# Grening Telegraph

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To insure the Insertion of Assertisements in all of our Editions, they must be forwarded to our office not later than 10 o'clock each Morning.

THURSDAY, MARCH 8, 1866.

Our Standard Bearer.

The Convention which met in Harrisburg vesterday was characterized by a harmony of sentiment and a unity of purpose which proved the utter fallacy of the rumored divisions in the ranks, and sets at rest all Democratic falsehoods to the effect that the days of the National Union party were numbered. Although each member of that body had his personal preferences for a certain candidate, yet the moment that General John W. GEARY was nominated all differences of opinion ceased, and the hearty cheers which shook the Capitol to its base attested that the choice of the Convention was the choice o the people. Nor is there any reason why a single dissenting voice should be heard, from the highest to the lowest member of the Union party. The personal character and political record of the gallant soldier who is to lead our columns through the coming campaign, and for whose head is reserved the laurel crown of victory, is such as to win the admiration of all who admire purity, courage, and consistency in public life. There could have been no man selected to whom there could be less objection, and in whose praise more could be said. Among the first to repudiate a doctrine calculated to force human slavery on a people desiring to be free, he displayed while a member of the Democratic party that utter absence of selfishness and stern devotion to duty which has ever characterized his course both as a soldier and a citizen. Undeterred by the certain knowledge that should be declare his anti-Lecompton sentiments, his official position would be torfeited, he boldly protested against the policy that would outrage a community, and ceased to be an officer of Bu-CHANAN'S Administration on that account "On his return," said the Hon. JOHN COVODE, in his speech before the Convention, "he said to me, 'We will have to fight for the cause of freedom, and I will be among the first to arm in its defense." And faithfully did he keep his word. Throughout the whole strug ele there is no name on which there is less tarnish than that of General GEARY. Ever with his brigade, never among the loiterers whose presence indicated the approach of battle, his bitterest enemy cannot point to one instance In which he shirked his duty, or failed in its discharge. Courageous, manly, and uncompromising in his steadlast adherence to principle, he has attested the fact that when once JOHN W. GEARY gives his word, there need be no necessity of fearing aught but its rigid performance. When, therefore, he said last night, "I pledge myself to stand by the platform, and declare my unequivocal belief that equal justice and protection should be meted out to all," we need have no dread lest the wiles of the enemy will induce him to deviate from his words.

The campaign which opens to-day has all its issues fairly and squarely stated, all its principles enunciated, and each party has chosen a representative man. Hon. HIESTER CLYMER, of Berks county, is as good a Democrat as the party could have selected. With him there has never been equivocation or de ceit. He has boldly opposed every measure tending to aid the suppression of the Rebellion he has opposed appropriation after appropriation for war purposes; he has consistently opposed the extension of suffrage to soldiers; and it was he and Mr. WALLACE who made the bitterest speeches against Andrew Johnson in 1863. He has made his bed, and does not fear to lie in it. General GEARY is also a brave and open declarer of his views-Too much engaged in conquering the foe and asserting his doctrines by his acts to pause and make known his principles by well-rounded periods, he has, nevertheless ever shown his hand when necessity demanded. The strongest argument that a man could use on the side of true loyalty is to fight and risk his life for it; and we hall the action of General GEARY as a far better exponent of his sentiments than could have been furnished in a Ciceronian oration or a cold, brilliant scintillation, which echoes the hollow notes of insincerity.

We, therefore, for every reason possible, endorse the unanimous nomination of General GEARY, and beneath his lead there can be no question but that victory will be ours. The soldiers-that vast body of 350,000 citizens who exert an almost omnipotent influencewill come up solid under the lead of their comrade and leader. What might have been the prospects of a division of their votes had a less obnoxious Democrat have been selected. we know not; but the choice of Mr. CLYMER has placed our veterans in the position either of opposing a fellow-warrior and favoring a man who has ever maligned their motives and traduced their deeds, or else of lending their votes and influence in favor of a friend and leader, and in antagonism to their consistent enemy. On which side all of them will go, does not admit of argument. We, therefore, calmly looking at the prospects of the campaign, predict for the Union party the most complete and glorious triumph which has ever been achieved in our State.

to our toe, and even surprise our triends. All th'ngs look bright; let us gird on our armor, and beneath our standard bearer's lead, fight without ceasing until the enemy is routed, and our gallant soldier-citizen made Pennsylvania's Governor.

The Law as to Common Carriers. A CASE of considerable interest to shippers of freight was recently argued before the Supreme Court of this State, at Nisl Prius. It appears that a firm in this city delivered to the Camden and Amboy Railroad Company, in July, 1864, twenty-four bales of goods, weighing 3220 pounds, and valued at \$6778.24, to be transported to New York, and delivered to a consignee of the firm in that city. While yet in the possession of the railway company, on their wharf in New York, and before plaintiffs had notice of their arrival, or opportunity to remove them, the goods were destroyed by fire. The plaintiffs claim the full value of the goods, with interest, from the defendants. The latter deny that they are responsible for the goods, except to the extent of \$100 per 100 pounds, and base that denial on the fact that on the day the goods were delivered to them for transportation there was placed in a conspicuous position, in their receiving offices at New York, Camden, and Intervening points, a notice of which the following is a copy:-

"Notice,—Responsibility of the Company as Carriers limited to \$100 per 100 pounds,—The Camden and Amboy Railroad and Transportation Company hereby give notice, in pursuance of law, that they have ilmited, and do hereby limit, their responsibility as carriers of goods so as not exceed one hundred dollars for every one hundred pounds weight thereof, and at that rate for a greater or less quantity; but will insure goods, it desired, at the rate of eight cents per ton per mile for the distance carried, for every two hundred dollars insured on one hundred counds of goods, and at that rate for a greater less quantity. Goods carried from New York Philadelphia, or from Philadelphia to New York, will be insured, if desired, at the rate of sixteen cents for every one nundred dollars

The case, as thus stated, involves the right of a common carrier to limit his liability. That liability, under the common law of England and of this country, regards him as in the nature of an insurer, and makes him answerable for all losses which do not fall within the excepted cases of the act of God (meaning inevitable accident, without the intervention of man) and public enemies. This settled rule, we are told by the highest legal authorities, is intended to guard against fraud and collusion, and is founded on the same broad principles of public policy and convenience which govern the case of innkeepers. Chancellor KENT says :- "Common carriers undertake generally, and not as a casual occupation, and for all people indifferently, to carry goods and deliver them at places appointed, for hire as a business, and with or without a special agreement as to price. As they hold themselves to the world as common carriers for a reasonable compensation, they assume to do and are bound to do what is required of them in the course of their employment, if they have the requisite convenience to carry, and are offered a reasonable or customary price."

It is this general liability which common carriers in this country and elsewhere have been trying to limit, by notice in their bills of lading and otherwise that they will be responsible for injury to or total loss of freight only to a certain extent, and on certain conditions which they alone choose to prescribe. Whether they have or should have the right to do this, is not yet determined by uniform judicial decision, though in view of the great commercial interests involved, the law on this point should not be allowed to remain uncertain and conflicting. Those cases which have, however slightly and cautiously, recognized the doctrine that the common carrier may limit his general responsibility, are clearly encroachments on the common law rule, and transgressive of the sound reasons of public policy on which it was founded; and the courts should, as speedily as possible, retrace the steps they have taken in a wrong direction, and establish, firmly and positively, the just and wholesome principle from which they have departed.

The English judges are said to have thought that the doctrine of exempting carriers from liability by notice has been carried too far, and its introduction into Westminster Hall has been much lamented; and the late Chief Justice Gibson, in a case decided by him in our own Supreme Court, questioned the policy of the new rule that the carrier may lessen his common law responsibility by a special agreement, and held that exceptions to the common rule were to be strictly construed. It would seem to be in conformity with this view of Judge Gibson that both English and American Courts have held that a carrier cannot restrict his common law liability by a general notice, such as that above quoted, even though that notice be brought home to the knowledge of the shipper, and that the restriction can only be by express contract. This rule makes it optional with the shipper whether he will surrender his own common law rights, and release the carrier from his common law obligations, and accept other conditions by private and special agreement. This, at least, protects the public, and confines the effect of any relaxation of the common law rule to those particular individuals who may choose to waive it by

express contract. But even this practice is bad in its tendency, and often, if not always, a means of imposing unfairly on the shippers of freight. Rather than fall in a shipment that cannot be delayed without serious loss, and incur the expense and annoyance of litigation with a railway corporation for the violation of its common law obligations and liabilities, a merchant or other citizen will accede to gross abridgment Every county will swell the torrent, until the of his legal rights; and in this way the majority in favor of GEABY and Union will liberties of the people and the salu-

be increased to a size which will strike terror | tary regulations of public policy are gradually, but in the end fatally, aggressed upon and subverted. Salety for all lies only in strict and universal judicial adberence to the original and fundamental doctrine that common carriers are in the nature of insurers, and bound to perform the office or business they undertake for the public, without limitation, at their own discretion, of their freely assumed duties and engagements, under the common law of the land. If this principle was but once harmoniously and conclusively settled judicially, justice would be secured to all concerned, vexatious litigation avoided, and the interests of commerce preserved and promoted.

A PROPER LAW .- A bill has been introduced into the Legislature by JAMES N. MARKS, Esq., for the proper distribution of the city finances. The changes it proposes to make are needed, but radical. It is well known that at present a certain tax is levied by the city on all property holders for the purpose of securing tunds for public purposes. Each item for which such taxes are levied is distinctly stated-for school purposes, so much; for highways, so much; and after summing up, a total is arrived at which is the basis of the tax. While each item is thus asked for for a specific purpose, yet when the sum is received it is not appropriated for the aim for which it was collected. Thus 58 cents on every hundred dollars is levied for the common school system, yet when, as it irequently happens, the expenses of the system only amount to 40 cents, the remainder is applied to meeting some other demand, and the same exerbitant assessment made the next year. In fact, after having been asked for and received for a certain specific purpose, the meney is applied to something else. Custom has legalized this arrangement, which, if viewed without prejudice, may be denominated a popular fraud.

The new law is intended to remedy this evil. Under its provisions each tax collected for a department is laid aside for the use of that department only. Although the bill does not extend as yet to each branch of the municipality, yet the system is inaugurated, which cannot but become general in course of time. The law makes it apply to schools only. Under it, when a surplus is collected, it is to be deposited in a separate account of the Treasury, and made payable to the order of the Board of School Controllers. The result will be, that as soon as a teacher's warrant is presented, instead of his being obliged to wait for days or weeks, or else be shaved by a broker, he can have his demand cashed at once, when countersigned by the President of the Board. Such a plan is an improvement over the present system. It is an act of justice to the people who pay so much per cent. to support the cause of education, and have a right to demand that their money is applied to that specific purpose; and it is also an act of justice to the teachers, who are now compelled to wait for what is justly their own, or submit to the imposition of losing from ten to fifteen per cent. of their already too small

# LECTURES.

CONCERT HALL.—PROFESSOR WILLIAM H. DAY will deliver the FIFTH LECTURE of the Course before the SOCIAL, CIVIL, AND SYATISTICAL ASSOCIATION, THURSDAY EVEN ING, March 8, at CONCERT HALL, Subject-LEQUALITY BEFORE THE LAW." The Black Swan" will sling a few choice airs Tickets. 35 cents, May be had at T. B. Pugh's, Six'h and Chesnut streets, and at the door. Doors open at 7; begin at 8, 335t\*

TAKE NOTICE! TAKE NOTICE! TAKE NOTICE! TAKE NOTICE!!

In CONCEST HALL, on FRIDAY EVENING, March
6th Rev. T. DE WITT TALMAGE will, at the request
of many citizens, de-iver his very popular and amusing
Lectur, entitled "Grumbler & Co.," for benevolent purposes Admission 25 cents. Reserved seats 50 cents.
Tickets at 1. B. Pugh's bookstore, sixth and Ch snut
streets.

318t

# SPECIAL NOTICES.

MR. DEMPSTER, COMPOSER OF THE
"May Queen." 'Lament of the Irish Emigrant, "etc., having inst returned from Europe, will
give a Solect Musical Entertainment at the MUSICAL
FUND HALL, on SATURDAY Evening, March 10,
being the only one he can give during his present visit,
which will include a selection from his most popular
Songs. Scotch bongs and his cantata, the "May
Queen."

Ticke's 50 cents; Reserved Seats 50 cents extra.
May be had at Mr. Trampier's Music Store, Seventh
and Chesnut streets, where a plan of the Hall may be
seen. To commence at 8 o'clock.

DEMPSTER OF THE

PROFESSOR MARK BAILEY,
OF YALE COLLEGE,
The accomplished Electricals, to give one
READING.
AT CONCERT HALL.
On TUESDAY EVENING. March 13.
Tickets 50 cents. For sale at T. B. Pugh's Bookstore
S. W. corner Sixth and Chesnut atgests.
376t\*

JEFFERSON MEDICAL COLLEGE. The An anal Commencement will be held at the MUSICAL FUND HALL on SaTURDAY next. 19th inst, at 12 o'clock The charge to the graduates by Professor RAND. The public are invited

ROBLEY DUNGLISON, Dean.

THE ANNUAL MEETING OF THE Stockholders of the ASHBURTON COAL COMPANY, for the election of Five Directors for the ensuing vear and the transaction of general business, will be held at the office of the Company, No. 32 PINE Street, Room No. 10 New York, on the lith day of March next, at 12 noon, and at the Continental Hotel corner of NINTH and CHESNUT Streets, Philadelphia, on the 13th day of March next, at 2 P. M.

2 24 l4t CHABLES A. BERRIAN, Secretary.

A PHYSIOLOGICAL VIEW OF MAR-A PHYSIOLOGICAL VIEW OF MARBIAGE: —Jontaining nearly 300 pages, and 130 fine Plates and Engravings of the Anatomy of the Human Organs in a State of Health and Disease, with a Treause on Early Errors, his Deplorable Consequences upon the Mind and Body, with the Author's Pian of Treament—the only rational and successful mode of cure, as shown by the terort of cases treated. A truthful adviser to the marrid d. and those contemplating marriage, who entertain doubts of their physical condition. Sent free of postage to any address, on receipt of 25 conts in stamps or postal currency, by addressing Dr. LA CROIX, No. 31 5 AIDEN Lane, Albany, N.Y.

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7171v No. 818 EROADWAY, New York, DINING-ROOM.—F. LAKEMEYER,
CARTER'S Alley, would respectfully inform the
Public generally that he has left nothing undone to make
this place comfortable in every respect for the accommodation of guests. He has opened a large and commodation Dising-Room in the second story. His SIDEBOARD is unmished with ERANDIES, WINES,
WHISKY, Etc., Etc., of SUPERIOE BRANDS.

### SPECIAL NOTICES.

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MINING COMPANY. Office, No. 327 WALNUT Street, (SECOND PLOOR)

100,000 Shares, Capital Stock,

Par Value......810:00 This Company owns in fee simple several valuable

50,000 Shares for Working Capital, 25,000 to be Sold in 25 Lots at 85000 Each,

Subscriptions received at the office until March 14. BY ORDER OF THE DIRECTORS.

221 18tj T. S. EMERY, Treasurer. CITY COMMISSIONERS' OFFICE-PRILADELPHIA February 24, 1860.
To Hotel-keepers, Res aurants, and others desirous of se in liquors by less measure than one quart. Applicants will apply at this office, as provided to act of Assembly approved April 20, 1258, commencing on TaURS-DAY, March 1 1866.
PHILIP HAMILTON,
THOMAS DICKSON,
City Commissioners,
JOHN GIVEN,

THE PENNSYLVANIA FIRE INSU-The Directors have this day dec ared a Dividend of SEVI N DOLLARS AND FIF1Y CENTS per share on the Stock of the Company for the last six months, which will be paid to the Stockholders or their legal representatives, after the 15th instant.

36 10t WILLIAM G. CROWELL, Societary.

#### AMUSEMENTS.

[For additional Amusements see Third Page.] A MERICAN ACADEMY OF MUSIC.

which has been unequivocally pronounced
"The greatest opera of the season."
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"The finest performance the Opera has ever had in Philadelphis.
Fra Diavolo. Theodore Habelman Zerline. Muse Johanna Rotter Lord Allcash. Joseph Weinlich Lady Allcash. A" me Picconazzi Lorenzo. Jean armand Jac mo ? Robbers Heinrich Steinsuke Main. Otto Libraian Mr. Hermanns will introduce Russel's popular Isinco...Orto Lebasan Air Hermanns will introduce Russel's popular Sallad, I'M AFLOA.. I'M AFLOAF." CONDUCTOR ..... ADOLPH NEUENDORF

ERIDAY, March 9,

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Meyerbeer's world-renowned, grand masterwork,

LES HUGUENOTS.

The Director regrets to announce that be received a note from Mr. Theodore Formes, informing him that sangering from a severe cantrib, and will be

a note from Mr. Theodore Formes, informing him that he is suffering from a severe catarch, and will be unable to make his debut on this occasion.

MR FRANZ HIMMER
will take the role of RAOUL, acknowledged as one of his best assumptions.
The public understand that always when under this direction any change in the repertoire is necessitated, seats may be exchanged or resecuted by application any time before performance.

GRAND FAREWELL MATINEE. romantio Opera.

Tickets for Malines, St to all parts of the house. No extra charge for secured seats, which can now be had at Trumpler's Store, or at the Academy.

#### INSTRUCTION.

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For circulars, address the Principal.

2 22thm20t WEST GROVE, Pa.

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delphia

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Thomas O. Webb, Esq., Deputy Prothonotary Court C.
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A suitable description of the property of this Company, and the great advantage offsred by it over any other company organized in this country, cannot be given in a limited advertisement. Fall information may be obtained at the office of the Company, where maps of Mill Creek mining district and the ledges of the Company, prospectus with full particulars, and specimens of soid bearing quartz and silver ores, taken from the ledges owned by the Company, may be seen; to which the attention of the public is respectivity invited. invited.
Subscription books for the stock of the Company are now open, at the principal office, No. 26 South Third Orders for stock, by mail or express, will be promptly attended to; and those wishins any additional information can obtain the same, by applying, either in person or through the mails, to H. H. WAINWRIGHT,

At the Company's Office No. 26 S. 1 HIRD S rest.
Philadelphis BRANCH OFFICES—No. 506 North Third street, an No. 128 South Sixth street, Philadelphia. 37 3t

INSURE YOUR LIFE

IN YOUR OWN HOME COMPANY. THE

AMERICAN.

OF PHILADELPHIA.

S. E. Corner of Fourth and Walnut Sts. Insurers in this Company have the additional guarantee of the CAPITAL STOCK all paid up IN CASH, which, together with CASH ASSEIS, now on hand

81,143,87474,

Invested as follows :--100,000 U. S. 5-20 Bonds.
100,000 U. S. 5-20 Bonds.
100,000 Ciry of Philadelphia Loan, 6's, new 10,000 U. S. 1 reasury Sotes, 7 30.
25,000 Alegheny County Bonds.
10 600 U. S. 1 oas of 1881.
10 600 Wyoming Valley Canal Bonds.
12 700 Compound Interest Treasury Notes 10,000 Philadelphia and Eric Hailroad Bonds.
10,000 Philadelphia and Eric Hailroad Bonds.
Riftroad Bonds.
Riftroad Bonds.
16,500 City of Pittsburg and other Bonds. 10,000 Pittsburg, Fort Wayne and Chicago
Riiroad Bends.

16,500 City of Pittsburg and other Bonds.

1,600 Reading Railroad Bonds.

450 shares Pennsylvania Railroad.

450 shares Corn Exchange National
Bank.

107 shares Famera' National Bank of
Reading.

22 shs. Consolidation National Bank it lashares Willamsport Water Company
Morigages Ground Rents, and Real Estato...
Loans on collateral amply secured.

Premium notes secured by policies.
Cash in hands of agents secured by bonds.
Cash on deposit with U. S. Treasurer.
Cash on hand and in banks.

Accrued interest and rents due Jan. I...

INCOME FOR THE YEAR 1865.

8461,061-45

\$544,492'92.

Losses Paid During the Year Amounting to

\$87,636'31.

LOSSES PAID PROMPTLY. DIVIDENDS MADE ANNUALLY, thus aiding the The last DIVIDEND on all Mutual Policies in force January 1, 1866, was

FIFTY PER CENT. Of the amount of PREMIUMS received during the

year 1865. Its TRUSTEES are well-known elitzens in our midst, entitling it to more consideration than those whose managers reside in distant cities.

William J. Howard, Samuel T. Bodine, John Alkman. Henry K. Bennett, Hon Joseph Allison, Isaac Haziehurst. Alexander Whilldin, J. Edgar Themson, George Nusent, Hon. James Pollock, Albert C. Roberts, P. B. Mingle, Samuel Work,

ALEXANDER WHILLDIN, President SAMUEL WORK, Vice-President.

JOHN C. SIMS, Actuary.

JOHN S. WILSON, Secretary and Treasurer. A few first rate convassers wanted. 2 15 thstu2m4p

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OLD GOVERNMENT JAVA COFFEE, ETC.

2 15 lm

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