THE CITY POST.

TUESDAY MORNING.....FEBRUARY 1.

RAILROAD ACCIDENT.—The following telegraph despatch came to us yesterday morning:

PHILADELPHIA, January 31.

The Rail broke near Christina, on the Central Railroad, yesterday morning at eight o'clock, while the Pittsburgh train was passing. We have as yet no names of those injured, but learn that two gentlemen, said to be contractors of the Pittsburgh Cathedral; had both legs and arms broken. Their recovery is hopeless.

The last car, containing ten persons, fell down an embankment, and the stove set fire to the car, which was entirely destroyed, besides some valuable baggage belonging to the passengers.

The persons mentioned as belonging to this city, who were injured, are Messrs. BAUERDICK and MORGANTOWN. Mr. Rothberger is the architect of the new Cathedral, and is well known to our citizens as a man of genius and talent. Mr. Morgantoth is well known as a carver and sculptor, and is also engaged in the stucco work on the new Cathedral.—Mr. M. was but slightly injured, while his companion, Mr. Rothberger, had both arms and his thigh broken.

IMPORTANT DECISION ON THE LICENSE QUESTION.—Judge M'Clure yesterday morning read his opinion in the case of Henry Rhea, indicted for keeping a tippling house.

This case was argued by Messrs. Bruce and Alden, a few days since. The counsel for defence, in their argument, did not deny that Rhea sold vinious, spirituous and malt liquors in less measure than a quart, but based their argument upon the local act of the legislature, which applies to this county; they stated that a fair construction of this act rendered it imperative on the Court to grant a license where the petitioners come into Court and testify under oath, that the tavern applied for is necessary; and that the word "may" which occurs in the act means "must." Rhea having filing ample accommodations for keeping a public house, and such house being necessary, it was contended that the Court erred in refusing the license. This was the case as made out by Rhea's counsel.

The Court, in giving their opinion, stated that remonstrances were presented to granting the petition signed by 665 remonstrants residing in the Sixth ward—many of the remonstrants well-known citizens. The opinion then states:

"When the Court was considering the license applications for March term these signers (of Rhea's petition) and others were examined in open Court, under oath, as also many witnesses on behalf of the remonstrants, and after a protracted investigation, the Court refused the license on the ground that the tavern was not necessary, and on that ground alone; and stated further that it was refused on the ground that it was not necessary, based upon the testimony of the signers to the applicant's petition, independent of the testimony on behalf of the remonstrants, for it must be borne in mind that not all the petitioners swore to what they certified.—* * * * * * * The Court chose to refuse the license on the ground that the tavern was not necessary, without assigning other reasons, for this was sufficient.

It is argued from the words of the statute that "may" means "must," and that the act of assembly, and the payment of license to the treasurer, makes a contract between the State and the applicant.

If it be a contract, all reference to the Court in the act is superfluous, and all application to the Court superfluous.—All the Court could then do, would be to enforce the contract; it could neither reject nor grant, and could exercise no discretion. It could only enforce the contract, not by petition, but by action.

With regard to the word "may" occurring in statutes, it is very true that this important word is sometimes permissive and sometimes imperative. Words of permission shall in certain cases be obligatory.

When a statute directs the doing of a thing for the sake of *justice*, the word *may* means the same as the word *shall*.... The statute, 23 Henry, 6 ch. 10, says the Sheriff may take bail—the construction is that he shall be bound to take it. Statute says a thing *may* be done which is *for public benefit*, it shall be construed that it *must* be done. Dusrris on statutes, page 765.*

This is the question of justice, but expediency—nor of public benefit—far from it."

The Judge stated that the place allowed the tavern was unnecessary, but the remonstrance of 665 persons convinced the Court that it was unnecessary. His honor continued—

"The granting of this license would have been a plain and palpable violation of law, with the mass of evidence the Court had before it.

In all the legislation on the subject of licenses for 149 years, there is no act to be found where the legislature says the Court *shall not* grant a license, but there are many restrictions of acts wherein the legislature says imperatively that the Court "*shall not*" grant a license, unless certain requirements are complied with.

This act of 1851 was passed "not to assert the obtaining of licenses but to throw difficulties in the way of obtaining them—not to compel the Court, but to restrain the Court which is apparent in its face.

The power vested in this Court, on the subject of licenses is not mandatory, but permissive, and discretionary, with certain restrictions.

The case we are living is of but little importance compared with the question of public concern involved in it."

The Judge went on to say, that in this case, the question on the construction of the act fairly came upon the applicant was an honest, temperate man, and had provided accommodations for the public. But the Judge added, what was ruled and decided in this case, must apply to all cases—if *may* means *must*, then the Court is bound to grant licenses in all cases where the certificate swear to the truth of the contents of the petition, even when the Court knows the statements to be untrue.

The Judge stated as a true characteter of the petitions presented to him. Some of the petitioners who were certified to be temperate men, were noted drunkards; one while waiting in Court, had fallen into a drunkards apoplectic sleep; one died a few weeks after he presented the petition, of manifest pots, and others where the house spoken of was a room 8 by 10, and its sole furniture, a few glasses, a counter, and a barrel of whisky; and other petitions as bad. His honor then says:

"In view of these things, and many other fatal consequences, that might be estranged upon it, it is clear that *may* does not mean *shall*, in the act of Assembly.

But the act itself is plain, "if it shall appear by the oath or affirmation of said signers, that such inn or tavern is necessary, the Court may grant such license, and not otherwise."

If it shall appear, to whom? to the applicant? to the signers of his petition? the witnesses? the counsel for the applicant? certainly not. If it shall appear *"to the court"* in this the act is plain and explicit, for any other construction is to make every petitioner the judge in his own case, or if not the petitioner—then his certifiers, the sole judges in every case.

This case is withdrawn by the pleading, from the jury, and it is a misdemeanor only, with which defendant is charged. The Court will, therefore, proceed to pass sentence, having adjudged in favor of the Commonwealth, and against defendant."

Judge M'Clure then sentenced Mr. Rhea to pay a fine of $20 and costs, on each of the three indictments.

THE COMMISSIONERS AND THE SHERIFF.—A motion was made before Judge M'Clure yesterday, by Mr. Sewell and Mr. Woods, counsel for the Commissioners, providing that the Court should appoint a keeper for the county jail. The Court directed that they should put the motion in the form of a petition, and present it on Wednesday morning.

This simple announcement covers the much talked of plans of the Commissioners, of taking the appointing of a jailor out of the hands of the Sheriff. The law on which the above motion is founded, dates as far back as 1767, when an act entitled, "an act to prevent the mischiefs arising from the increase of vagabonds, and other idle and disorderly persons," was passed. "The fifth section of this act, provides that the Justices of the Quarter Sessions shall, as often as there may be occasion, nominate and appoint some capable, discreet and prudent person to be the keeper of a workhouse, (a jail) where, the law provides, vagabonds and such characters shall be confined. The law further provides, that the Commissioners shall have jurisdiction over said workhouse, the proceeds and profits of the work performed, to be paid into the County Treasury. The law providing for the erection of workhouses in each county, was passed in 1705. The act provides for the erection of jails in the several counties, which shall be workhouses, until others are provided for thieves, felons, vagrants and idle persons.

It is supposed by some, that the act creating Penitentiaries would annul this old law: but it is not so, as the large class of persons who are confined in the jail, come under the act of 1767, and are known as vagrants, and disorderly and drunken persons.

The petition will come up on Wednesday next, when, we suppose, the matter will be argued. Mr. Darragh appears for the Sheriff.

RACE AND ARREST.—A pick-pocket yesterday, picked the pocket of a lady in Davis' auction room, of a purse containing a small sum of money. The lady, named Catharine Krent made an information of the fact before the Mayor, and officers were sent after the light fingered one. The thief smelt the rat, and made off, closely followed by the officers; the former was finally caught arrested in a lot of rubbish, to the rear of our office. The thief was taken to the Mayor's office where his brother was, he having also been arrested.—The two were committed to jail. Their names are Lewis and Silas Trenner.

HARPER'S MAGAZINE.—Miner & Co., No. 32, Smithfield-st., have received Harper's Magazine for February. This number is an unusually interesting one, containing in part Abbott's Continuation of Memoirs of the Holy Land; Crusoe's Life and Adventures on the Island of Juan Fernandez, by J. Ross Browne; Napoleon Bonaparte, with Illustrations; Making Hay while the Sun Shines, by J. Smythe, Jr. Together with a choice selection of miscellaneous articles from the foreign Journals.

MOTION OVERRULED.—SENTENCE OF CASSIDAY.—Judge M'Clure yesterday delivered a short opinion, overruling the motion made and argued by Mr. Hampton for a new trial in the case of the Commonwealth vs. John H. Cassiday convicted of false pretences.

His honor then proceeded to pass sentence upon the prisoner. The Judge sentenced him to pay a fine of $250.00, the costs of prosecution, and undergo an imprisonment in the county jail, for six months.

PETTY LARCENY.—A man named Beck made an information yesterday before Ald. Parkinson, charging a German woman, name unknown with entering his house yesterday and stealing a number of little articles, valued altogether at one dollar. A warrant was issued.

SUSPICIOUS.—A man named Hawkins was found lurking near the outer depot of the Ohio and Pennsylvania Railroad on Sunday night. A bunch of matches, and other suspicious articles were found in the possession of Hawkins. He was committed to jail for vagrancy.

THE METROPOLITAN SERENADERS made their first appearance last evening, when they were greeted by a full house. As their stay in our city will be short, all should pay them a visit. To see *Cool White*, the great Shaksperian jester, is alone worth the price of admission.

BURGLARS ARRESTED.—Wagner's shoe store in Manchester, was entered on Saturday night, and a considerable quantity of merchandize taken. A person residing in Allegheny, was arrested for the burglary, and held to bail for a further hearing.

INDISPOSED.—The Librarian of the Young Men's Library, has been so unwell for several days past, as to be unable to attend to his duties.

MAYOR PARK, for assault and battery, yesterday held Lydia Craig to bail. The assault was perpetrated on a woman named Nancy Watson.

A SPECIAL MEETING of the city Councils was held on Friday night last, to take into consideration the propriety of addressing the Councils of Philadelphia, in reference to the contemplated subscription of that city, to the Hempfield Railroad.

Mr. Lorenz in the Select Council offered the following resolution:—

[Whereas, Information has been conveyed to the Councils of this city, that an application has been made to the Councils of the city of Philadelphia for a subscription to the Hempfield Railroad; and whereas, the carrying out of that work is calculated to have a prejudicial influence upon the trade and travel of this city, and that such an appropriation of the credit of the city of Philadelphia, can be looked upon in no other light than a most unfriendly act, tending to promote the prosperity of a city in another State, to the great detriment, besides some valuable baggage belonging to the passengers.

The persons mentioned as belonging to this city, who were injured, are Messrs. BAUERDICK and MORGANTOWN. Mr. Rothberger is the architect of the new Cathedral, and is well known to our citizens as a man of genius and talent. Mr. Morgantoth is well known as a carver and sculptor, and is also engaged in the stucco work on the new Cathedral.—Mr. M. was but slightly injured, while his companion, Mr. Rothberger, had both arms and his thigh broken.

Resolved, That a Committee consisting of the Presidents, and one number from the Select Council, and two from Common Council, be appointed a committe to correspond with the Councils of the city of Philadelphia, deprecating any appropriation of money or credit to the contemplated work; setting forth their reasons for asking the said Councils of the city of Philadelphia to abstain from a movement so well calculated to engender feelings in this community of permanent unkindness.

The preamble and resolution were passed. Mr. Lorenz on the part of the Select Council, and Messrs. Hissel and Mackey on the part of the Common Council, together with Messrs. Shipton and Marshall, the Presidents of Councils, were appointed the committee.

YOUNG MAN'S MERCANTILE LIBRARY AND MECHANICS' INSTITUTE.—New members added during the month of January, 1853:

F. R. Lorenz,	A. W. Fentland,
W. G. Miller,	Charles W. Bonton,
N. G. Macrum,	David Macrum,
George W. Leonard,	John A. Copley,
David A. Boles,	Charles M. Robinson,
James Cuddy,	Joseph H. Rhodes,
D. W. C. Bidwell,	Dominic Flaven,
W. H. Forsyth,	L. R. Livingston,
J. J. Sicbenick,	Samuel M. Muir,
John Hunsicker,	George Black,
H. B. Collins,	Wm. H. Kirkpatrick,
Wm. Hoyer,	James H. Wright,
James White, Jr.,	H. D. Rutton,
Samuel Steckhouse,	Thomas B. Hamilton,
Marcus W. Acheson,	J. H. Bernhaun,

JAMES S. M'NARAN, Librarian.

DISTRICT COURT.—Before Judge Williams.

Alex. Hunter va.W. W. Wallace: No. 40, November Term, 1851. Action of ejectment. Williams for plaintiff, and M. and J. H. Hampton for defence. On trial.

Before Judge Shannon.

Robert M'Kean vs. Robert C. Holmes: No. 471, November Term, 1851. Selden for plaintiff, and Shaler and Staunton for defence.

Alex. Scott vs. Pitt township; No. 480, July Term, 1850.—Judgment by default.

Selger vs. Miller, Church & Co. This was a suit to obtain the amount of a bill of exchange, drawn by plaintiff, and accepted by defendants. The bill amounted to $600. Spowden for plaintiff, and Selden and Cochran for defence.

UNPROVOKED ASSAULT.—A man named Browne, and his wife, were attacked by a number of rowdies at an early hour on Sunday morning, as they were proceeding home from the Theatre, where they were employed. The attack was cowardly and unprovoked. Mr. Browne was badly hurt, and his wife insulted in a gross, cowardly and ungentlemanly manner, by the well dressed ruffians.

FALSE PRETENCE.—Charles Waller made an information before Ald. Parkinson, yesterday morning charging Anthony Waller of Allegheny City, with false pretences in obtaining the sum of five dollars. Waller pretended money was coming to him, out of which he would refund that which he borrowed. The difficulty was settled, by Waller paying the money.

STOLEN PROPERTY.—Officer Hagne has in his possession a number of porte monnaies, and purses containing small sums of money which are supposed to have been stolen. The owners can recover the property, by calling and identifying it.

FOR EUROPE.—Mr. O'Neil, the reporter for the Daily Dispatch, left on Sunday morning, on a visit to his native "the green isle of the ocean."

A SUM OF MONEY was found in front of our office yesterday afternoon, which the owner can have by calling at the office.

AUCTION SALES.

Auction Card.

THE undersigned, after an interval of four years, has again resumed business at his old stand with the requisite qualifications of his law regulating Sales at Auction, and having procured a first class License as Auctioneer for the City of Pittsburgh, he offers his services as such to the citizens and the public generally. With an experience of nearly thirty years in this line of business, he hazards nothing in saying that he will be enabled to give entire satisfaction to all those who may feel disposed to patronize him.

P. McKENNA, Auctioneer.

Refers to the principal City Merchants. jy9

Auction—Daily Sales.

AT the Commercial Sales Rooms, corner of Wood and Fifth streets, at 10 o'clock, A. M., a general assortment of Seasonable, Staple and Fancy Dry Goods, Clothing, Boots and Shoes, Hats, Caps, &c.,

AT 2 O'CLOCK, P. M.

Groceries, Queensware, Glassware, Table Cutlery, Looking Glasses, New and Second Hand Household and Kitchen Furniture, &c.

AT 7 O'CLOCK, P. M.

Books, Stationery, Fancy Articles, Musical Instruments, Hardware and Cutlery, Clothing, Variety Goods, Gold and Silver watches, &c. P. M. DAVIS, Auctioneer. jan31

P. McKENNA, Auctioneer.

VALUABLE CITY PROPERTY FOR SALE.—All that certain Lot of Ground, situate in the City of Pittsburgh, bounded and described as follows: to wit: Beginning at a point on the northern side of Pennsylvania Avenue, distant from its intersection with Federal street 63 feet 10 inches; running thence along said avenue westwardly 21 feet and 6inches; thence northwardly and parallel with Federal street 90 feet and 11½ inches to the line of property heretofore sold to Samuel Wylie; thence eastwardly 21 feet and thence parallel with Wylie street eastwardly 19 feet; and thence 90 feet and 13¾ inches to the place of beginning, be the contents what they may. Thereon is erected a Brick House, suitable for Dwelling or Store. Also, that certain Lot of Ground, situate in the Third Ward bounded and described as follows, to-wit: Beginning at the corner of Wylie and Tunnel streets; thence along Wylie street 140 feet; thence parallel with Webster street 100 feet; thence along Tunnel street 15 feet to the place of beginning. On which are erected a Bakery and Confectionary Store. Terms: one-third cash; the balance in five equal annual payments.

P. M'KENNA, Auct'r.

jan15

P. M. DAVIS, Auctioneer.

PEREMPTORY SALE OF DRY GOODS, &c.—On Wednesday morning, February 2d, at 10 o'clock, at the Commercial Sales Rooms, corner of Wood and Fifth streets, will be sold by virtue of an attachment against the assortment of Dry Goods, &c., among which are—Broad cloths, cassimeres, satinets, tweeds, flannels, blankets, alpacas linen and woolen drillings, ginghams, prints, barred linens, bleached and brown muslins, colored cambric, hosiery, gloves, pins, needles, thread, buttons, hooks and eyes, &c.

feb1 P. M. DAVIS, Auct.

W. G. McCARTNEY, Auctioneer.

FURNITURE, GLASS, QUEENSWARE, &c., AT AUCTION. This afternoon, (Tuesday) February 1st instant, at 2 o'clock, will be sold at Auction Rooms No. 145 Wood street, various lots of new and second hand Furniture, viz: bedsteads, chairs, tables, window shades, crockery, glassware, school desks, &c. Also, a lot of hemp rope; 10 cases specie and equal jars, glass sugar bowls, salt cellars, &c.

feb1 W. G. M'CARTNEY, Auct'r.

EVENING SALES OF DRY GOODS, WATCHES, JEWELRY, &c.—Will be sold every evening this week, at M'Cartney's Auction Rooms, No. 145 Wood street, commencing at early gas light, various invoices of seasonable Dry Goods, suitable for the trade and private families. Watches, Jewelry and Fancy articles. Also, several invoices and consignments of new and second hand Gold and Silver Watches, Gold Jewelry, with lots of Variety articles.

feb1 W. G. M'CARTNEY, Auct'r.

GREAT SALE—A MARKET STREET DRY GOODS STORE, Every Evening and Friday Afternoon, at 3 o'clock, and on Wednesday and Saturdays, at 9½ A. M., and the balance of each week, at private sale, and sales will be continued every day and evening, (until all are sold), commencing January 4th, 1853, at A. M'Tighe's, 73 Market street, between Fourth street and the Diamond. Having determined to quit the Dry Goods business, I now offer my entire stock of Fancy and Staple Dry Goods at cost. The Goods are new and of the latest and most approved styles, and have been all purchased for cash, at the lowest prices: consequently, persons buying at this sale may rely upon getting goods at such prices as to cause a sudden heart of it in this part of the country. Ladies wishing to secure bargains, would do well to call in time, as the determination is to have the whole stock disposed of as soon as possible, the proprietor being about to embark in other business.

A. M'TIGHE.

W. G. M'CARTNEY, Auct'r.

jan21

☞ AGAIN!—REMOVAL.—The undersigned announces that he has removed to the new and commodious four story brick Warehouse, No. 145, situate on the corner of Wood street and Virgin Alley, and is now prepared to conduct the auction and commission business in its various departments, on the most enlarged and liberal plans.

He will receive and sell by Auction, or on Commission, all consignments of Foreign and Domestic Dry Goods, Boots and Shoes, Hardware, Cutlery, Glass and Queensware, Paints, Variables, Gold and Silver Watches, Jewelry, new and second-hand Furniture, &c. And from the size and convenience of his Sales Rooms, (which are the largest in the city,) for the exhibition of Goods consigned, he confidently solicits public patronage.

Especial and prompt attention paid to sales of Real Estate; to out-door sales of Household Furniture; and to all kinds of Merchandize in stores.

Liberal cash advances made on all consignments for sale by auction.

jan1 W. G. McCARTNEY, Auctioneer.

VERMILION — 400lbs. Tieuman's and Lewis & Co.'s manufacture, for sale by

jan29 J. KIDD & CO.

CHROME YELLOW—200lbs. Tieuman's and Lewis & Co.'s brands, of various shades, for sale by

jan29 J. KIDD & CO.

NOTICE.—W. E. SCHMERTZ, at No. 107 Market street, is selling his large stock of BOOTS, SHOES and GUMS, at greatly reduced prices. jan28

JOHN GHOUTT,

SUCCESSOR to MARTIN M'LAUGHLIN, Importer of BRANDIES, GIN, WINES, &c. Also—Dealer in *Fine Old Whisky* and *Peach Brandy*, corner of Smithfield and First streets, Pittsburgh, Pa. jan14tf

CHOCOLATE—10 boxes Baker's No. 1 chocolate; 5 boxes Boston do; 5 boxes sweet spiced do; 3 boxes Carracoa Baker's Cracked Cocoa; Baker's Breakfast Cocoa; for sale on liberal prices, by

J. LAVELY & CO.,

jan6 No. 235 Liberty street.

BACON—16 hhds. prime Bacon Hams;

6 do Shoulders.

Just from smoke house, and for sale by

jan26 SMITH & SINCLAIR.

Nos. 80 and 81 Water, and 62 Front street.

Agricultural Notice.

THE Committee, consisting of A. G. Meister, Algernon S. Roberts, and Robert M'Allister, appointed on the 10th December, last, to receive proposals from places competing for the holding of the Second Annual Exhibition of the PENNSYLVANIA STATE AGRICULTURAL SOCIETY, reported progress to the Executive Committee, on the 17th instant, and had leave to report on the subject at the next meeting of the Executive Committee.

Persons sending on proposals, will please to direct to Hon. A. G. Meister, Harrisburg, P. O.

ROBERT C. WALKER, Sec'y.

Harrisburg, January 19, 1853. jan22w

TELEGRAPHIC.

By the O'Reilly Lines for the Morning Post.

CONGRESSIONAL.

WASHINGTON, Jan. 31.

HOUSE.—Mr. Buell's death was announced, and the usual resolutions passed. The House then immediately adjourned.

SENATE.—A committee was appointed to act with a committee from the House to count the return of votes for President and Vice President.

Mr. Hale presented a memorial from the Pennsylvania Society for the abrogation of Slavery, and for the relief of free negroes unlawfully held in bondage; and also asking for the repeal or modification of the Slave Act to some constitutional conformity.

Mr. Cooper presented a petition from Philadelphia, praying for the construction of a post railroad from Philadelphia to New York?

Mr. Cass presented various petitions praying for the intervention of this government to protect American citizens in their religious worship. Referred.

Mr. Buell's death was then announced.

PENNSYLVANIA LEGISLATURE.

HARRISBURG, Jan. 31.

SENATE.—The Senate, on motion of Mr. Darrie, took up and passed a supplement to an Act incorporating the Pittsburgh Saving Fund Company.

HOUSE.—The bill to charter the Cloveland and Mahoning Railroad, passed the Committee of the Whole, upon a second reading. A debate ensued, and the House adjourned without disposing of the bill.

The Governor signed the bill to charter the Board of Cotportage of Pittsburgh.

LATEST FROM EUROPE.

ARRIVAL OF THE STEAMSHIP AFRICA.

NEW YORK, January 31.

The steamer Africa arrived last evening from Liverpool, which she left on Sunday the 16th; and brings sixty-seven passengers.

The French government has made a contract with Virginia for tobacco at 96 francs, 97 centimes per 100 kilogrammes; Kentucky 72f 31c, and Maryland 85f 53c.

Minister Rives has presented his credentials to Napoleon.

It is reported that a territorial misunderstanding exists between France and Austria.

The Isula mail has been telegraphed. Pegu has been taken and annexed to the cape.

The markets to Australia are active.

The Daily News announces that Kossuth is coming to America to stir up the Democrats.

The Africa brings a large amount of Colman & Stolfoth's bills.

E. Werthemann, of Amsterdam, has failed for £30,000, in consequence of the Brest forgeries.

Mr. Ingersoll has been invited to dine at Birmingham.

The Provincialist from Philadelphia for Liverpool, has been lost. All her crew were saved.

A large foreign fleet was wind-bound in the Mersey at Liverpool.

The Philadelphia Steamship Company have contracted for a new screw steamer of 2200 tons.

The Prussian government has contracted for 53 screw steamers of 1000 tons to ply between Cherbourg and the ports of America.

The death of Maillai is not confirmed.

Then Baillie is open at Riga, but the weather is unprecedented.

In consequence of scandal, relative to Gen. Lt. Armand's speculations, the Emperor has ordered a committee to inspect every part of the War Department.

There is some sharp criticisms in the London papers on Mr. Ingersoll's Manchester speech. He is charged in some quarters of misrepresenting the British institutions.

Various reasons are given for the delay in the sailing of the Africa. One relates to difficulties with the British Consul at Cork, and another to the unwillingness of the steamship to sail on Sunday. Another relative to a final settlement of disputed points with the United States, which it is desirous the information should be in possession of the Queen before Mr. Buchanan's retirement. Another, in order to forward to Canada the Cabinet's decision relative to the clergy reserves.

The ship Jessie from Philadelphia, is out 30 days, having put into Madeira, on the 5th inst., short of water.

LOUISVILLE.—LIVERPOOL MARKETS.—Tallow, dull at 1s, decline. Irish Butter has risen too high for shipment to America. There has been no arrivals since Rowe's report. Small consignment of new York Pea Tobacco, unchanged in prices. Sugar and Coffee, unchanged. Cotton.—There has been a better demand for cotton to-day, particularly in the better qualities of American. The sales for the week were 43,730 bales, of which, 4800 were on speculation and for export. On Saturday the sales reached 6000 bales, of which 2000 were on speculation. The market closed steadily at the following rates: Fair Orleans, 6d; middling, 5¼; fair Dholera, 4¾.

Breadstuffs.—Wheat is in fair demand at the full rates of last week. Flour, in retail lots, is scarce and prices are maintained. Indian Corn, held firm, and in demand for floating cargoes.

Provisions.—No sales of Pork. Lard, nominally 6d. retail. McHenry quotes Irish Bacon is dearer, with an advancing tendency. Beef is good enquiry. Irish butter has advanced 2s. The loss of the ship Hindoo, from Philadelphia, with 500 bbls of Bark, has induced a speculative demand; held at above 10s. Breadstuffs have improved with a speculative demand. Corn held for 30s. Oats, 20s. Barley and advance. Corn quiet. Beef in demand; holders ask higher rates.

Bramhatm quotes Breadstuffs as firmer. Wheat 1½d dearer, on the week's sales. No quotable change in Flour, but firmer. Provisions and Philadelphia 27-8@28-3. White wheat 7-5@8 for red, and 7@7-4 for mixed.

The Portuguese tariff acts unfavorably to English interests.

The weather continues wet.

The metal markets are fully sustained, except Scotch pig, which is two or three shillings lower.

At Manchester trade was quiet and prices uninfluenced.

London—Business was generally dull in the Stock Exchange to-day. Consols left off at 99¾@100 for money. Bullion in the Bank of England has declined £20,000. In American stocks there is no animation to-day, and the amount of business done is moderate during the past month. Consols 99¾@99¾ for money and account. Freights to New York 70s. Sales of the week 3000.

HAVRE.—The Budget for 1854 is prepared. Funds buoyant; fives closing at 103f 25c; threes 80f 50c.

MARSEILLES.—Exchange on London is 25c. Sales of Cassonade, Staple and Fancy Dry Goods, Clothing, Boots and Shoes, Hats, Caps, &c.,

AT 2 O'CLOCK, P. M.

Groceries, Queensware, Glassware, Table Cutlery, Looking Glasses, New and Second Hand Household and Kitchen Furniture, &c.

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jan15

P. M. DAVIS, Auctioneer.

PEREMPTORY SALE OF DRY GOODS, &c.—On Wednesday morning, February 2d, at 10 o'clock, at the Commercial Sales Rooms, corner of Wood and Fifth streets, will be sold by virtue of an attachment against the assortment of Dry Goods, &c., among which are—Broad cloths, cassimeres, satinets, tweeds, flannels, blankets, alpacas linen and woolen drillings, ginghams, prints, barred linens, bleached and brown muslins, colored cambric, hosiery, gloves, pins, needles, thread, buttons, hooks and eyes, &c.

feb1 P. M. DAVIS, Auct'r.

W. G. McCARTNEY, Auctioneer.

FURNITURE, GLASS, QUEENSWARE, &c., AT AUCTION. This afternoon, (Tuesday) February 1st instant, at 2 o'clock, will be sold at Auction Rooms No. 145 Wood street, various lots of new and second hand Furniture, viz: bedsteads, chairs, tables, window shades, crockery, glassware, school desks, &c. Also, a lot of hemp rope; 10 cases specie and equal jars, glass sugar bowls, salt cellars, &c.

feb1 W. G. M'CARTNEY, Auct'r.

EVENING SALES OF DRY GOODS, WATCHES, JEWELRY, &c.—Will be sold every evening this week, at M'Cartney's Auction Rooms, No. 145 Wood street, commencing at early gas light, various invoices of seasonable Dry Goods, suitable for the trade and private families. Watches, Jewelry and Fancy articles. Also, several invoices and consignments of new and second hand Gold and Silver Watches, Gold Jewelry, with lots of Variety articles.

feb1 W. G. M'CARTNEY, Auct'r.

GREAT SALE—A MARKET STREET DRY GOODS STORE, Every Evening and Friday Afternoon, at 3 o'clock, and on Wednesday and Saturdays, at 9½ A. M., and the balance of each week, at private sale, and sales will be continued every day and evening, (until all are sold), commencing January 4th, 1853, at A. M'Tighe's, 73 Market street, between Fourth street and the Diamond. Having determined to quit the Dry Goods business, I now offer my entire stock of Fancy and Staple Dry Goods at cost. The Goods are new and of the latest and most approved styles, and have been all purchased for cash, at the lowest prices: consequently, persons buying at this sale may rely upon getting goods at such prices as to cause a sudden heart of it in this part of the country. Ladies wishing to secure bargains, would do well to call in time, as the determination is to have the whole stock disposed of as soon as possible, the proprietor being about to embark in other business.

A. M'TIGHE.

W. G. M'CARTNEY, Auct'r.

jan21

☞ AGAIN!—REMOVAL.—The undersigned announces that he has removed to the new and commodious four story brick Warehouse, No. 145, situate on the corner of Wood street and Virgin Alley, and is now prepared to conduct the auction and commission business in its various departments, on the most enlarged and liberal plans.

He will receive and sell by Auction, or on Commission, all consignments of Foreign and Domestic Dry Goods, Boots and Shoes, Hardware, Cutlery, Glass and Queensware, Paints, Variables, Gold and Silver Watches, Jewelry, new and second-hand Furniture, &c. And from the size and convenience of his Sales Rooms, (which are the largest in the city,) for the exhibition of Goods consigned, he confidently solicits public patronage.

Especial and prompt attention paid to sales of Real Estate; to out-door sales of Household Furniture; and to all kinds of Merchandize in stores.

Liberal cash advances made on all consignments for sale by auction.

jan1 W. G. McCARTNEY, Auctioneer.

VERMILION — 400lbs. Tieuman's and Lewis & Co.'s manufacture, for sale by

jan29 J. KIDD & CO.

CHROME YELLOW—200lbs. Tieuman's and Lewis & Co.'s brands, of various shades, for sale by

jan29 J. KIDD & CO.

NOTICE.—W. E. SCHMERTZ, at No. 107 Market street, is selling his large stock of BOOTS, SHOES and GUMS, at greatly reduced prices. jan28

JOHN GHOUTT,

SUCCESSOR to MARTIN M'LAUGHLIN, Importer of BRANDIES, GIN, WINES, &c. Also—Dealer in *Fine Old Whisky* and *Peach Brandy*, corner of Smithfield and First streets, Pittsburgh, Pa. jan14tf

CHOCOLATE—10 boxes Baker's No. 1 chocolate; 5 boxes Boston do; 5 boxes sweet spiced do; 3 boxes Carracoa Baker's Cracked Cocoa; Baker's Breakfast Cocoa; for sale on liberal prices, by

J. LAVELY & CO.,

jan6 No. 235 Liberty street.

BACON—16 hhds. prime Bacon Hams;

6 do Shoulders.

Just from smoke house, and for sale by

jan26 SMITH & SINCLAIR.

Nos. 80 and 81 Water, and 62 Front street.

Agricultural Notice.

THE Committee, consisting of A. G. Meister, Algernon S. Roberts, and Robert M'Allister, appointed on the 10th December, last, to receive proposals from places competing for the holding of the Second Annual Exhibition of the PENNSYLVANIA STATE AGRICULTURAL SOCIETY, reported progress to the Executive Committee, on the 17th instant, and had leave to report on the subject at the next meeting of the Executive Committee.

Persons sending on proposals, will please to direct to Hon. A. G. Meister, Harrisburg, P. O.

ROBERT C. WALKER, Sec'y.

Harrisburg, January 19, 1853. jan22w

COMMERCIAL POST.

DAILY REVIEW OF PITTSBURGH MARKET.

OFFICE OF THE DAILY MORNING POST,
Tuesday, February 1, 1853.

The weather yesterday continued warm and pleasant. In business we have no new feature to note. Should this thaw continue a few days longer our rivers will again open, when receipts of produce, &c., will come forward and business improve.

MACKEREL.—The market continues firm, with sales of 50 bbls No. 3 large at $9.25, 4 months.

WHITE LEAD.—We note sales regularly of pure white lead at $2,25 ₱ keg. Manufacturers have advanced prices in consequence of the advance in Pig Lead.

POTATOES.—Sales of 45 bbls Neshannocks at $1.00 ₱ bbl.

CLOVERSEED.—Sales of 14 bbls at $5,00.

HOPS.—Sales of 9 bales western at 22.

WHISKY.—Sales of 40 bbls at 22.

FLOUR.—There is but little offering, and sales limited: we have no change to notice in price; we quote sales of 75 bbls in lots from store at $4,40@4,45; 50 bbls at $4,40.

BACON.—The market continues quiet, withsales only in small lots to the trade. We quote shoulders at 7¾; sides 8¾; hams 9½.

COMMERCIAL SUMMARY.

CINCINNATI, January 29.

The river has fallen ten inches during the last 24 hours, and is now full of floating ice.

FLOUR.—The market continues very dull, and the only sale heard of was 149 bbls choice bakers' brand from Hamilton R. R. at $4,31. We quote $4,30@4,25 for good common brands, with a very moderate demand, but there is not much offering, and the receipts as well as the stocks are light.

PROVISIONS.—There was a further decline to-day in bulk meat, but a large business was done, the sales reaching fully 1,400,000 lbs, including 25,000 lbs Shoulders at 5¾, pkd; 2000 per Sides at 7c, in bulk; 200,000 and 180,000 lbs Sides at 6¾c; 100,000 and 180,000 lbs Shoulders at 5¾c; 100,000 and 50,000 do do at 5½c, and 4,000 pcs slop Sides at 6½c. Of barrel Pork, the only sale reported was 175 bbls Mess on private terms. We understood that sales had been made at $15,50 for Mess, but did not learn the particulars. Of Lard, 200 bbls No. 1 sold at 9½c; 200 do do (corn) at same; 485 kegs do at 10c; and 400 do do at 10½c.

WHISKY.—Sales of 425 bbls from store at 20c; 100 do from wagons at 20½c; and 89 do high proof at 19½c, indicating a high market.

BALTIMORE, January 29.

FLOUR.—The Flour market has been very active since we closed our review yesterday. After change 3600 bbls Howard Street were sold at $5,25. To-day 1000 bbls mixed brands sold at $5,18½, and 1350 bbls straight brands at $5,25, at which the market is firm. No Sales of City Mills.

GRAIN.—Nothing in Wheat has been sold. Sales of Sales of Yellow Corn at 62@62c. Oats, 35c for Maryland, and 43 @44c for Pennsylvania.

WHISKY.—34½c.

The Coffee market is still quite active, with sales to-day of 1200 bags Rio at 9½@9¾c.

CHICAGO, January 25.

The market for Produce is rather dull to-day, as there are few if any buyers, and consequently no competition to keep up animation. Wheat was heavy, and on an average declined five cents. Hogs were also dull, but most of fair quality found buyers at $4,00. We do not see any good reason for a further decline in the present receipts, although sometimes, for a variety of reasons, may be otherwise engaged, and prices for a day or two decline. We shall expect the market to rally in a day or two.

Hogs.—No animation to-day, as there are very few buyers in the market—25,500@6,00 is the range, or very few sales will rule higher than $6,00. Those weighing 200 lbs and upwards were held firm at $6,00, and as the weather is cool, will probably command these figures.

BANK NOTE LIST.

CORRECTED DAILY FOR THE MORNING POST BY
Hoon & Sargent, Exchange Brokers,
Corner of Wood and Sixth streets, Pittsburgh.

PENNSYLVANIA.		
Pittsburgh Banks.....	par.	State & other solvent banks..... ½
Philadelphia "	par.	Solvent Canal Bonds,..... ½
Brownsville "	par.	Granville..... 1
Bucks county "	par.	Norwalk..... 50
Chester Co. (new issue)..	par.