AMUSEMENTS.

ACADEMY OF MUSIC.

John A. Ellsler, Manager; S. H. Geary, Treasurer.

PRICES OF ADMISSION.—Dress Circle and Parquette, 50 cents; Reserved Seats to Dress Circle, 75 cents; Family Circle, 50 cents; Gallery, 25 cents; Private Boxes, $5 and $8; Single Seats in Private Boxes, $1.00.

Doors open at 7:45. Curtain rises at 7:45.

Colored persons will, under no circumstances, be permitted to occupy seats in any other portion of the house, save the Gallery. Admission 25 cents.

POSITIVELY THE LAST NIGHT OF THE GREAT DRAMA OF
TEN NIGHTS IN A BAR ROOM,
and the sixth night of the engagement of
YANKEE LOCKE,
who will appear in two Pieces again to-night.

SATURDAY EVENING, December 2d, 1865, will be presented for the last time the great Moral Drama,
TEN NIGHTS IN A BAR ROOM.

Sample Switchett.....Yankee Locke.
Mary Morgan.....Little Effie.

To conclude with the
YANKEE DUELIST.
Elam Peleg W. H. Pancake.....Yankee Locke.

In preparation the great Irish Legendary Drama of ARRAH NA POGUE.

BRAINARD'S HALL.

EXTRA ATTRACTION!!
ENGAGEMENT OF
YANKEE GLUNN,
THE GREATEST COMMEDIAN LIVING,
WITH THE
Five Wonders of the World,
Every evening this week. Doors open at 6:30 P. M. Exhibition commences at 7:30 P. M. nov29:207

WASHINGTON TABLEAUX
OR PICTORIAL ILLUSTRATIONS OF THE LIFE OF
PRESIDENT LINCOLN,
Will exhibit in BRAINARD'S HALL for three nights only, MONDAY, TUESDAY and WEDNESDAY December 4th, 5th, and 6th.

This Grand and Elaborate work of Art is presented in a grand Panoramic Routine of
Thirty-Three Tableaux
Upon canvas, embracing 4,000 Square Feet, thus constituting the Largest Pictorial Display ever presented to the public in this popular descriptive style. The Moving Scenes represent with startling fidelity the career of the Lamented Patriot and statesman in all the varied phases of an eventful life, commencing with his
OLD KENTUCKY HOME
And faithfully portraying his career of Struggle, Adversity, Perseverance and Triumph, to the Assassination, Obsequies and last Resting Place of the Illustrious Chief of a grateful Nation.

Prof. J. ABBOTT ODELL, A. M., will accompany the pictorial illustrations in their moving course with a well digested Lecture upon the Life of ABRAHAM LINCOLN thus combining with the grand scenic series of the most wonderful era of the Republic, a Lecture of rapying interest, and replete with profound and valuable historical information. Doors open at 7 o'clock. The Panorama will be unrolled at 8 o'clock precisely. Admission, 35 cents. Matinee on last day for Ladies and Children. dec1:208

CLAIM AGENTS.

WM. E. PRESTON,
(Successor to C. G. Breed & Preston,)
Licensed & Army & Navy Claim Agent,
OFFICE NO. 1 LYMAN'S BLOCK,
Next Court House on Public Square, Cleveland, O.
We collect Pensions, Bounty, Back Pay, Prize Money and all other War Claims.
☞ Our Special Agent, resident at Washington, D. C., devotes his entire time to the collection of Drawing Accounts, procuring Certificates of Non-indebtedness and obtaining pay.
☞ Fees low. No charge until we accomplish what we undertake.
German language spoken. ap13

G. M. BARBER,
Late Lieut. Col. 107th U. V. I.
Authorized Military Claim Agent.
Office No. 222 Superior street, Cleveland Ohio.
Local and Government Bounties collected and Pension Certificates procured.
Applicant on by letter will receive prompt attention. ap27

D. W. GAGE,
ATTORNEY AT LAW,
AND
Licensed War Claim Agent,
Office 108 Superior St., Cleveland, O.
Procures Certificates of Non-indebtedness for Officers, and Pension Certificates. Collects Pension Money, Bounties, Back Pay, Commutations for prisoners while prisoner of war, Prize Money, Pay for Horses lost in U. S. service, and all other legal and just claims against the United States or State of Ohio.
☞ An Associate in Washington and Columbus attends each session, when necessary, in the adjustment of Claims placed in my hands.
☞ Fees reasonable. Communications enclosing stamp promptly attended to. mh16

HATS, CAPS AND FURS.

BUFFALO ROBES
BY THE BALE!
L. BENEDICT & SON
Have this day received a large lot of
BUFFALO ROBES
From the INDIAN COUNTRY, which they offer at less than
nov24. NEW YORK MARKET PRICES.

Furs! Furs! Furs!
We have one of the largest and best selected stocks of
FURS,
Ever brought to this city, which we are offering as low as they can be bought in Eastern Markets, at WHOLESALE AND RETAIL.
Also, an unusually fine stock of
HATS, CAPS AND GLOVES.
B. BUTTS & CO.,
oct4 77 Superior street.

Choice Furs!
SETS OF
Russian Sable!!
SETS OF
Hudson Bay Sable!
SETS OF
Mink!
SETS OF
Royal Ermine!
And all grades of Low Priced Furs for LADIES' and MISSES' WEAR.
Otter and Beaver Caps, Gauntlets and Collars, for Men's Wear.
Lap Robes, Sleigh Robes, Buffalo Robes, &c.
S. A. FULLER & CO.,
oct26:276 215 Superior st., Marble Block.

FOR SALE.

A LARGE BUSINESS FOR SALE IN FRANKLIN.—(WITH OR WITHOUT BUILDINGS.)—Any parties with a few thousand dollars in cash, and desirous of entering into a good, HONEST, LEGITIMATE business, well established, will find a rare chance for so doing. Address, "with real name," P. O., Box 61, Franklin, Pa. All correspondence confidential.
Franklin, Nov. 22, 1865. nov22:268

PORK HOUSE FOR SALE.
THE PORK PACKING ESTABLISHMENT of A. MOREHOUSE & SON, at Fremont, Ohio, is offered for sale, together with tools and fixtures, all in complete order. The building is situated near the C. & T. R. R., on the Sandusky river, in a desirable location. There are two smoke houses conveniently located near the Packing house. A rare chance is offered for a good speculation. For terms, &c., apply personally or by letter to CHARLES H. KREBS, Agent, Fremont, Ohio, or to MOREHOUSE, MEACHAM & CO., Commission Merchants, 143 West Water street, Milwaukee, Wis. nov8:278

A SMALL FARM FOR SALE IN Newburgh Township, good soil; more than 300 fruit trees, grapes, &c; good barn, small house, Possession can be given first of April next. Apply at 270 Superior street, Cleveland. D. BECK. nov3:3

OPTICIANS.

SOLOMONSON'S
CELEBRATED SPECTACLES.

Our commonly WILL NOT be deceived to deal with those who make FALSE PRETENSIONS.
The only way to save your eye sight, is by providing yourselves with a pair of good spectacles which can only be obtained at the old established and well known Optical Institute of Mr. SOLOMONSON'S, 150 Superior street, under the American.
☞ Beware of traveling venders claiming to be Mr. Solomonson or his Agent. oct12

SELF-RAISING FLOUR:
BEST ARTICLE IN USE.
N. S. HARRINGTON'S
SELF-RAISING FLOUR!
It Saves Time, is Economical, and NEVER FAILS.
Sold in quantities to suit purchasers at the LEVELAND MILLS.
Liberal discount to Dealers.
This Flour needs but a trial, to be brought into general use. oct12:262

THE FINEST ASSORTMENT OF CORNER and Side Brackets in the city, at

DAILY LEADER.

SATURDAY, DECEMBER 2, 1865.

TRAVELER'S REGISTER.

DEPARTURES.

	A. M.	A. M.	P. M.	P. M.
Atlantic & Great Western	5:30			8:35
A. & G. W., Main Br		6:40	2:40	
Lake Shore, Cleveland Div	5:40	9:50	3:20	9:00
Cuyahoga & Erie Accom			3:05	
Pittsburgh & Wheeling		8:00	2:35	
Alliance Accommodation			3:40	
Columbus	7:45	2:45	4:15	9:30
Toledo		8:00	2:45	10:00
Sandusky			4:20	
Detroit Boat				10:00

ARRIVALS.

	A. M.	A. M.	P. M.	P. M.
Atlantic & Great Western		7:40		9:50
A. & G. W., Main Br		9:05		4:30
Lake Shore, Cleveland Div	8:05	7:10	2:15	8:00
Cuyahoga & Erie Accom		10:20		
Pittsburgh & Wheeling			1:45	10:00
Alliance Accom	9:20			
Columbus	8:10	9:30	2:55	8:30
Toledo		9:20	2:20	8:40
Sandusky		8:15		
Detroit Boat		5:00		

☞ Citizens wishing conveyance to either of the above Trains or Boats, will be called for by Omnibus of Stevens' Omnibus Line, by leaving their address at the Omnibus Office, 147 Superior street, next door to the Weddell House.

The Second National Bank
OF CLEVELAND,
Designated Depository for all Public Monies.
GOVERNMENT LOAN AGENTS.
KEEP ON HAND FOR
IMMEDIATE DELIVERY
THE ISSUES OF
7 3-10 TREASURY NOTES,
OF ALL DENOMINATIONS at best market rates.
GOLD AND GOLD COUPONS
purchased at highest price.
☞ We buy and sell all classes of Government Securities at Market Rates. nov11:R9

E. J. FARMER. JAMES FARMER.
E. J. FARMER & CO.,
[LATE FARMER & PAINTER,]
BANKERS AND BROKERS.
U. S.
7-30, AND 10-40
5-20.
GOVERNMENT SECURITIES,
GOLD, SILVER AND COUPONS,
ENCUMBERT FUNDS,
U. S. 6s ONE YEAR CERTIF. INDEBTEDNESS
6-5. 6 PER CENT. COMPOUND INTEREST NOTES, 1864.
EXCHANGE ON GREAT BRITAIN AND THE CONTINENT,
Bought and sold.
☞ DEPOSITS RECEIVED ON FAVORABLE TERMS.
145 SUPERIOR STREET,
nov13:R9 CLEVELAND, O.

NEW ADVERTISEMENTS.

Academy of Music—Yankee Locke.
S. Brainard & Son—Mason & Hamlin Cabinet Organs.
J. Singer, Sup't—Notice to Water Takers.
No. 178 Prospect—Girl Wanted.
Jewett & Goodman—Organs and Melodeons.
B. Pelton—Candle Mould for Sale.
D. Lincoln—Catalogue of Books.
Wilson & Beckwith—Fruit House.
M. E. Church, East Cleveland—Local Notice.
Robison, 188 Superior st.—Clothing.
146 Seneca st.—Carpenter Wanted.
S. Brainard & Son—Pianos.
First Baptist Church—Local Notice.
Noble & Noble—Local Notice.
A. Parker—Machinery For Sale.
L. F. Mears—Holiday Goods.
J. G. Simmons & Co.—Dried Apples.
J. G. Simmons & Co.—Buckwheat Four.

CITY NEWS
CLEVELAND WEEKLY LEADER.

For Saturday, December 2, 1865.

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FIRST PAGE—*Editorial*—The National Policy—A Word to Farmers; The Ohio Election—The Official Returns; the Result in the Reserve; The New Jersey Election; The Prospective State of Nebraska; The Thirty-ninth Congress; Another Rumor of War; An Ugly Bad Picture; The New Senator from Vermont; Ohio State Surgo Convention; Political Items, &c.

Miscellaneous—Official Vote of Ohio Election; Washington Topics and Gossip; A Murderer's Death; Boiler Explosion; American Diplomacy in Europe; Colored Officers; Lincoln and Lord Russell; American Matters in England; Governor McGrath of South Carolina; The French Empress and the Cholera; Separating the Sexes in Railway Cars; The Sale of Government Property at Johnson's Island; Seizure of Tobacco at Richmond; Personal Items, &c.

Correspondence—Manassas—The Second Bull Run Battle—Description of the ground—the Monument, &c.

SECOND PAGE—Prospectus of the Cleveland LEADER.

Editorial—Privateering—Efforts for its Abolition; The Box on Tobacco; Shall Foreign Capital be Exempt from Taxation; Another Democratic Mayor; The Ohio Congressional Districts in the Late Election; Pennsylvania Election; Not So; Political Items, &c.

Miscellaneous—The Meadville Fire; Society in Nashville; Palmerston's Death Bed; Important Decision—Foreign Holders of American Bonds Exempt from Taxation—Delivered by Chief Justice Chase; Death of the Oldest Man in the United States; Northern Ohio News; The Recent Twenty-Mile Trot on Long Island; Mrs. Grinder Sentenced; Lord Palmerston and Earl Russell on the Press; Letter from Mrs. Lincoln; Washington Topics and Gossip; Judah P. Benjamin; Brigham Young as a Wire Puller; Wedding Trip Under Difficulties; A Blunder at the Treasury Printing Bureau; President Johnson's Popularity in England; A Warning to Young Men, &c.

THIRD PAGE—*Miscellaneous*—The News; Something About J. Wilkes Booth; Local News—The Poisoning Case—Trial of Mrs. A. H. Phinney.

Telegraphic—General News; Foreign News; The Markets, &c.

Commercial—A Full Review of the Week's Financial Matters.

FOURTH PAGE—*Communications*—Notes of a Few Days in Grapeland, &c.

Miscellaneous—Poetry; A Republican Form of Government—Letter from Robert Dale Owen; Historical Notes Concerning the Cholera; Damages for being Tarred and Feathered; Huron County News; Letter from Petroleum N. Nasby; Northern Ohio News; Lord Palmerston and the Trent Affair; Local News—Legal Intelligence; Telegraphic News, &c.

☞ Single copies of the WEEKLY LEADER, for Saturday, December 2, 1865, in wrappers ready for mailing, can be had at the LEADER Counting Room. Price FIVE cents.

CLEVELAND FRUIT HOUSE.—We ask the careful consideration by our readers, of the advertisement of Messrs. Wilson and Beckwith, proprietors of the Cleveland Fruit House, which may be found on the first page of the paper this morning.

FATAL ACCIDENT.—An aged Irish woman, who had just arrived from Ireland with three of her grown up children, fell, yesterday morning, from the stairs landing of her daughter's suite of upper rooms, at No. 45 Spring street, and broke her neck.

THE TWENTY-NINTH O. N. G.—The 29th Regiment O. N. G. is to be rejuvenated and put on a "war footing." The present officers of the regiment are bestirring themselves in the way of a thorough reorganization, and are already discussing the question of an armory.

THE WESTERN MUSICAL WORLD.—The December number of this valuable journal is out, and is an unusually interesting number. Besides three choice pieces of music, it contains a large amount of interesting reading matter. A specimen copy will be sent free. Address the Publishers, S. Brainard & Son.

THAT PIANO.—We inadvertantly omitted to say in connection with our notice of the St. Andrew's Society, yesterday morning, that the fine piano used for the accompaniment to the singing of Mrs. Deming was furnished by Mr. D. Lincoln, and is one of the fine pianos to be given away at the Metropolitan Gift Book Store on Christmas day.

RETURN OF THE MEADVILLE DELEGATION.—The delegation appointed by the City Council of Meadville, to inspect the working of our fire steamers, returned to that place yesterday, having expressed themselves well pleased with the display of the "institution" made, the day previous, by Chief Fire Engineer, James Hill, on the Public Park. They were convinced by that exhibition, of the excellence of the steamers, and the superiority of the kind owned by this city over every other patent. We understand they will report to the Meadville Council in favor of the introduction and use there, of

THE POISONING CASE

EXAMINATION OF MRS. PHINNEY.

The Alleged Husband Poisoner.

THIRD DAY'S PROCEEDINGS.

THE TESTIMONY NOT ALL IN.

Case Probably Disposed of To-day.

The examination of witnesses in the case of Mrs. Amelia H. Phinney, charged with poisoning her husband, Benjamin Phinney, of Rockport, was resumed in the Police court at ten o'clock yesterday, Mayor Chapin presiding. The prosecution got in all the testimony in behalf of the State, but the available hours of the day were nearly consumed by the time this was accomplished. The counsel for the defense have but two or three witnesses to examine, and in all human probability the case will be concluded to-day. The court will meet again at nine o'clock this morning.

Thus far the evidence of guilt on the part of the accused, is by no means formidable, indeed, is exceedingly meagre. She could not be convicted on the strength of it, and probably not even bound over. In the light of the developments made yesterday, the attention of the careful observers of the drift of the testimony has inevitably been turned to another party. At any rate it is not too much to say, that the testimony against the defendant is by no means conclusive.

We give below the substance of the testimony taken yesterday:

Judge Abbey was recalled at his own solicitation, having forgotten to make at his first examination a full statement of the conversation between Mrs. Phinney and himself.

Before I left to make that search, I learned that the bringing away of the stomach was a secret, known only to two or three others. I was struck with her first remark, "I expected this; I am ready to go with you, and trust the result to Providence." I asked her why she said that, as she didn't know the stomach had been examined. She said she had heard that the contents of that organ had been chemically analyzed, and that a neighboring woman had told her that poison had been found in the stomach.

Dr. Marius Moore, sworn: I reside in Dover. I am administrator of the estate of deceased. I was present at the search of the house of deceased, last Thursday. The vial was here presented. He had seen it before, or one similar. I didn't see it taken out of the drawer. My attention was first called to it by an exclamation of Mr. Dean: "Here it is; we have found it!" He then gave me this bottle, or one similar. He had the small upper drawer of the bureau open. I had had occasion, previous to this, to examine said drawer. After I was appointed administrator, I and the appraisers went to Mr. Phinney's to appraise the property. Mrs. Phinney and children seemed to be anxious that we should get at the money and effects of that kind, first. Mrs. Phinney said, Make a thorough search of the premises throughout. For she had a fear that the children were taking the goods and things belonging to the estate and slipping them aside. The children said the same thing. Mrs. Phinney said to me, she supposed a thousand dollars in bonds were missing. The son told me, he thought there were from one to two thousand dollars missing. I then proceeded to take an account of the money, notes and effects of that kind. We concluded to examine the notes first, and to get at them I went to Mrs. Phinney for the keys, so that we could get at that kind of property. She told me that the bonds belonging to the testator she had in her pocket. She didn't know where the other things were, and again requested me to make a thorough search and find every thing of that kind. We found the notes and mortgages in a trunk. It was not locked. The lock was defective. It was in the bedroom adjoining the store. Then went into the store, and took the papers out of the drawers. Took them to the same bedroom, and next searched the bureau there, beginning with the small right-hand drawer. My impression is, it was not locked. The lower large drawers were all locked. I unlocked them with one of the keys furnished by Mrs. Phinney. In one of the large drawers I found a key which would unlock the other small left-hand upper drawer. In it there were a few papers, but of no value; some articles of medicine, I think, such as blue pills, Wright's pills, and bitters not prepared in liquor, &c. My idea is, that this vial of strychnine was not there. I locked up the drawer and put the key back where I found it, and gave the other keys to Mrs. Phinney.

Cross examination: I have known Mr. Phinney as long as I have practiced. Was his family physician. I knew his late wife before this one. She died about a year ago. I had recommended to her in her last sickness the use of Wright's pills, &c. Attached no importance to the discovery of such articles in that drawer. Mrs. Phinney seemed to have a fear that Ben. was taking things. He had access to a place where money was kept, and in the store. She told me he had taken things from the store, such as undershirts, drawers, &c., before his father's death. She had no doubt that Mr. Phinney had $9,000 in bonds in a value. When it was opened by her and Ben, there were but $3,000. She said Ben had access to the key in the drawer in the store, which opened the money valise. She took the bonds and put them in her pocket. She said there were $300 which she and Mr. Phinney were intending to lay out in furniture, and come to the city the day he died. She supposed it was in the store drawer. She said Benny had plenty of money of his own, but was using money freely. Ben had been to town the day before the death, with a load of potatoes. His father gave Ben $3, and this was all he had. I never knew deceased to have any poisons about. He kept a small assortment of medicines. The bonds were in a large hand-trunk of deceased, in his bedroom. I had not had any conversation with Mr. Phinney after his return from the east. Mrs. Phinney gave me the bonds readily.

A. J. Marvin, sworn: I reside in this city. I went with the party to make the search of the premises. I conversed with Mrs. Phinney as to her history, and about her husband's death. She said he retired about an hour earlier than common, the night before his death, and in apparent good health; that he arose quite early the next morning, before she did, and went out to do his chores. He felt remarkably well, and said that Benny would soon be in for breakfast, and if she felt like it, he would like to have her get up and get breakfast. She got up, and he playfully tried to put on her stocking. She told him if he was in a hurry, he had better let her do it. She went into the kitchen, and soon heard him call. Didn't go in at once, for she thought him calling in fun, jesting, but soon went in and found him in spasms. She called to Alta that her father was dying. The neighbors were roused, they came and did all they could, but could not save him.

Judge Abbey came in then, but soon left, when I asked her to recount the affair of his death. She said he went to do his chores quite early. She was in bed. She said that "Phency" came in from doing his chores and said he didn't feel well, and laid down on the bed. She got up and brought him some water, but didn't give him anything else. I called Alta and told her her father was doing. He threw his arms around her and clasped her so tightly and spasmodically that she could hardly get away. She said that she didn't know that Mr. Phinney kept strychnine. She didn't know what it was, had never seen any. Didn't know what was in the store. She didn't think her husband would poison himself. He and Benny had hard feelings, but she didn't believe that Ben would poison his father. Benny didn't like her and failed to have his father bring her home.

This talk about strychnine was called out by Judge Abbey's telling her that strychnine was found in the stomach of her husband. She said Alta and Benny had treated her well, but the step-daughter, Lizzie, had been unkind to her. Mr. Dean found the vial of strychnine and a self-adjusting syringe, in the drawer, and said, "Here it is." She said she got up about eight o'clock, and her husband came in just before.

Cross examined:

Mr. Oviatt, son-in-law of deceased, engaged me to go out there to see if there was guilt in the matter of the death of deceased. I had never seen this lady before I went out to the house of deceased. I did not tell her that I saw her and her husband go into a drug store together. Don't know that I have ever seen either of the Barnums. I have been to fifteen or twenty drug stores in this city to find traces of the purchase of this strychnine. I found none.

John Barnum, sworn: I reside in Rockport. I have known deceased twelve or fifteen years. Don't know that I have any knowledge of his keeping poison, other than that I was there a year ago to get strychnine and corrosive sublimate. I got neither.

Cross examined:

I wanted to kill a dog. Got some poison afterwards in a vial. It was such a vial as this, only the label was different, no skull and cross bones on it. Got it on the West Side, at Benton's. I gave it to Wm. McAlister in Rockport to kill the dog.

At this point the court adjourned till two o'clock P. M.

AFTERNOON SESSION.

Court met at the appointed hour.

Benjamin F. Phinney was recalled, and testified that he had moved his bed down into the room in which his father died, and had occupied said room since his death.

Miss Alta Phinney was also recalled, and said she had not been to that bureau in which the poison was found, since the death of her father, but had been to another bureau for some handkerchiefs, &c.

Clara Ayres, sworn: I reside in Boylston, N. Y., but have been in Rockport since the 18th of June last, at the residence of Mr. Edward Giddings. Got acquainted with the family of deceased four years ago, for one year, and renewed the acquaintance at the date given above. I was at the house of the deceased the night before his death and saw Mrs. Phinney. Our conversation was on general subjects. She conversed about her likes and dislikes, her disposition, a discarded lover, the war, slavery, crime, poison and her late marriage.

She said with regard to poison, "It was an easy matter to poison a person; it was often done. In our Northern cities it is very common. Persons would run a great risk by doing so, to be sure." She was comparing crime in our cities with slavery—that was the peculiar of the conversation on the subject. She was in favor of slavery; I was not. I said, "Mrs. Phinney, what do you mean? I can't understand you." I insisted on a further explanation, but she simply said, "It is often done in cities." She said "A gentleman might have a lady in the house who was not his wife, and in case this lady should have children, of course they would be poisoned." She referred to the subject as many as three times. She said "She liked Benny and Alta very much, but some folks she did not like." She said, "If I do not like a person, I do not want them in my sight; that she could not help this disposition." She said, "I would rather shoot my own brother than have him go into the army." She said, "If I should continue to have this disposition, I don't know what would become of me. When she got married, she thought it would be for the best, but she couldn't tell what would happen. I told her she ought not to be desponding, as she had been treated well, and nothing had happened yet. "We couldn't tell," she said.

Cross examination: Born in Vermont, don't know what town or county; lived most all my life in Boylston, N. Y. Don't know where she moved to. [The cross examination was very long, and we omit many points not of special interest.]

I came out to Ohio to see my sister, Mrs Giddings. Did not see Benjamin F. Phinney. He was away in the army. I went to Washington. On the 16th of June last, I returned to my sister's, in Rockport, in company with Charles Williams, of Corruna, Mich. Made his acquaintance in Washington. Got to Rockport Sunday morning, June 18th, and have remained there ever since. Was at the house of deceased the night before his death. Went there after the mail about four o'clock P. M. Saw the elder Mr. Phinney at the P. O., and the younger, or any member of the family. Went into the store, asked for letters, and then went into the kitchen. Called to see Alta and Mrs. Phinney. Found both in the kitchen, the latter sewing and the former reading a magazine. I stayed about three-quarters of an hour. Alta was there a part of the time; not there when I had this talk with Mrs. Phinney. Alta went into the store, while deceased went out, I think, to do chores. Alta returned in about fifteen minutes. All the topics mentioned were discussed in a quarter of an hour. She and the family had always been on very friendly terms. After the death of deceased Mrs. Phinney asked me if I would not come there and live and make my home there. No other members of the family had spoken to me about going into the family as superintendent. I was at the house when Mrs. Phinney came home after marriage, but didn't stay to see her. Had been there half an hour. Defendant, since her husband's death, was at my brother's house twice. I was at her house often. Benny and I are merely good friends—not a bit of marriage or engagement contract. I am twenty-two years old.

Dr. Moore was recalled. The estate of deceased was found to be worth—personal property, $11,000; real estate $12,000; the whole not far from $24,000. No will has come to my knowledge.

This concluded the testimony on the part of the State.

Benjamin F. Phinney was called. My father died about an hour after I got into the house. Persons present, as I remember, were Heman Barnum, his wife, I think, Dr. Lathrop and others, but can't remember their names. Mrs. Phinney, I think, was there. Think she stood at the left of the bed. Never knew that there was poison about the house. Talked with Heman Barnum about father's taking poison. I did not admit to him that father had poison there. I came to this city twice with Mrs. Phinney after his death. Came when she got a mourning bonnet. It was probably three or four days after his death. We talked about his death.

The question was asked if witness did not on that ride, ask defendant about her physical condition.

The counsel for the prosecution objected, on the ground that the question was not in the way of cross examination. The court held the opinion that the question was not proper, as it was an effort to substitute testimony in chief for testimony elicited by cross examination.

Mrs. Catherine M. Freeman, sworn: I am the wife of Charles Freeman. I once lived at the residence of the deceased. It was about six years ago. We lived there nearly four months once, and two months at another time. Knew Benjamin Phinney there. My husband was working at his trade, being a carpenter. He finished off the house of the deceased. We boarded there during the time. I saw a bottle of strychnine that deceased brought me when I had neuralgia in my face. I asked for laudanum. He called it strychnine. He said when diluting it in water it would answer the same purpose as laudanum when applied to the face. I objected. He said they had tried it and liked it quite as well. He told me how to use it. I saw the vial and took it in my hand. I recollect the label; it read "Strychnine." The device was curious, cross-bones, or something like that. I had never seen a label like it, and it struck me. The vial was of small size.

The vial was here shown.

The vial he gave me was of different shape, was larger, but had a similar label. They used poison to kill rats, etc. They used to put arsenic on bread and lay it around to kill rats, as they said. Mrs. Phinney did it. They also used this strychnine to kill rats, saying it would kill them quicker. The latter was kept in the bureau drawer; the arsenic was kept in a paper. Deceased advised me to use strychnine for neuralgia; that he had no scruples in using it. This bureau was in the dining-room, off from the kitchen.

At this point the court adjourned till nine o'clock this morning.

Legal Intelligence.

COURT OF COMMON PLEAS—CIVIL BRANCH.—In court room No. 1, before Judge Bolton, the jury in the case of John Cowin vs. Wm. S. Kerruish returned a verdict of $336 for plaintiff. A motion for a new trial was filed.

Nothing was done yesterday in court room No. 2, before Judge Foote.

CRIMINAL BRANCH—BEFORE JUDGE COFFINBERRY.—A verdict of guilty was returned yesterday by the jury in the case of the State vs. Lorenzo C. Mallory, indicted for horse stealing. He committed the theft three years ago, taking a horse from the owner's pasture between Painesville and Fairport, and driving it to Kimberley's commission stable on Champlain street in this city, and offering it for sale on such terms as excited Kimberley's suspicions. The police were notified, and Mallory arrested and lodged in jail. He was one of the number of prisoners who escaped at the time of the general jail break and delivery in 1863. Hearing that the old case had been *nolled*, he ventured on a return to Perry, Lake county, where he was arrested a few months since, and indicted for the old offense by the Grand Jury of the present term of court.

A motion for a new trial in the case of the State vs. George Hardtop, found guilty on an indictment for grand larceny at this term of court, was heard and overruled. Messrs. Brinsmade and Hovey are defendant's attorneys.

In the case of the State vs. Thomas Kehoe and Charles A. Ringer, indicted for passing counterfeit Treasury notes, Ringer changed his plea to guilty.

In that of the State vs. Thomas Kehoe, indicted for uttering and passing counterfeit Treasury notes, defendant changed his plea to guilty.

The case of the State vs. Charles A. Ringer, indicted, a second time, for passing counterfeit notes, was *nolled*.

A divorce case was then taken up, that of Ellen Olcott vs. Mellon Olcott; wilful absence and gross neglect of duty. Decree granted on first charge. R. E. Knight plaintiff's attorney.

On the 27th of November, 1865, a special *venire facias* was issued to the sheriff of Cuyahoga county, commanding him to summon thirty-six persons having the qualifications of electors, being house-holders within this county, to appear before this court to serve as jurors in the case of the State vs. John W. Hughes, indicted for murder in the first degree. The sheriff yesterday returned the names of the following persons whom he has summoned as such jurors:

SPECIAL JURORS.

O. W. Hutchkiss, Rockport.
Theodore Breck, Brecksville.
Moses Hunt, "
William Barr, "
Buell Stearns, Olmsted.
Charles Fitch, "
Elias Pike, Orange.
J. H. Luce, "
J. K. Brainard, Brooklyn.
Henry Fish, "
Francis Branch, "
Diodate Clark, "
Cary Snow, Parma.
J. M. Cogswell, "
David Clark, "
Charles H. Hall, Dover.
Charles R. Atwell, "
Marius Moore, "
Darius Adams, East Cleveland.
C. W. Dellenbaugh, "
D. C. Taylor, Cleveland.
J. G. Hasserotti, "
Charles French, "
Silas Belden, "
Frederick Wilson, Mansfield.
L. M. Gates, "
S. W. Dilley, Euclid.
Morris R. Gallup, Strongsville.
C. S. Ranson, Cleveland.
Allanson Pomeroy, Strongsville.
E. H. Reed, "
Thomas Garfield, Newburgh.
Alexander Topping, "
Jaber Gallup, "
D. G. Branch, Cleveland.
A. S. Gardner, "

A certified copy of the foregoing list of names was served yesterday on the defendant John W. Hughes, under the statute requiring such panel to be served on the defendant in capital cases twelve hours before the trial.

This court will be occupied to-day in impanelling the jury in the above case, disposing of divorce cases, hearing motions in criminal cases, &c.

POLICE COURT.—Judge Abbey disposed of the following docket yesterday morning:

Drunkenness—John Tracy, fined $1 and costs; Fran: Higgins, $3 and costs; Edwin Slade, sent to the House of Correction for thirty days.

Disturbance—Mary Ryan, $2 and costs.

Assault and Battery—William Shay and Charles Williams, $5 and costs.

Grand Larceny—Henry Vallery and John Williams, each bound over in bail of $500.

Petit Larceny—J. C. Gazelery, John Shehan, Oscar Russell, C. W. Warralls and Charles Preston, costs Joseph Moore $10 and costs, and sent to jail ten days to live on bread and water.

Three cases of grand larceny, two of petit larceny, and three of assault and battery were continued to December 4th.

New Books.

A SPINSTER'S STORY. By M. A. F. New York: Carleton. 1865.

We have done nothing more than glance through the above story, and can only say that it *looks* readable. What more is necessary, save the statement that D. Lincoln has it for sale? and that, when purchased, it draws a gift.

For sale at the Metropolitan Gift Book Store.

THE LOVE-LIFE OF DR. KANE. New York: Carleton. 1865.

The love-life of Dr. Kane, containing the correspondence, and a history of the acquaintance, engagement and secret marriage between Elisha K. Kane and Margaret Fox, with *fac similes* of letters and her portrait, has just been published, and will of course produce a great sensation, especially in Philadelphia where the Kane family reside. Dr. Kane saw Margaret when she was at that city with her mother in 1852, in the *role* of spiritual medium, &c., fell in love with her, notwithstanding she was but thirteen years of age, engaged her affections, and put her to school, with the consent of her mother, that she might grow up a suitable wife for him on his return from the Polar regions. He came back in 1855, when his family induced him to break off the engagement. It was renewed, however, and when Kane left for England, in quest of health, he publicly acknowledged her his wife. He died in 1856, bequeathing to his wife $5,000 in a secret trust to one of his brothers. This legacy was not, paid, and injurious reports being raised, Mrs. Kane sued for dower as the widow, and prepared a memoir embodying one hundred and thirty-four of Dr. Kane's letters. The Doctor's family agreed to pay the lady the interest of the money left her, and a sum down to pay her expenses; but they having failed to keep the agreement, this publication is now made in order to vindicate the character of the lady.

These love-letters will not lack for readers, albeit they are sickish. It is said no one can love and be wise.

For sale, with a gift, by D. Lincoln at the Metropolitan.

CLEVELAND BUSINESS COLLEGE.—The Cleveland Business and Telegraphic College stands unrivalled as an educator in its field of labor. It has beyond question more graduates occupying first-class positions than all the commercial schools in the State combined, excepting, possibly, Cincinnati. There is scarcely a city of the Union that has not its representatives. It is established upon a basis involving an expenditure that no other school of the State can support, while at the same time each student's expense, though small, purchases for him a greater business education than is procured at any cost in any school outside the chain. The Practical Department is a prodigy of itself. A neat currency in circulation, merchandise bought and sold, goods shipped and received, insurance policies taken out, bills, drafts, notes, receipts and orders issued and received, deposits made and checks drawn, invoices, accounts-sales, accounts-currents, bills of lading, and bills of goods rendered,—all this impresses us with the fact that practice without a practical department, representatives of money and goods, or even transactions, is as the shadow to the object—a grim "practice." Cleveland being a city of commercial importance, affords superior inducements to young gentlemen educating for, and desirous of, positions. Country towns will do for writing schools, but only commercial cities sustain Business Colleges.

For information address E. R. Felton, Principal.

MASON & HAMLIN'S CABINET ORGANS.—We would call our reader's attention to Messrs. Brainard & Son's advertisement, giving full descriptions of styles and prices of these beautiful instruments, which have become so popular with the musical public. The "Cabinet Organs" are made *only* by Mason & Hamlin, Boston, and are far superior to any other reed instrument in the world. They are an excellent parlor instrument, and the low price at which they are sold brings them within the reach of all. Send to S. Brainard & Son for a descriptive circular.

ACADEMY OF MUSIC.—Yankee Locke closes, to-night, the first week of a fortnight engagement at the Academy. He has been well sustained here, having had good houses every night. The play, "Ten Nights in a Bar Room," has been presented each evening this week, and there has been no abatement of the interest taken in this popular piece. It will be offered once again to-night, with "The Yankee Duelist" for the afterpiece. The bill is an attractive one, and will draw a good house.

FIVE WONDERS OF THE WORLD.—This popular painting will be on exhibition twice to-day. It is the last chance our people will have to see it. A matinee will be given this afternoon, and the last exhibition this evening, commencing at seven o'clock. Yankee Glunn, a comedian of reputed ability, will favor the audience from time to time with his "music."

ELOQUENCE.—Lovers of eloquence, attend the exhibition of the illustrated Life of Abraham Lincoln, at Brainard's Hall next Monday, Tuesday, and Wednesday nights, December 4th, 5th, and 6th. Prof. J. Abbott Odell, A. M., the distinguished lyceum orator, who has elicited the most unbounded praise from the most accomplished critics in America, will deliver the descriptive and eulogistic lecture.

HOTEL ARRIVALS—Dec. 1.

WEDDELL HOUSE.

E Hollidge, St Louis
J C Gerlach, Boston
A Aldrich, N Y
C D Brower, Troy, N Y
L Spencer, N Y
J F Slaughter, Va
Mrs J W Seymour, Hart'd
Mrs F Seymour, "
A H Van Buren, Chicago
E Buckingham, Akron
W G Robinson, "
W H Pitt, N Y
R W Ratliff, Warren
J H Miles & l, Erie
R T Scowden & l, Ky
E Pope, Baltimore
Mrs Ward, "
G L Van Nortwick, Roch'r
H Revere, Boston,
W S Roth, N Y
E W Kohlrast, N Y
B Ward, Meadville
J E Watron, Up sand'y
N H Furness, N Y
B Johnston, "
J Allyn, Detroit
W H Dunn, "
E D Gilberson, "
L G Andrews, Youngst'n
N Noyes, Baltimore
M Porter & wf, Owego
M K Leslie, Sharon
H W Walker, Penn
Z Double, Kent,
R J Boer, Zanesville
J L Sandfordaw, St Louis
S S Fisher, Cin
T McNamara