THE CITY POST.

SATURDAY MORNING.....MAY 14.

FUGITIVE SLAVE CASE.

BEFORE THE UNITED STATES COMMISSIONER, J. BOWMAN SWETZER, Esq.—The following deposition was laid before the Commissioner, yesterday morning:

Personally appeared before the undersigned, a Commissioner under the Act of Congress of the 20th of February, A. D. 1812, duly appointed by the Circuit Court of the United States for the Western District of Pennsylvania, in the Third Circuit, Henry B. Chiles, who, on his solemn oath, saith: I reside in the city of Memphis, Tennessee, and have resided there some ten or eleven years past. I was acquainted with a certain slave owned by Jacob P. Harrington, of said city; said slave is about thirty or thirty-two years old; of a yellow or copper complexion, five feet five or six inches high, cheek-bones tolerably large, lips thicker than usual, inclined to be stout, and has a tolerably flat nose, and was known and called by the name of Lon or Lon. Said Lon or Lon was a slave for life, and escaped from his lawful owner, Jacob P. Harrington, then residing at Memphis, Tennessee, to whom he owed service and labor under the laws of said State in the year 1848 or 1849, and is now, as this deponent is informed and truly believes, within the Western District of Pennsylvania. HENRY B. CHILES.

Sworn and subscribed before me, this 12th day of May, 1853. J. B. SWETZER, Commissioner.

On the strength of this deposition, and in obedience to his duty, Mr. Swetzer directed the following warrant to the Marshal:—

To the Marshal of the United States for the Western District of Pennsylvania:

Whereas, it has been legally charged before me, that "Lon or Lun, being a person held to service or labor in the State of Tennessee, and owing such service or labor to a certain Jacob P. Harrington, hath escaped therefrom into the Western District of Pennsylvania,"—Now, in pursuance of the Act of Congress of the United States in this behalf made and provided, and by force of the authority vested in me as Commissioner, I do, by this warrant, empower and command you, that you apprehend the said Lon or Lun, if to be found within this District, and that you cause him to be found within this District, and that you cause him to be brought forthwith before me, at the U. S. Marshal's office in this city. (Signed) J. B. SWETZER,

U. S. Commissioner.

Mr. Frost, the Marshal of the District, who is in the city at present, in attendance on the Circuit Court of the United States, arrested the negro named on the information and warrant, as "Lon or "Lun," (but whose real name is Calvin Jones,) yesterday afternoon, about two o'clock, and took him before the Commissioner, Mr. Swetzer, who heard the case in the Marshal's room, in the Court House, immediately after the arrest of Jones.

A number of colored friends of Jones were in attendance, and manifested a deep interest in the progress of the case, but their conduct was orderly and law-abiding. Col. S. W. Black, and Messrs. D. L. Reed, J. K. Kennedy, and John M. Kirkpatrick, appeared for the defendant, and Daniel Rogers, Esq., for the claimant. The counsel for the defence although called upon very suddenly to defend the prisoner, and their ones made out clearly and admirably—the testimony, however will confirm the reader of that fact.

Mr. Rogers opened the case on the part of the United States. The right to recover the fugitive was founded, he stated, on the law which passed Congress in 1850. The claimants in this case were John O. and William H. Farrington, of Memphis, Tennessee, acting as executors of Jacob P. Farrington, deceased.

The paper then offered in evidence, the warrant of attorney signed by the executors, authorising one Jonathan Drake, their agent, to arrest a certain Lon, or Lun, a fugitive slave, belonging to the estate of which they were the executors.

Col. Black objected to the admission of the power of attorney as evidence, and asked that before it should be admitted proper proof would be presented that the owner of the slave was really dead, and had in his will, appointed the claimants as his executors.

Mr. Rogers offered as evidence a paper signed by, and under the seal of the Clerk of the Court of Shelby county, Tennessee, setting forth that John O. and William H. Farrington, deceased, were the executors of the estate of Jacob P. Farrington, deceased.

It was contended by Col. Black in answer, that the paper presented did not cover the ground objected to; he asked that a certificate of registration of the will and the appointment of executors should be produced—in Tennessee, as in other states, there were offices where such documents were registered, and before the power of attorney was admitted in evidence, he demanded that evidence of such registry should be presented. If this was not done, how was the Commissioner to know that there ever was a will made, or that the claimants had been appointed executors?

Arguments were made by Messrs. Kennedy, Reed and Kirkpatrick on behalf of the defence, against the admission of the document, and by Mr. Rogers, urging its admission.

The Commissioner was about deciding the warrant to be testimony, on the ground that it constituted one of the prima facie evidence of its genuineness, and that he was bound to infer the document was correct, from the fact that it emanated from one of the officials of Shelby county, and that there was no evidence that he was not the proper officer to certify to such a document, when Col. Black demanded a postponement of the hearing of the case, until the laws of the State of Tennessee in regard to the registration of wills and the appointment of executors, should be consulted. It was the decided opinion that the warrant should be read, and after the examination of witnesses had been concluded, further arguments should be made in regard to its genuineness, and as to whether it was proper testimony. The warrant of attorney is as follows:

Know all ye by these presents, that we, Jno. C. Farrington, executor of the last will and testament of Jacob P. Farrington deceased, of the county of Shelby, and State of Tennessee, do constitute, and in our place put Jonathan Drake our true and lawful attorney, in full, to pursue, arrest and bring back to Memphis, Tennessee, a negro boy supposed to be a runaway slave named Lon, Lon or Lun, of between thirty and thirty-five years old, of yellow complexion, about five feet five or six inches high, cheek bones tolerably large, lips thicker than usual, inclined to be stout, and has a tolerable flat nose, and is a slave for life, owned and held in service from his lawful owner, the said Jacob P. Farrington, some few years ago, and is now supposed to be in Pittsburgh, and it is the intention by these presents to give to Jonathan Drake full power and authority to arrest him wherever he may be found in the United States, according to the act of Congress in such case made and provided.

The said Jno. C. Farrington and Wm. M. Farrington, executors as aforesaid, hereby confirm upon the above named Jonathan their attorney, in full, for the purpose above named, all the power which they themselves would have to act in the premises, and his acts shall be as binding upon them, as if they were present doing the same themselves.

Given under hands and seals at Memphis, Tennessee, this 29th day of April, 1853. WM. M. FARRINGTON,

JNO. C. FARRINGTON, Executors, &c.

State of Tennessee, Shelby County:

This day personally appeared before me, Jno. P. Tressevant, Clerk of the County Court of said Shelby county, the above named Jno. C. Farrington and Wm. M. Farrington, who severally and jointly acknowledged, and who are the duly qualified executors of the last will and testament of Jacob P. Farrington, deceased, who acknowledge the execution of the above power of attorney for the purposes therein contained.

Given under my hand and seal of office, this 29th day of April, 1853. Jno. P. Tressevant, Clerk.

Mr. Rogers called Henry B. Chiles for the claimant. Mr. C. was sworn, and examined in a preliminary manner by Col. Black. The witness stated that he had no interest whatever in getting the slave back, and was only in the city to prove facts in regard to the case; did not even know that there was a reward offered for the arrest of the fugitive Mr. Chiles was then sworn and gave the following testimony:

Henry B. Chiles, sworn—Resides in Memphis, Tenn. Know Jacob P. Farrington in his life time; he was the owner of a slave named Lon, who worked as a drayman, with one of Mr. Farrington's brother, who were partners in business; knew him three years before he ran away; he ran away about four years ago next new year's day; I was informed at that city, this morning; I recognized him; witness identified Lon as the boy who had run away; he had thick lips, and high cheek bones.

Cross-examined—Cannot swear to any particular marks about Lun's body, but swear to his identity from the general appearance of his face—his high cheek bones, mouth, chin, ears, the face in general; a mark which I now notice on nose, and the face in general; cannot say whether the left face, do not recollect of seeing—cannot say whether the left it or not; recognized him today when I was in the Commissioner's office; was going into the Mayor's office; I was sitting about three feet from Mr. Swetzer's window—was not certain it was him until he returned, when he stood with his face towards me, and I fully identified him—I was satisfied beyond a doubt that he was the man, and would have sworn positively to him from seeing him there.

The evidence of the claimant rested here, and the defence proceeded to call witnesses.

One witness was recalled, and Mr. Rodgers asked the witness whether John C. and Wm. M. Farrington were the executors of the original owner of the slave? Question ruled out, and the defence proceeded.

Patrick Fox, sworn—Have lived in this city ever since I was six years old; know this man, Lun; I always called him Calvin Jones; got acquainted with him, for the first time, in the fall of the big fire, (10th of April, 1845,) on the corner of Market and Fifth streets, and have met him, off and on, ever since; he has been a barber ever since I knew him; his shop was a few doors from Sahl's tavern, towards Market street, on the wharf.

Cross Examined—Do not recollect how long it has been since the big fire; never saw Jones before that day, and asked him to help me to move, that we would be burnt out; can't tell how old he was; he did not go with me; the next place I saw him was at church, on the hill; it was not a month after the fire; it was starlight when I saw him; he was a barber; the church was ill up; he was on the outside; saw him in Allegheny about a week afterwards; knew that he kept a barber shop two years ago.

Edmund Snowden, (white,) sworn—Know this man; have always known him as Calvin Jones; have been acquainted about four years; he keeps a barber shop on the bank of the river; he had a case of assault and battery before the Courts, and I went to see him on professional business.

T. R. Yashon, (colored) sworn—First time I ever saw Jones, he was waiting at Strickland's restaurant, under the Post Office; think Mr. Biddle was Postmaster at that time; have seen him frequently since that; it was from eight to five years ago; it was before the big fire; saw him three or four times; he was called Calvin at Strickland's.

Cross examined—Nothing but evidence confirming that given in chief, was elicited.

J. A. Nellis, white (sworn)—Resides in Allegheny city, my occupation is that of newspaper agent, and carrier. Know defendant as Calvin Jones; have known him for four or five years; first saw him at a house kept by Mr. Strickland, on Third street, between four and five years ago; since that time I have had a more intimate acquaintance with him; have supplied him with newspapers; his shop was on Water street; have no doubt but this man, whom I supplied with papers for three or four years, is the man; (each I saw at Strickland's;) it is not unusual to see negroes (with such high cheek bones as Jones.

Nothing additional on the cross-examination.

Samuel Saunders, (colored,) sworn—Know the defendant as Calvin Jones since the winter of '47; first knew him at Strickland's restaurant; resided there at the time; used to drive his brother shot on the bank of the river that I became acquainted with Jones; it was about December; when, I saw him first after the big fire; saw him and saw Jones; he saw him so often he could keep no account of it.

Jesse Allen (colored) sworn—Know Calvin Jones since the year of the big fire; saw him about six months after the fire on the old Messenger; he told me there that his name was Calvin Jones; the boat was lying at the Pittsburgh wharf; have seen him off and on since that time; become acquainted with him, and always spoke to him; have no doubt this is the same man I saw on board the Messenger.

Thomas Robinson (colored) testified that he knew Jones at Strickland's between four and five years ago.

Dr. M. H. Delany (colored) sworn—Know the defendant as Calvin Jones; six or seven years ago recollect of seeing Calvin Jones; saw him on Hand street, in 1847. Left the city in 48 and returned in 1849; saw Jones, and have seen him regularly ever since; am satisfied that I seen him six years ago, know the man.

Henry Reiters, (colored,) testified that he knew Jones, and worked with him at Strickland's restaurant, when Mr. A. Reed assisting house under the Post Office.

The defence closed here, and by agreement of counsel the case was referred to the Commissioner, without argument.

Mr. Commissioner SWETZER then delivered his decision. He said, though Mr. Chiles was, no doubt, a man of respectability and integrity, and if there had been no contradictory evidence, he would deliver Jones over as a fugitive; yet, impelled by a sense of duty and of justice, he would discharge him from custody. The testimony of Mr. Chiles was contradicted by a dozen witnesses, and the occupation and pursuits of Jones, in this city, satisfactorily traced for years. The Commissioner therefore ordered the discharge of Jones from custody.

INT.—John B. Cochran, Esq., late Clerk in the office of the *Daily Union*, left yesterday evening for Nashville, Tenn., which city, we believe, he intends making his home in future. With him we associate some of our most pleasing recollections of days spent happily together. We have always regarded him as a trustworthy and honorable man, and we doubt not but that he will gain friends wherever he may go. Mr. T. has proved himself to be honest and true to all with whom he has had dealings, and obliging and kind to those who enjoyed the pleasure of his acquaintance. While we sincerely regret parting with him, the reflection is soothed by the certainty that he will win respect and esteem, and fortune attend him in his new home;—his talents and acquirements guarantee our anticipation of his success. Wherever his bark may be cast, hosts of friends will light with sunshine the spacebound him. We close by offering Mr. Cochran our best wishes, and sorrowfully bid him fare well.

RAILROAD ACCIDENT.—On Tuesday afternoon, the locomotive Mansfield was thrown from the track on the Ohio and Pennsylvania Railroad, two miles east of Knoxville, and the trucks torn from under the tender. The locomotive was not much injured. The engineer and firemen were in the locomotive, but escaped unhurt.

MISS FANNY WEBSTER, an actress admired by all, takes a benefit at the Theatre, this evening. The bill is novel and good. See it performed, by all means.

GLEASON'S PICTORIAL DRAWING ROOM COMPANION, and Barnum's Illustrated News, for this week, have been received at Gildenfonney & Co.'s, 76 Fourth street.

TELEGRAPHIC.

By the O'Reilly Lines for the Morning Post.

SOUTHERN NEWS.

NEW ORLEANS, May 12.

Saturday, May 14, 1853.

By the steamship Mexico news has been received from Galveston, dated 10th inst. The gold accounts previously received are fully confirmed. The Galveston News says, that it is informed by gentlemen from Hockberg, that a party of citizens have just returned from an exploring expedition, who found gold in the mountain, seventy miles north-west from Austin, both on the surface and in the ground, which latter they discovered by digging for it. They brought back some lumps, which any value at fifty dollars hundred and fifty ounces. The Austin Gazette, which has hitherto been incredulous on the subject, now fully endorses the accounts, and says, that the evidence of these most favorable reports, is so much of the nature of discoveries equalling the California mines. It is said, that the deeper the digging, the more abundant, and the richer is the gold found. The principal gold region is enclosed by Louisiana, the Colorado on the east, the San Saba on the north, and the river Colorado on the south.

Mexican dates have been received up to the 4th instant, by the Arista, which sailed from Vera Cruz on the 5th, leaving the British steamer Avon, from St. Thomas, in port. The Sisco contract has been confirmed by the Congress of Mexico, and the sovereignty of Tehuantepec has also been ratified. Santa Anna has declared new arbitrary regulations in regard to the port of Tampico, and that fifty per cent. in the government, the proprietors to deposite large sums of money as security. Copies of every article are to be laid before the government officers for their publication; they are to abstain entirely from discussing any political matters. Severe penalties are inflicted for the infringement of these regulations, or by the publication of matter denominated "subversive, seditious, libellous, immoral and calumnious." Its commencement of these regulations, several of the most prominent Mexican journals, including the Monitor, have been discontinued.

The steamer Cora Vera Cruz, of 6th ult., brings General Santa Anna as a passenger, who is going as Minister to Prussia. The full particulars of the inauguration of Santa Anna, and the formation of a new Cabinet, have been given before.

BALTIMORE, May 13.

The New Orleans papers of Saturday, 7th inst., contain an account of a horrible affair which occurred at Babington, S. C. It seems that on the evening of last, Mr. John D. Sims had a difficulty with his overseer, when the latter, of this latter, presented a pistol at Sims, and threatened to shoot him, upon which Sims shot first her, and then her husband.

BALTIMORE, May 13.

The bill authorizing the city of Baltimore to guarantee the stock of the Pittsburgh and Connellsville Railroad, which had previously passed the House, has been reported to a third reading by the committee of the Senate. The bill also authorizing the sale of the dividend stock on the Baltimore and Ohio Railroad owned by the State.

WASHINGTON, May 12.

The Cabinet held a protracted session, in order to pass upon the diplomatic appointments. It is understood that Henry A. Wise is to be appointed Minister to Chili, and Mr. Hubbard, of Maine, will in all probability go to Honolulu.

TELEGRAPH MARKETS.

NEW YORK, May 12.

State flour $4.22@2.25; Ohio $4.75@5, firm; 500 bbls Southern sold at $5.12@5.31, fair; 5000 bus western wheat at $1.29@1.31, good demand. Sales 400 bbls Ohio Whiskey at 22, better. Provisions, sales 200 bbls mess pork for September delivery, sales 600 bbls prime mess at $15. Lard, sales at 9½, demand limited; 450 bbls lard 9½@9¾ for first, further abundant at 12@13. Cloverseed 6½@7. Linseed, 1 bbl. Cotton 9½@9¾, steady. Sales 1000 bbls rosin at $1.14@1.37. Sales 100 bbls molasses, Orleans 27@28, heavy. Sales 2500 bbls cotton at full prices. Sales 6000 gals Whale Oil at 64.

BALTIMORE, May 13.

Bacon—Prices are favorable to buyers. Sales of Hams prime at 8½@9. Shoulders 6½@6¾. Lard 9½ are active—Sides only retail at 9. Shoulders 6½. Hog Round 7½. Mess Pork $15.75@16. Prime do. $14.50. Lard 9½@9¾ BAILEY & RENSHAW.

PHILADELPHIA, May 13.

Cotton dull. Flour unchanged, good demand. Wheat 1 cent higher. Sales 5000 bus. Corn, sales 2000 bus at 74 for old, but no purchasers. Rye Flour and Corn Meal, no sales. Rye for germ and 72 for the latter. Wheat...Less active and prices unchanged.

CINCINNATI, May 13.

Flour and Whisky are unchanged since noon. Sales 350 bbls Mess Pork at $14.50. Sugars firm at 5¾@5¾. Molasses 26@27. Coffee 9¾. Other articles are unchanged in prices.

NEW ORLEANS, May 12.

Cotton—On Wednesday, there were 2000 bales sold; prices advanced 1 eighth; middling 9¾. Freights dull. Sterling 9¾. Arrived, ship Marathon, from New Orleans; steamer Hermann, from Pittsburgh, at 5 o'clock, this afternoon.

LAKE FISH—100 bbls. and half bbls. White Fish and Trout, this day received, by

HENRY H. COLLINS, 25 Wood st.

may12

CINCINNATI SOAP—

2 boxes Cincinnati Soap;
20 do Sperm Sperm Candles;
10 do Mosaic Wash Balls;
20 do Fancy Shaving Soap;
10 do Cologne do;
15 do Variegated do;
3 do Chemical do;
10 do Rose Palm do;

Just received direct from the manufacturers, and for sale at very low figures, by the package or retail, by

Family Grocery and Tea Warehouse of

J. LAVELY & CO., 255 Liberty st.

apr27

JUST RECEIVED AND FOR SALE—

2000 Cocoa Nuts;
100 boxes Lemons;
140 do Oranges;
500 drums Figs.

J. C. ANDERSON & CO., No. 6 Wood street.

my10

CARD.

DOCTOR MYERS, having been relieved from his official duties as Surgeon, and Physician of the United States Marine Hospital, will in future give his undivided attention to his profession.

Office and Residence, No. 140 THIRD ST., (above Smithfield.

NOTICE:

THE Annual Meeting of the Stockholders of the "Pittsburgh, Cincinnati and Louisville Telegraph Company" for the election of officers for the ensuing year, will be held at the office of the Company, in the city of Wheeling, Va., on MONDAY, the 6th day of June next, at 10 o'clock, A. M.

Pittsburgh, May 11th, 1853.—eodlo

THE undersigned, having agreed among themselves, to close their Stores at 6 o'clock, every evening, (except Saturday,) from this time until the 1st of September next, respectfully request their customers to make their purchases before that time.

W. A. M'CLURG.
J. LAVELY & CO.
BAILEY & RENSHAW.

may6

Pittsburgh, May 5, 1853.

A BOOK FOR EVERY BUSINESS MAN—A Practical Treatise on Business; showing how to get, save, spend, give, lend and bequeath money; with an inquiry into the chances of success, and causes of failure in business. By a merchant. A fresh supply of 500 copies of the above valuable works, this day received and for sale by

P. M. DAVIS, Auctioneer.

EVENING SALE—FINE ENGLISH AND FRENCH COLORED ENGRAVINGS AT AUCTION.—On Wednesday evening, May 18th, commencing at 7 o'clock, will be sold at Auction, in the room beneath Washington Hall, No. 135 Wood street, above Fifth, a large and superior collection of fine English and French colored engravings of the most interesting subjects, framed and in sheets, without reserve, to the highest bidder.

P. M. DAVIS, Auct'r.

EXHIBITION FREE—GREAT SALE OF ONE HUNDRED AND FIFTY OIL PAINTINGS AT AUCTION.—On Wednesday morning, May 18th, commencing at 10 o'clock, precisely, will be sold at Auction, in the room beneath Washington Hall, No. 135 Wood, above Fifth street, a splendid collection of 150 Oil Paintings, by European and American artists of known celebrity, framed in the most fashionable manner.

The collection embraces many exquisite French figured pieces, landscapes of interesting scenery, moonlight scenes, and marine scenes. Also, a lot of beautiful fruit and flower pieces, painted on silk, attached to convex glass, rolled velvet paintings.

The sale will be peremptory, without reserve. The collection is worthy the attention of all lovers of Fine Arts. Ready for exhibition, with catalogues, on Tuesday morning. The exhibition will be open Monday and Tuesday, and evenings. The citizens of Pittsburgh, and the Ladies particularly, are invited to inspect the collection.

P. M. DAVIS, Auct'r.

BANK AND RAILROAD STOCKS AT AUCTION.—On Thursday evening, May 19th, 1853, at 8 o'clock, at the Commercial Sales Rooms, corner of Wood and Fifth streets, will be sold:

8 shares Merchant's and Manufacturer's Bank of Pittsburgh;
72 shares Bank of Pittsburgh Stock;
70 do Exchange Bank Stock;
30 do Ohio and Pennsylvania Railroad Company Stock.

P. M. DAVIS, Auct'r.

UNDERWRITERS SALE OF DRY GOODS.—On Tuesday next, May 17th, at 10 o'clock, at the Commercial Sales Rooms, corner of Wood and Fifth streets, will be sold, for account whom it may concern, from the store of Messrs. Allman, Dry Goods, &c., comprising cloths, cassimeres, jeans, drills, cottonades, cambrics, alpacas, de laines, lawns, ginghams, colored cambrics, brown and bleached muslins, buttons, cottons, threads, trimmings, &c. 13 doz. silk, plain and corded petticoat bombazines, 4 bales, cases and chests, &c.

AT 2 O'CLOCK, P. M.—Hardware, Groceries, &c., consisting in part of 100 doz. axes, 50 doz. assorted sheep shears, augers, 10 doz. axe stylers, cradles, rye tie snaths, &c.

Also—10 half chests Black Tea;
12 boxes No. 1 Chocolate;
10 do Pipe Heads;

P. M. DAVIS, Auct'r.

CATALOGUE SALE OF BOOKS.—Will be sold by Catalogue, at the Commercial Sales Rooms, corner of Wood and Fifth streets, on Saturday evening, May 14, at 7 o'clock, a collection of Books, embracing valuable works in History, Poetry, Science, Philosophy, Fiction, &c. Many of them are fine English editions, and a number of valuable works on Architecture, Engineering, and Engine Building; together with a subscriber's copy of Brooker's American edition of Boydell's Illustration of Shakspeare.

Catalogues can be had and the Books examined at the Sales Rooms.

P. M. DAVIS, Auct'r.

BUILDING LOTS AND SITES FOR MANUFACTURERS, IN BIRMINGHAM, EAST BIRMINGHAM, AND SOUTH PITTSBURGH, at Public Auction.—On Saturday, May 21st, in South Pittsburgh, at two o'clock P. M., on said day, will be sold on the premises, the following lots, situated on Carson street, between Pinkney, Sixth, in East Birmingham, and Saturday, 21st May