a state of defence.

Affairs in India remain unchanged. The Burmah annexation question is not yet decided by the Governor General.

The Calcutta markets are unchanged; money is abundant and the prospects of trade are favorable.

Liverpool Markets.—Hollingshead quotes cotton as tolerably steady at 1-16 lower. McHenry quotes sellers and buyers in broadstuffs as indifferent. The late arrivals of wheat sold at a decline of 2 to 3d. New Orleans white corn 35s, which was subsequently resold at an advance of 1d. Baltimore and Philadelphia flour 28s 6d@29s; Ohio 29s@29s 6d; red wheat 7s 2d@7s 4; white 7s 6d@7s 9d. Richardson & Brothers quote the enquiry for corn as having improved, but all breadstuffs are unchanged, since the Baltic's arrival. Mackin quotes flour as scarcely maintained, and corn without inquiry. Gardiner quotes Pork as fully maintained at the late advance. Lard is steady with increased firmness. Tallow has declined 3d; it has been quiet and steady.

London Money Market.—Baring's circular quotes American stocks as unchanged. For money there is an increased demand. The bullion in the bank of England had decreased one-third of a million.

Metal and iron are in more request and tend upward. Lead dearer. Tin 4s dearer. All metals tending upward.

CONGRESSIONAL.

WASHINGTON, Jan. 17.

SENATE.—The petition of Thomas Ewbank was presented, asking an appropriation to enable him to test his recently discovered paddle-wheels.

Mr. Davis submitted a resolution calling for all the further correspondence relative to the fisheries, not heretofore communicated, which was adopted.

Mr. Bayard offered a resolution directing enquiry as to the propriety of recognizing the Republic of Liberia.

Mr. Gwin offered a resolution directing enquiry as to the propriety of providing for the appointment of an Associate Justice for the Supreme Court of the United States for the District of Oregon and California.

The Senate went into executive session for a short time.

Subsequently the bill to establish a railroad from the Mississippi to the Pacific was taken up.

Mr. Brooke moved a substitute proposing a contract with the Atlantic and Pacific Railroad, lately incorporated in New York for the construction of said road.

A short debate ensued, where the subject was laid aside and the Senate adjourned.

HOUSE—Mr. Dean received the unanimous consent of the House to introduce a bill to carry into effect a joint resolution passed in 1783, providing for erecting a colossal equestrian statue of Washington at the National Capitol. The bill provides for an appropriation of $50,000 for the statue, to be executed by Clark Mills under the direction of the President.

After some debate, the resolution passed by a large majority.

The House passed a bill to continue half pay to certain widows and orphans.

Mr. Marshall asked leave to offer a resolution to place at the discretion of the President $10,000,000, to meet any extraordinary emergencies which may arise in our foreign relations during recess. Objection being made it was referred, and moved a suspension of the Rules to enable it to be referred. The House refused to suspend the rules—Yeas 26, Nays 106.

The House passed a bill explanatory of the River and Harbor Bill of last session.

The House refused to suspend the rules. The House adjourned.

PENNSYLVANIA LEGISLATURE.

HARRISBURG, JAN. 17.

SENATE.—Mr. Darsie introduced a bill to incorporate the Allegheny Co., Agricultural society, and also a bill to authorise the Canal commissioners to examine the claim of James O'Connor & Co.

Mr. Carothers offered a bill to incorporate the Board Colportage of the Synod of Pittsburgh, and also a bill to incorporate the citizens Depositе Bank of Pittsburgh.

House.—Mr. Appleton read in place an Act to incorporate the Odd Fellows Hall association of Elizabeth Allegheny Co.

Mr. Eyster, An Act to divorce George D. St. Clair and Martha, his wife, of Allegheny Co. Also an act to appoint commissioners to view a road to Monongahela cemetry

Mr. Porter, a supplement to an Act incorporating the Tarentum and Saxonburg Plank Road Co.

At 12 o'clock, M. the Senate was introduced into the Hall of the House and the two Houses proceeded to the election of State Treasurer. John M. Bickell (democratic) had 76 votes. George A. Madeira (whig) 50 votes, whereupon John M. Bickell was declared elected. Senator Myers (whig) voted for Bickell.

WASHINGTON, January 17, 1853.

It is understood that in view of the situation of our Foreign affairs, the military and naval committees of the Senate have under consideration several propositions for increasing the efficiency of the army and navy. They will probably recommend a thorough fortification of the Pacific coast and perhaps report some measure for the employment of a commercial steam marine, should the contingencies contemplated by Messrs. Soule and Marshall require it there will be a proposition for an appropriation of ten millions of dollars.

PHILADELPHIA, Jan 17.—Clover seed; the receipts are small, taken on arrival at $6. Flour, unchanged; sales 3000 bbls at $5 31; some holders refuse this. Rye flour, nothing doing. Sales 2000 bbls Corn Meal at $3 50. Grain, Wheat little offering; no sales reported. Rye; worth 86. Corn; scarce, a small cargo yellow sold at 65, an advance. Oats: in demand, sales 3000 bushels Pennsylvania, in store, at 45 cts. Whiskey; firm, sales 100 bbls at 25, generally held at an advance of ½ cent.

NEW YORK, Jan. 17.—Stocks: Erie 62. Cotton; sales 1000 bals at full prices. Flour; sales 17,000 bbls., state at $5@5 50; Ohio, $5 62@5 75: Southern, $5 62@5 75, easier. Grain, sales 18,500 bushels wheat, western at $1 31, southern, $1 28. Corn; sales 35,000 bushels white at 72@72½, in good demand. Coffee and Sugar steady. Molasses: sales 200 bbls at 31, active. Whiskey; sales 350 bbls. prison at 25½@32, Penna. 26. Provisions; Mess Pork, sales 200 bbls at $18 75: Prime do. $16, dull. Mess Beef, $12 25@13 50, very firm. Sales 200 bbls beef Smith's prime, at $20: Sales 100 bbls beef hams at $15 50, steady. Sales 150 bbls hams at 10½, shoulders 7¾. Sales 150 bbls Lard at 11@11½, easier. Butter unchanged

CINCINNATI, Jan. 17.—Evening.—The river has risen 6½ feet since yesterday evening. Weather cold.

Flour in moderate demand: sales 1100 bbls at $4,30@4,35; an improved feeling was manifested towards the close. Whiskey 19@19½. Cheese 8@8½. Butter firmer: sales at 16@17. Lard in better demand; sales 500 bbls No. 1, in lots at, at 10c. Sales 180 bbls country packed mess pork at $16,25. Nothing done in bulk meats. Linseed Oil advanced to 72 and there is a tendency upwards. Molasses advanced, with sales 300 bbls at 30. Sugar is also firmer, but no quotable change. Rio coffee 9¾.

TO LET AND FOR SALE.

For Rent.

A SUPERIOR DWELLING HOUSE fronting the South Common, in Allegheny City, possession given immediately, if required. Enquire of
ja15 J SCHONMAKER & CO., No. 24 Wood st.

For Sale.

A HORSE, CARRIAGE AND HARNESS: The Horse is gentle—the Carriage is light, and will accommodate four persons. Apply to
REY, MATTHEWS & CO.
ja15 77 and 79 Water street.

Valuable Iron Works at Private Sale.

THE subscribers offer at private sale their Iron Works at New Castle, Lawrence County, Pa. Comprising a large Rolling Mill, Large Nail Factory, Spike Factory, Keg Factory, and all necessary out-buildings.

Also—Seven Dwelling Houses; 50 Building Lots, and one-fourth of the Water Power of the Shenango and Neshannock Rivers. The Rolling Mill and Factories are driven by two good Steam Engines, and the balance of the machinery by Water Power.

A large part of the machinery is nearly new, combining all the latest improvements, and is now in good running order.

The Rolling Mill is capable of making 300 tons of the iron required for the Nail Factory; and, also, 50 tons of merchant Bar iron weekly.

The Nail Factory contains the necessary machinery for making 1,500 kegs of Nails weekly. Boats load and unload at the works throughout the year.

With the above, we offer the "Tremont Furnace," near New Wilmington, being about eight miles from the Works. It is one of the best built furnaces in Western Pennsylvania, located in a good section of country for ore, charcoal and stone coal. The furnace has been built about four years, and has always made iron of a good quality. It has a good Cast House, Blast Engine, & Steam Engine.

The Iron Works having been in operation for the last ten years, its manufactures of Iron and Nails now have an excellent reputation, and always command the highest market price.

The above property is worthy the attention of persons wishing to engage in the Iron Business, as manufacturing advantages seldom to be met with. Its manufactures reach the Lake by way of the Erie Extension Canal, and the Cross Cut and Ohio Canals. The Pittsburgh and Erie and Cleveland and Mahoning Rail-roads now being located will pass near the Works.

There are 25 Blast Furnaces within 30 miles, which always afford a supply of Pig Iron or ore to sell. Persons can charge their the Pittsburgh market price for like quality.

For further particulars, enquire of
A. A. CRAWFORD,
President of the Creafo Iron Co.
New Castle, January 11, 1853. dec31:d&w1m:P8

For Sale—Lots in the Fifth Ward.

THE undersigned offer for sale a lot of ground situated on the Liberty road between Locust street, in the Fifth Ward, and nearly opposite to the present passenger Depot of the Pittsburgh Railroad. Having a front of 50 feet on Liberty street, and 100 feet deep, running back to Spring Alley—making three fronts, there are two Brick Dwellings now standing on the ground, yielding a rent of $270 per annum.

The ground is well situated for a Feeder or Coal Depot.

ALSO—A Lot of Ground situated on Penn street, between O'Hara and Walnut streets, having a front of 50 feet on Penn street, and running back 100 feet to a 2 feet alley, on which are three Brick Buildings fronting on Penn street, (now occupied by J. V. Pabin cabinet maker, and James Scott shoemaker,) and three Brick Tenements fronting on Spring Alley; the whole renting for $756 per annum.

If not disposed of previously, the whole will be put up at public sale on the 15th day of March next.

For terms apply to J. W. KERR, Architect, at the Mansion Hall, or to the undersigned.

JOSEPH COULSAY,
JAMES W. WALKER,
J. W. KERR,
Executors of John Gibb, deceased.
jan14:d&w2w Journal and Dispatch copy and charge Gazette.

For Rent.

THE small Store on Third street, next door to Philo Hall, at present occupied by Woodward & Rowland as a Wood Store and Periodical Office.—The Rent is limited to a small sum. Enquire at this office.

Also—For rent—several rooms suitable for offices, in the building on the corner of Wood and Third streets, between Third and Fourth sts.

jan14

For Rent.

A THREE STORY HOUSE, (for business) on the corner of Market and Front streets.

A three story Brick House, second door from the corner.

A Store Room, with Cellar, on Wylie street, near Washington.

A Store Room, corner Pennsylvania Avenue and Washington st.

A small Dwelling, with three rooms, in Eighth Ward.

jan14:lt ROBERT WATSON, Penna Avenue.

A Farm and Coal for Sale.

THE Farm is situated in Elizabeth Tp., two miles below the borough, and contains 156 acres, of which 125 acres are under cultivation. The buildings are, a Frame and a Log Dwelling, a large