Pittsburgh Gazette.

OFFICIAL PAPER OF THE CITY.

FRIDAY MORNING, JAN. 11, 1861.

CITY AFFAIRS.

MEMORANDA. Observations for the *Gazette*, by O. E. Gross, Opticlan, 88 Fifth St.—corrected daily:

	IN SUN.	IN SHADE.
9 o'clock, A. M.	00	22
12 " M.	00	30
3 " P. M.		26
Barometer	29 5-10	

Meeting of Allegheny Councils—Financial Condition of the City—Report of the Standing Committees—Interesting Statistics.

The Select and Common Councils of the City of Allegheny, held their last annual meeting on Tuesday night, to hear the report of the Auditing Committee, and the reports of the Standing Committees for 1860.

Mr. Hopkins, Chairman of the Auditing Committee, submitted the following report, exhibiting the financial condition of the City, as appears from the books of the Treasurer, D. Macfarren, Esq:

DR.		
Foreign Bonds		$424,000 00
Domestic Bonds		33,311 29
Seminary Property		35,000 00
Outstanding Warrants '59	$1,257 20	
" " '60	1,930 21	
		3,187 41
Warrants not drawn	4,881 82	8,079 23
Interest due on Domestic Bonds		811 63
Balance due on Poor account		6,930 19
Total		$503,132 30
CR.		
Bonds on Seminary Property		$ 1,044 55
Water Works, Pipes, etc		386,354 26
Poor Farm		30,000 00
Fire Engines and Houses		7,500 00
Gas Pipes		4,500 00
Market Houses, Scales, etc		6,267 35
Seminary Property		35,000 00
Cash for Bonds in process of Redemption		12,000 00
Water Tax uncollected in 1860		8,979 50
City and Business Tax uncoll'ct'd in '60		6,643 88
James Graham, Fourth Ward, Water Tax, 1859		321 13
John Ramsey, Sec'nd Ward, City Tax, 1859		70 08
John Alston, for Ferries		291 24
Cash on Hand—City	$2,231 09	
" " —Poor	6,930 19	9,161 28
Total		$503,132 30

Mr. A. Davis, Assessor of Water Rents, submitted a report, from which we gather the following interesting statistics:

	Water Tax.
4843 Dwellings pay	$29,122 46
364 Stores, with dwellings	2,354 25
92 Stores and Offices	435 84
37 Manufactories Work Shops	475 25
11 Schools and Colleges	151 00
30 Churches and Halls	174 75
1 House of Industry	25 00
6 Cotton and Woolen Mills	1,497 25
2 Planing and Saw Mills	247 00
5 Foundries	255 00
3 Flouring Mills	230 00
4 Oil Mills and Lead Works	332 00
3 Machine and Edge Tool Works	185 00
12 Tanneries	227 00
8 Cabinet and Chair Factories	109 00
14 Breweries and one Distillery	1,350 00
3 Soap and Candle Factory	39 00
4 Livery Stables	214 00
26 Taverns, Hotels and Beer Halls	2,167 00
1 Starch Factory	50 00
1 Gas Works	50 00
1 Railroad Depot and Station	1,225 00
1 States Prison (311 prisoners)	400 00
1 Cattle Yards	251 00
10 Slaughter Houses	126 00
1 Ferry	52 00
3 Bridges	45 75
320 Hose for streets and pavements	345 00
468 Horses and Mules (exclusive of Livery Stables)	585 00
231 Cows	173 50
Total	$43,296 71
Assessment on New Buildings	500 00
Total	$43,796 71

Of the above amount the several wards pay as follows:

First ward	$ 8,466 42
Second ward, and McClure township	9,074 27
Third ward and Reserve township	11,052 73
Fourth ward and Dunseno borough	14,723 29
	$43,296 71

In the year 1858 there were 114 dwellings, 5 planing and saw mills, and one lead factory, not supplied with the city water. They are now 73 dwellings, four saw mills, one lead work, and one distillery not using the city water.

During the past year 179 new buildings have been erected at the city at a cost of $225,600. The new buildings are apportioned among the several wards as follows:

First ward	35
Second ward	68
Third ward	47
Fourth ward	31
Total	179

The greater part of the buildings erected the past year have been of a medium size, just such as the city requires.

The city contains 4,782 buildings. The number of separate families occupying these dwellings is 5,937. Nearly 3,000 families are obliged to rent and occupy parts of houses, which many of them would and do if they could obtain small tenements.

During the years 1859 and 1860 there have been 364 new buildings erected in the city at Allegheny. Of this number 311 are dwelling houses, all of which have been tenanted as soon as finished.

It will be seen by the late census that the population of Allegheny is 31,563. The population in 1850 was 21,263, showing that the increase has been over one thousand annually. If the population should increase at the same ratio for the next ten years, it will require about 175 new dwellings to be erected annually to supply the demand.

The increase of the assessment for the year 1860, is $1,360,44, and with proper care and attention to the assessment, a corresponding increase may be expected in the revenue from water rents.

Mr. Aldon, Superintendent of the Water Works, reported as follows:

Expenses of running the works	$4,763 71
Inserting ferrules, &c	1,365 37
	$6,129 68
Less 164 ferrules at $2,50 each, & pipe and labor, $119,16	$5,599 92
Pipe, Aluminum	$1,453 39
Sponge and sacks	226 46
Lead	162 88
Wood, labor, &c	669 80—$2,663 53
Total for improvement on basin	$3,911 43
Total amount	$12,114 87
Assessment of water	$43,796 71

The following water pipe extensions were made in 1860:

	Ft.		
Hamilton street	133	East street	1030
Rebecca street	1231	Forty-ped Centre	410
Ohio bank	1,451	Fairview lane	235

The total length of water pipe now in the city is 26 miles, 4,455 feet; Fire Plugs, 161; Stop cocks [illegible]

Mr. Wright presented the report of the Street Commissioner for the past year, from which we learn that the amount expended during 1860, was $1,273 82. There have been graded and paved, during the year, six streets, embracing a front of half a mile in each, or 37,752 79 —for which amount [illegible] per square yard. The amount due under the paving law, Jan. 1st, 1860, was $39,307 87. Of this amount, $27,658 87 has been collected during the year, leaving a balance due of $11,649 00.

Under the assessment of the paving law in 1849, there have been graded and paved about twenty-one miles of streets, sidewalks and alleys, at a cost of $98,542 92, of which sum, $369,953 46 has been collected, leaving a balance yet due of $16,215 20.

Mr. Ball presented the report of the Committee on Wharves and Landings, with the following summary:

Amount received 1859	$949 60
do do 1860	659 00
Amount expended for repairs	$ 23 15
do. do. permanent improvements	1585 00
	$1608 15

Mr. Marshall, from the Committee on Printing, reported that the whole amount expended during the year was as follows:

Stationery and Job Printing	$745 89
Newspapers	196 00
Total	$941 89

Mr. Brun, of the Market Committee, submitted a report, from which it appears that the net receipts of the market houses, for the past year, were $6,063 66—an increase over 1859 of $499 89.

Mr. A. D. Smith submitted the annual report of the Fire Committee, as follows: Whole cost of Allegheny city and reserve, in hose, 1850, $4,129 61. Which report was received, and referred to the Auditing Committee for publication.

Mr. Dyer offered the following:

Resolved, That James Marshall, Thomas M. Howe and Lewis King be appointed a Committee on the part of Councils, to confer with and report the best terms on which [illegible] Allegheny City Railroad Bonds.

The report was received, and referred to the Auditing Committee.

After passing a vote of thanks to the President, the Clerk, and the Reporters who attended the meetings of Councils, both branches adjourned.

Rev. Simuel Fulton.—The excellent brother, whose name appears in our Advertising Advocate, after a faithful ministry of [illegible] years, over the 4th Presbyterian congregation in this city, preached his farewell sermon last Sabbath week. His text was Acts 20: 32—"And now brethren, I commend you to God, and to the word of His grace, which is able to build you up, and to give you an inheritance among all them which are sanctified." This discourse was very tender and very effective, and during the delivery there was hardly a dry eye in the congregation. At the close of the service the people took a very appropriate place which affected the pastor so much that it was with difficulty he could be prevented the benediction. Only on Sabbath last he commenced the consideration of Dr. Chester's catechism! Ill health have the people assisted to this dissolution. Their sympathies will follow him throughout his entire life.

Fire Office Burned.—Old night hall, which the Fire office at Warren, Ohio, was built in 1852, at a cost of $600 in specie were destroyed from the fire. There is no clue to the perpetrators of the robbery as yet.

The War on Bank Discounts—Opinion of Judge Woodward.

In yesterday's *Gazette* we announced that the case of the Iron City Bank vs. The City of Pittsburgh—in which was involved the constitutionality of the act authorizing the city to impose a tax upon the quarterly discount business of all banks and banking institutions in the city—had been decided in the Supreme Court at Philadelphia, affirming the judgment of the Court below, and deciding that the act granting this power to the city was constitutional.

The suit was brought for the purpose of testing the validity of the act, and went before the Court upon a stated case. The decision secures a handsome revenue to the city, and much credit is due to the late Solicitor, John W. Riddle, Esq., for the ability with which he conducted this case, as well as all others brought by the city during his term of office.

Through the politeness of Thos. J. Keenan, Esq., Prothonotary, we are enabled to lay the following brief abstract of the opinion before our readers:

The Iron City Bank was incorporated in 1857, subject to a tax on its dividends, according to the general banking law of 1850, the first section of which provides "that the capital stock of such banks shall not be subject to taxation for other than State purposes." But on the 5th of January, 1859, the Legislature empowered the City Councils of Pittsburgh to "levy and collect an annual business tax for the use of the city, not exceeding one-third of one mill per dollar on the average quarterly business of all forwarding and commission merchants, brokers, banks, banking institutions, and on the average quarterly receipts of insurance companies, insurance agencies, express companies, and telegraph companies doing business in said city."

Under the ordinance adopted in pursuance of this act, the tax assessed upon the discount business of the Iron City Bank, amounted for the year 1860, to $243.66, for which this suit was brought. The defense was that the act of 1859 was unconstitutional and void, because it impaired the obligation of the contract between the Bank and the Commonwealth, that the capital stock should not be subject to taxation for other than State purposes. Upon this point Judge Woodward says: "The only reply to this is, that it is not the capital stock, but the discount business of the Bank that is taxed under the legislation of 1859."

The Court then enters into an elaborate discussion of the points involved, and forms its conclusions thus:

"1. A grant of land or of a corporate franchise by an act of legislation, is a contract between the State and the grantee; the obligation of which a subsequent legislature cannot impair.

"2. If the legislature, in creating a corporation, prescribes a rate of taxation and expressly releases to the power to impose further taxes, or do not expressly reserve the power to themselves, a subsequent tax law does impair the obligation of the tax law and is void."

The Judge concludes the opinion as follows:—"With a firm conviction that bank stocks are taxed beyond any other forms of property in the commonwealth, with no disposition to encourage legislation that is founded on bounties, or reduction of taxing power, or repeal of privileges once granted to corporations, we are brought nevertheless to the conclusion that this tax is legal and constitutional, and therefore that the judgment should be affirmed."

The Auctioneers and the Business Tax.

The liability of auctioneers, under the act conferring power upon the city of Pittsburgh to collect a business tax, has been decided in the Supreme Court, in the case of W. G. McCartney, plaintiff in error, vs. the city. The decision in the Iron City Bank case covers the point in issue here, which is fully set forth in the following opinion delivered by Judge Woodward:

"The question in this case arises under the same law which has been discussed and settled in the Iron City Bank vs. the City of Pittsburgh. But as Mr. McCartney's commission contained no stipulation for exemption from future taxation, his case lacks the strength which rested in that stipulation in the bank's case, and as we held that insufficient to exempt the bank, we do not see how Mr. McCartney is to expect relief. He is an auctioneer. If an auctioneer is not a public officer, commissioned by the Governor: It is urged that he has an estate in his office, which was subject to certain commissions and taxes when it was conferred, and therefore he is by contract exempt from further taxation.

"If the postulate be granted, that he held an office in the strict sense of the term, the authorities cited would have no application till it was further shown that he had acted up to the letter of it beyond the commissions and taxes originally prescribed. No such agreement is shown or alleged; and therefore, on the principles enunciated in the Iron City Bank case, it is self-evident that the plaintiff in error has no pretense for resisting the tax in question. The decree is affirmed."

Court of Quarter Sessions.

Before Judges McClure, Parke and Adams.

Thursday, Jan. 10.—The jury, in the case of Warner Powell, indicted for larceny, were unable to agree, (standing ten for acquittal and two for conviction,) and were discharged.

Com. vs. Sarah Delaney and Elizabeth Lowry, indicted for keeping a disorderly house in the Sixth ward, on oath of James McAfee. Verdict, not guilty, the defendants to pay two-thirds and the prosecutor one-third of the costs.

Com. vs. Wm. Clark, indicted for selling liquor without license, on the 12th and 13th of June last, in the Second ward, Allegheny, on oath of John Wright. Verdict guilty with a recommendation to the mercy of the Court. Defendant paid a fine on the 15th of June for a similar offense committed between the 23d of May, when his license expired, and the 1st of June, and the offense for which he was convicted was committed three days before the fine was imposed—complaint having been made to the constable by the neighbors. After the fine defendant paid the bar and would not open another business.

Henry Todd plead guilty to fornication with the wife of Joseph Beadley, and was fined $25 by the Court.

The evidence elicited exhibits a singular state of moral insensibility on the part of the guilty parties, both of whom, after the criminal intimacy commenced, becoming neglectful of their families, and spending their money lavishly; and the woman finally pesting her husband out of his own house to admit the defendant. Ou trial.

Two trifling cases were then disposed of, after which the Court adjourned.

District Court.

Thursday, Jan. 10.—In the case of Wm. Larimer, jr., for use of Thomas Mellon, now for use of Jas. Ward, vs. Samuel Elder—scire facias to recover the amount of a judgment note for $1,600, purchased by Wm. Ward for $22—the jury found for the plaintiff in the sum of $1,012,42.

Nicholas vs. Weisel. Action to recover the value of a horse. Verdict for plaintiff, $96 50.

Washington's Birth-Day and the Military.

An adjourned military meeting was held in the armory of the Washington Infantry, on Wednesday, for the purpose of making arrangements for a banquet at Concert Hall, on Washington's Birth-Day, the 22d of February. In the absence of Gen. J. S. Negley, the former chairman, Capt. F. L. Wilkinson, of Allegheny, was called to preside. Col. Hiram Haltz, Secretary, was present. A communication from Gen. J. S. Negley, relative to the matter under consideration, was received and read.

The following companies were represented:—Junction Independent Blues, Washington Infantry, Lafayette Blues, (Allegheny,) Negley Zouaves, (East Liberty,) Aliquippe Riflemen, (M'Keesport) Pennsylvania Dragoons, Pennsylvania Zouaves, Allegheny Riflemen.

The following resolutions were adopted:

Resolved, That the companies here represented have a right parade on the 22d of February next in this city, and

Resolved, That we have a military and social banquet on the 22d of February next, at Concert Hall, and that the Secretary be instructed to notify the Committee of Arrangements, to consist of one person from each company here present.

Resolved, That the Committee of Arrangements be and is hereby instructed to say that the banquet shall be from eight to eleven o'clock p. m., and that afterwards there shall be a ball.

Resolved, That the matter of the rank to be referred to a convention of three—Col. Haltz, Gen. Negley and Col. Wilkinson.

The meeting then adjourned.

The Liquor Traffic.

In the Quarter Sessions, this morning, in the liquor case referred to in our Court report, Judge McClure made some very pointed remarks bearing on the subject at issue. The Court appears disinclined to fritter away the time of the Commonwealth in trying before the jury such cases, where there is not the best possible defense. "It is singular that in this traffic of liquor, which is made by acts of Assembly, as similar to merchandise," remarked the Judge, "liable to a species of taxation on its sale, as is done in other similar cases, there is such a general disposition to smuggle, and evade the provisions of the law."

The Court would not consider refusal to pay his mercantile tax he would be thought very badly of, and would not think of going before a jury or wasting the time of Courts. Those who pay their license regularly must have protection. In this county the licensed dealers pay over $30,000 to the Commonwealth—in the whole State $560,000, and is this way they pay for all the protection the Courts can afford." In cases where a trial is required, and no valid defense made, the Court intimated that the defendants would certainly be compelled to pay for the extra time occupied.

Shocking Inhumanity.

A revolting case of barbarity has been brought to light near Wilkesbarre, Pa. An old man named Isaac Bisbing, living in that vicinity, quarrelled with his son Andrew, and in a fit of rage he seized a gun and shot the boy in the back, from the effects of which it is feared he cannot recover. It seems that the old man was a perfect demon, and some of his acts of barbarity towards his wife and children would have shamed the wildest savage. He would frequently hang the younger children up by the neck until life was almost extinct, and at other times he would hold their heads under the water until they struggled in the agonies of death. One of the boys fled to the house of a neighbor one day, badly burnt, and stated that his father had thrown a red hot poker into the bed in which the children slept, just to see the frolic they would have getting out! At a another time he nearly drowned his wife by holding her head in a crock of butter-milk! It would be a just retribution if the man should come to the gallows; and be side fair to end his career on the scaffold.

New Buildings Erected in Allegheny in 1860.

From a carefully prepared statement made by Mr. A. Davis, Assessor of Water Rents, we learn, that the number of new buildings erected in Allegheny, during the past year, is 179, many of which are very fine and substantial residences, but the majority are small buildings suitable for renting. In 1859 the Third Ward exhibited the greatest number of building improvements, while last year the Second Ward has taken the lead. The following are the names of the owners of the new buildings, all of which are of brick:

First Ward—Edward Owens, T. H. Nevin, Antony Tilman, James Patton, jr., Isaac Morely, Jno. Frazier, Schrader and Hageman, two; Peter Metts, two; Henry Schlemyer, James Irwin, P. W. Clark, Thomas Smith, John Bissell, foundry; H. Carson, two; Samuel Hartman, four; W. Stroud, G. Born, two; Allegheny Gas Works; W. H. White, L. Mc-Smith, Isaac Kean, Thomas Arbuckle, warehouse; W. Holmes, four; Patrick Ward, James Sherrett. Total, 35.

Second Ward.—L. Molntosh, John Brown, R. W. White; Pittsburgh, Fort Wayne and Chicago Railroad, two; George Hamer, John Hope, three; J. & G. Frazier, ten; Judge Heath, John Patterson, two; Sam't T. Hough, G. D. Johnston, James Morgan, two; W. Burgwin, G. W. Fryer, E. McQuade, H. F. Nellison, A. Burgess, John Ramsay, two; M. Harley, Mrs. Burchfield, James Kelly, Thomas E. Wakeham, James Donnelly, Patrick Rice, J. F. Hunter, Thomas Gatteroll, Mrs. Jane Barns, Thos. Dendy, F. McGregor, W. McGinnis, two; James Crinian, Alex. Gray, R. Bothwell, Matthew Patterson, Henry Gray, Sam'l Gordon, Sam'l McCleary, John Thompson, George R. Riddle, (addition,) W. Porter, (addition,) W. Parks, carpenter shop; J. L. Sholes, Lewis Hinemoor, three; M. Berns, R. McCaslen, (addition) Reese Thomas, do., Thos. Little, W. Gibson, Allegheny Trust Company, (remodeled) James Godfrey, Alex. Geckshanks, Geo. Kimberly, Joseph McDonald. Total, 56.

Third Ward—Valentine Peterins, Henry Peterins, Jacob Shirmer, John Frelich, William Miller, two; Valentine Christman, six; Martin Borhart, J. P. Shuleman, Christ. Loppe, three; Jos. Barnett, Jas. Wane, (addition,) Lewis Schuler, Henry Hockenstein, John Beckfield, two; Dr. J. F. Cooper, John Gipperich, William Eyster, front building; William Garlick, Conrad Kensag, Mr. Hinkel, Ambrose Schwartz, Joseph Clemens, P. Lang, John Moore, S. Engh, shop, Jacob Hunchby, Adam Neumann, Fred. Cooper, Charles Schoellin, Lewis Shaffer, J. B. Hulsse, R. Turner & Brother, three; W. Hall, M. Inrue, two; John Hamilton, Joseph McNaughter, front building; Robert Gibson, three; George Sims, addition. Total, 47.

Fourth Ward—Adam Ruhl, R. Fairman, William Robinson, four; Jacob Leier, Mrs. Mary Harman, J. A. Foff, J. M. Pifer, two; Wm. Batchey, Frank Landgraf, (addition,) W. Hess, A. Hamilton, Mrs. Gray, Fourth Ward School House, (addition,) Henry Muse, John Ruoff, George Erdner, Henry Wolff, Central Presbyterian Church, Mercer & Robinson, two; H. Stiles, J. Forrester's heirs. Wm. Robinson, jr., four; S. Simpson, four; Jacob Spaulding; Asa Smith, addition. Total, 31,—making a grand total of 179 new buildings erected during the year.

The Workingmen's Mass Meeting To-Day.

The workingmen of Pittsburgh, Allegheny and vicinity will assemble in Mass Meeting, this evening, at City Hall, in pursuance of a call issued by order of the Trades' Assembly, to testify their fidelity to the Federal Union. The Convention promises to be one of the largest ever held in the city. There will be numerous delegations from the surrounding boroughs, some of whom will march in order to the hall. The workingmen of Pittsburgh are deeply interested in the peace, safety and prosperity of the country, and we need not say that they will oppose, as a unit, any attempt on the part of traitors in the federal congress to ruin the federal Union. They will speak out in tones which cannot be mistaken—and let them show to their Southern brethren that they utterly condemn and repudiate any attempt to interfere with the rights of the citizens of any State, and are willing to yield everything which may be justly and honorable due—but not one jot nor tittle more.

In this connection, we would take the liberty of suggesting (what has been carried out in other cities) that the workingmen keep aloof from political leaders. In other words, that they do their own talking, frame their own resolutions, and present their own business in their own way. They have the talent and ability to do this, and do it well; but if wilful politicians get the lead, the difficulties of the workingmen will prevent them from taking full control of their own affairs. The hint, however, may not be necessary, and we feel satisfied that the meeting will reflect credit upon the patriotism of the mechanics of the "Iron City."

The Art Exhibition.

Owing to the heavy and flurry attending the first sowing of two papers, we have been neglectful of that most interesting of our winter's entertainments, the Art exhibition. We made no pretensions to art knowledge, and are generally content in such matters to be pleased, without knowing whether critically, we ought to be delighted, or to entertain a milder degree of satisfaction, or shrug our shoulders in disdain. So we will not speak critically of the pictures on exhibition. By the hour, however, that we have written this notice, we presume with the display. The management of the pictures appear to us excellent, and the light is admirably arranged. In addition to the pleasure in examining the works of art, the visitor sees the most cultivated and refined classes of our community. We know of no more charming resort for ladies and gentlemen than this, and we are therefore earnest in our endeavors to give it a share of public patronage, towards securing such patronage as will induce those having the exhibition in charge to continue it for a longer time this winter, and we make it a regular winter's entertainment hereafter.

Court of Common Pleas.

Before Judge Sterrett.

Thursday, Jan. 10.—Court opened this morning, the steamer Gen. Church discovered the steamer Star of the West rounded to the point, and took the ships channel inside of the bar, and proceeded straight forward until she was opposite Morris' Island, three batteries of which were then in the battery. When she was fired into from the battery, the Star of the West displayed the stars and stripes, and as soon as it was saluted, a succession of heavy shots were fired. The vessel continued on at increased speed, but one or two shots taking effect. Her captain then concluded to retire. Fort Moultrie fired a few shots, but they were out of range. The damage done to the vessel was slight, and consisted in the cutting away of the rigging by shot, but there is no idea as to the extent of the damage. Fort Sumter made no demonstration except that the guns were run out of the embrasures facing on Morris' Island, and Fort Moultrie. About eleven o'clock a boat from Fort Sumter bearing Lieutenant Hall with a white flag, approached the city. He had an interview with Governor Pickens, and was afterwards escorted to the boat, and re-embarked for Fort Sumter.

The communication from Major Anderson is as follows:

To His Excellency, the Governor of South Carolina—Sir: The Star of your batteries fired this morning on an unarmed vessel belonging to the flag of my Government. I am not notified that war has been declared by South Carolina against the United States, and am at a loss to understand why hostile act was committed without your sanction or authority. Under that hope I refrained from opening upon your batteries. I have the honor, therefore, respectfully to ask whether the above mentioned act, (no, I believe, without parallel in the history of our country or any other civilized government, was committed in obedience to your instructions, and to notify you that I am not disclaimed, I regard it as an act of war, and I shall not, after a reasonable time for the return of my messenger, permit any vessel to pass within range of the guns of my fort. In order to save, as far as in my power the shedding of blood, I have no will have the notification made of my decision to all concerned. Hoping, however, that your answer may justify a further continuance of forbearance on my part, I am, respectfully,

(Signed,) ROBERT ANDERSON."

Governor Pickens, in his reply, after stating the position of South Carolina to the United States, and that any attempt to send United States troops to the Charleston harbor to reinforce the forts would be regarded as an act of hostility, says in conclusion:

"Any attempt to reinforce the troops in Fort Sumter or to retake and resume possession of the forts within the limits of the State which you abandoned, spiking the guns and doing otherwise much damage, cannot be regarded by the authorities of the State as pacification of any other purpose than the coercion, by the use of military force of the government. Special agents, therefore, have been placed on the bar to warn approaching vessels, both armed and unarmed, having troops on board to reinforce the forts, not to enter the harbor. Special orders have been given to the commanders of the forts, not to fire at such vessels until a shot across her bow would warn them of the prohibition of the State. Under such circumstances, the Star of the West, I understood attempted to enter the harbor with troops and having been notified that she could not enter was fired into."

The act is perfectly justified by me. In regard to your threat against vessels in the harbor, it is only necessary to say that you must judge of your responsibility. Every position in the harbor has been tolerized by the authorities of the State, and while the act of which you complain is in perfect consistency with the rights and duties of the States, it is not perceived how for the conduct you propose to adopt can find a parallel in the history of any country, or reconcile it with any other purpose of your government, than imposing on the State the condition of a conquered province.

(Signed,) "R. F. PICKENS."

The following is a second communication from Major Anderson:

To His Excellency, Gov. Pickens:

SIR: I have the honor to acknowledge the receipt of your communication, and say that under the circumstances I have deemed it proper to refer the whole matter to my government, and intend delaying the course I should have to take merely to await the arrival from Washington of the instructions I may receive. I have the honor, also, to express the hope that no obstructions will be placed in his way, and that you will do me the favor of giving every facility to the departure and return of the bearer, Lieut. Talbot, who is directed to make the journey.

(Signed,) R. ANDERSON."

Gov. Pickens immediately granted the permission asked, and directed that every facility and courtesy should be extended to the bearer of dispatches, Lieut. Talbot, for his governmental, both going and returning.

NEW ORLEANS, January 10.—The military expeditions have left the city for the forts Jackson and St Philip and Baton Rouge as a precaution.

Private letters from Mexico say that Miramon had left the Capital. Gen. Prim is supposed will endeavor to form a junction with Juarez and make a stand at Aguas Calientes.

NORFOLK, Va., Jan. 10.—The Brooklyn arrived off the harbor pilot, Mr. Guy. She will not stop to discharge him.

THE LATEST NEWS.

BY TELEGRAPH.

RECEIVED AT THE DAILY GAZETTE OFFICE.

XXXVIth Congress—Second Session.

WASHINGTON CITY, Jan. 10.

HOUSE.—Mr. Boteler, of Va., said that he offered the resolution under which the committee of Thirty-three was appointed, at the instance of a number of the Republican party. He meant to test whether, in response to the olive branch thus presented, the Republicans would offer the second. He had been disappointed on the action of the committee. The manner in which it had been formed, and the delay after a months time, in making the report. If the House does not take action before another week, those who desired to preserve the Republic will find it too late.

Mr. Maynard of Tenn., asked leave to offer a resolution directing the select committee to consider the President's special Message, to report on that part with reference to submitting to the people the questions which are now threatening the dissolution of the government, and that the committee report them by bill or joint resolution. Objected to.

Mr. Morris, of Pennsylvania; presented the memorial of the citizens of Philadelphia, signed without respect to party, suggesting that a National Convention be held in that city with a view to adjust the present difficulties of the country.

Mr. Jones, of Ga., also objected to the printing. Gentlemen had said a good deal about the Union, but nothing about their constitutional obligations.

Mr. Morris said he knew of no party objecting to do what was just on that subject, but there was a difference of opinion as to what were constitutional rights.

Mr. Houston, of Alabama, said that the printing of the memorial could do no harm. If a convention of the States cannot be called to apply a remedy for the difficulties of the country, they may at least secure a peaceful separation of the Union.

Mr. Cox remarked that the memorial was signed by gentlemen of both parties, and proposed a national convention, to be held in Independence Hall, where the Declaration of Independence was proclaimed and the Constitution framed.

Mr. Morris withdrew his motion to print, and the memorial lies on the table.

The bill for the construction of a railroad through Washington was debated. Without action the House adjourned.

SENATE.—The proceedings were opened with prayer by the Rev. Mr. Gurley.

Mr. Seward, of New York, presented a memorial from citizens of New York city, praying for the adoption of wise, just and equitable measures for the preservation of the Union. Laid on the table.

Mr. Sumner, of Mass., presented a memorial from the Synod of the Presbyterian Church, holding at Allegheny city, Pa., asking Congress that provision be made in the Constitution, 1st acknowledgment of the authority of God; secondly, an acknowledgment of the authority of God and Christ; thirdly, a recognition of firm obligation to God's law; fourthly, that the principles be distinctly adverse to slavery. Referred to the Committee on the Judiciary.

Mr. Rice, of Minn., presented a petition praying for a postponement of the Pacific Railroad bill, on the ground that it is injudicious to increase the public debt. Laid on the table.

Mr. Kennedy, of Md., presented a memorial signed by 12,000 citizens of Baltimore, praying that measures be adopted to restore peace and harmony.

Mr. Hale, of N. H., presented the credentials of his colleague, Daniel Clarke, elected Senator for six years after the 4th of March next.

Mr. Bigler, of Penn'a., presented a memorial from citizens of Philadelphia asking for the grant of pensions to the survivors and the children and widows of the soldiers of the war of 1812. Also memorials from citizens of New Jersey praying for the adoption of measures for the peaceful calling of a convention of the States to amend the Constitution. Also, a memorial from citizens of Philadelphia praying for the adoption of the resolution of Senator Crittenden, proposing amendments to the Constitution.

Mr. Biddell called up his resolution offered yesterday. He said there has been a gross violation of the Constitution of the United States. The President had no right to appointing an officer to hold an office for only twelve or fourteen days, without communicating the fact to the Senate, and without submitting it to their approbation. This power had been abused, and to be exercised when the Senate was not in session.

Mr. Bigler said a great many difficulties surrounded this case.

Mr. Green, of Mo., said he would vote for the resolution without censuring any body.

The ayes and noes were then called.

Mr. Davis, of Miss., took the floor on the State of the Union. He said:—While in the use of a garrison in States where there is no use for defence? The President's Message had all the character of diplomacy. The constitution gave no power to coerce a State; it gave the army power for the defence of the country. When Major Anderson dismantled the guns and burnt the gun carriages at Fort Moultrie, he put South Carolina in a state of war as his enemy. The forts were not built to war with South Carolina, but for the protection of Charleston harbor and to make its protection complete. The Whisky insurrection in Pennsylvania, under Washington's administration, was not like the present instance; the government then insisted the State in quelling an insurrection. Fort Washington, near where the statue of Washington stands, is now garrisoned by a force from the U. S. Washington Monument, and yet no cry of surprise.

An excited discussion ensued between Senators Davis and Trumbull on the affairs of the country.

Mr. Gregg, of Va., spoke for an hour on Monday.

Adjourned.

Highly Interesting from Charleston.

AUGUSTA, January 10.—This morning the Charleston *Courier* gave the following particulars in relation to the attack upon the Star of the West:

About half past six o'clock yesterday evening, the steamer Gen. Church discovered the steamer Star of the West rounded to the point, and took the ships channel inside of the bar, and proceeded straight forward until she was opposite Morris' Island, three batteries of which were then in the battery. When she was fired into from the battery, the Star of the West displayed the stars and stripes, and as soon as it was saluted, a succession of heavy shots were fired. The vessel continued on at increased speed, but one or two shots taking effect. Her captain then concluded to retire. Fort Moultrie fired a few shots, but they were out of range. The damage done to the vessel was slight, and consisted in the cutting away of the rigging by shot, but there is no idea as to the extent of the damage. Fort Sumter made no demonstration except that the guns were run out of the embrasures facing on Morris' Island, and Fort Moultrie. About eleven o'clock a boat from Fort Sumter bearing Lieutenant Hall with a white flag, approached the city. He had an interview with Governor Pickens, and was afterwards escorted to the boat, and re-embarked for Fort Sumter.

The communication from Major Anderson is as follows:

To His Excellency, the Governor of South Carolina—Sir: The Star of your batteries fired this morning on an unarmed vessel belonging to the flag of my Government. I am not notified that war has been declared by South Carolina against the United States, and am at a loss to understand why hostile act was committed without your sanction or authority. Under that hope I refrained from opening upon your batteries. I have the honor, therefore, respectfully to ask whether the above mentioned act, (no, I believe, without parallel in the history of our country or any other civilized government, was committed in obedience to your instructions, and to notify you that I am not disclaimed, I regard it as an act of war, and I shall not, after a reasonable time for the return of my messenger, permit any vessel to pass within range of the guns of my fort. In order to save, as far as in my power the shedding of blood, I have no will have the notification made of my decision to all concerned. Hoping, however, that your answer may justify a further continuance of forbearance on my part, I am, respectfully,

(Signed,) ROBERT ANDERSON."

Governor Pickens, in his reply, after stating the position of South Carolina to the United States, and that any attempt to send United States troops to the Charleston harbor to reinforce the forts would be regarded as an act of hostility, says in conclusion:

"Any attempt to reinforce the troops in Fort Sumter or to retake and resume possession of the forts within the limits of the State which you abandoned, spiking the guns and doing otherwise much damage, cannot be regarded by the authorities of the State as pacification of any other purpose than the coercion, by the use of military force of the government. Special agents, therefore, have been placed on the bar to warn approaching vessels, both armed and unarmed, having troops on board to reinforce the forts, not to enter the harbor. Special orders have been given to the commanders of the forts, not to fire at such vessels until a shot across her bow would warn them of the prohibition of the State. Under such circumstances, the Star of the West, I understood attempted to enter the harbor with troops and having been notified that she could not enter was fired into."

The act is perfectly justified by me. In regard to your threat against vessels in the harbor, it is only necessary to say that you must judge of your responsibility. Every position in the harbor has been tolerized by the authorities of the State, and while the act of which you complain is in perfect consistency with the rights and duties of the States, it is not perceived how for the conduct you propose to adopt can find a parallel in the history of any country, or reconcile it with any other purpose of your government, than imposing on the State the condition of a conquered province.

(Signed,) "R. F. PICKENS."

The following is a second communication from Major Anderson:

To His Excellency, Gov. Pickens:

SIR: I have the honor to acknowledge the receipt of your communication, and say that under the circumstances I have deemed it proper to refer the whole matter to my government, and intend delaying the course I should have to take merely to await the arrival from Washington of the instructions I may receive. I have the honor, also, to express the hope that no obstructions will be placed in his way, and that you will do me the favor of giving every facility to the departure and return of the bearer, Lieut. Talbot, who is directed to make the journey.

(Signed,) R. ANDERSON."

Gov. Pickens immediately granted the permission asked, and directed that every facility and courtesy should be extended to the bearer of dispatches, Lieut. Talbot, for his governmental, both going and returning.

NEW ORLEANS, January 10.—The military expeditions have left the city for the forts Jackson and St Philip and Baton Rouge as a precaution.

Private letters from Mexico say that Miramon had left the Capital. Gen. Prim is supposed will endeavor to form a junction with Juarez and make a stand at Aguas Calientes.

NORFOLK, Va., Jan. 10.—The Brooklyn arrived off the harbor pilot, Mr. Guy. She will not stop to discharge him.

LATEST FROM EUROPE.

Arrival of the Nova Scotian.

PORTLAND, Jan. 10.—The steamship Nova Scotian has arrived, with Liverpool dates to Friday, the 28th ult.

The China overland mail had arrived at London.

The bombardment of Gaeta was continued incessantly.

The weather in England has been excessively cold, the mercury being below zero in some localities.

Prince Albert is soon to embark for the American naval station.

Advices from the Cape of Good Hope announce movements for the separation of the Eastern from the Western portion of the Colony. Kafaus has already been proclaimed a separate Colony.

The departure of the steamship Bremen from Southampton had been delayed until the 29th.

The *London Times'* city article of Thursday evening, says that the offerings for discount at the bank were heavy, that had it not been attributable to exceptional wants at the close of the year, an advanced rate would have followed. It had considerable effect in lowering the price of stocks.

The financial advices from Paris are unfavorable owing to the uncertainty of political affairs. The Bourse has declined 8.

Advices from China say that Lord Elgin would leave early in the year. The troops were leaving and twelve ships of war have been ordered home.

It is ascertained that Capt. Brabston and the Abbe De Luca were both beheaded by the order of a Tartar General. Great retributions were to follow, proclamations to that effect having been posted in Pekin for the information of the people